

**“NOT FOR SALE – JOINING FORCES AGAINST TRAFFICKING IN HUMAN BEINGS”
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**PANEL PRESENTATION: PARTNERSHIP AND COORDINATION
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Ladies and gentlemen:

Over five minutes or so I’m going to dive headfirst into the murky waters of partnership and collaboration: to try and throw out some ideas of where we are now and where we might try to head into the future.

But before doing that, I’m going to address, head-on the problems we face. Cooperation and partnership should never be taken for granted. Just because we’re talking about it doesn’t mean that it’s actually happening.

Like much else in life, self-interest will often trump the interest of the collective. Even when we have a common aim, working together can be very difficult. Conflicting and sometimes competing priorities and agendas are facts of life that inevitably operate to limit genuine, mutually supportive collaboration. Differences in organizational culture and competition for scarce resources are other factors that can inhibit cooperation.

This is realistic but it’s not necessarily pessimistic. In fact, my earliest experiences in the trafficking field left me convinced that *real collaboration*, in pursuit of a *common aim*, is both vital and possible.

The setting was the UN Headquarters in this lovely city – more than fifteen years ago. I was with a group of UN agencies observing the very early negotiations for the Transnational Organized Crime Convention and its Trafficking Protocol. We were extremely worried about whether this new instrument would, in the end, represent a net gain, for the rights of victims of trafficking. As a student of the Protocol and close observer of the drafting process, I believe to this day that we were right to be worried.

So what did we do? Very quickly we realized that our best chance lay in presenting a united front – and we established an informal group to coordinate our interventions. Our group included OHCHR, UNICEF, UNHCR, IOM and the UN special rapporteur on violence against women (we didn’t have one on trafficking at that stage!). Right through the negotiation process, we worked together to make sure that this new international instrument, the first treaty on trafficking in over fifty years, reflected at least the most basic human rights standards.

Victory was by no means assured. But over two years we acted almost as one: issuing joint position papers; developing joint analyses of different drafts; even making speeches on behalf of each other. I have no doubt whatsoever in my mind that the Protocol we have today would have been a different instrument without

that collaboration – without that partnership. Together, we made a real difference.

This is a great lesson in the art of the possible. Perhaps it also points us to the one area where partnership and collaboration is both *vital* and *attainable*.

I am speaking of course, about standard setting: about the norms and rules that, taken together, set out what States and others must do and not do when it comes to trafficking. It is these rules and standards that “put words in the mouths of the powerless”, that enable us to say whether a response is sufficient or correct; that turn vague ideas about what should be done into clear, specific obligations.

The legal landscape around trafficking has been radically transformed in the space of fifteen short years. We have our international treaty of course – and a fine instrument it is.

But we also have a robust regional legal framework within Europe that manages to both draw on and reinforce the UN Protocol. Add to this a myriad of ‘softer’ sources of law, from GRETA’s own reports to EU policy statements to court decisions, to national legislation that uses our international and regional standards as a blueprint.

This period of great normative development has involved all of the organizations present here. This framework we now have and use doesn’t belong to the UN’s Crime Commission or its Human Rights system. It doesn’t belong to the OSCE, the EU or the Council of Europe. It belongs to us all.

Nurturing and advancing that framework must be a high priority for cooperation and partnership: not least because partnerships, whatever their form, are next to useless unless they are based on a common understanding of what the problem is and what we should be doing to solve it.

At a minimum, we should be doing everything we can to ensure that States, regional and international organizations are explicitly applying the same rules and standards in all aspects of their work: from research into new areas, such as trafficking in persons for the removal of organs, to the provision of training and technical assistance.

Application of common rules and standards is especially critical in relation to *monitoring or assessment* of State responses. For example, while the Council of Europe Convention is the foundation and principal reference point for GRETA’s work, GRETA should be able to seek interpretive and other guidance from the work of the international human rights bodies, as well as from the EU and the UN’s Crime Commission. In the same way, these bodies should take all possible benefit from the important work that is being done to interpret and apply the provisions of the Council of Europe Convention. Any monitoring mechanism established in the future under the Trafficking Protocol must look beyond the Protocol to the much broader body of rules and standards that have developed outside that instrument.

This is the way we put flesh on the bones of our rules: this is how we turn them from vague pronouncements to clear directions on what must be done.

And I cannot, in all conscience, leave this topic without mentioning the US TIP Reports. These reports are extremely important in shaping the discourse around trafficking, and shaping the understanding of States as to what they are required to do. I feel very strongly that the assessments in these reports should be explicitly based, not on US national law, but on the international standards that countries under scrutiny have signed up to. The current situation represents a missed opportunity for collaboration and partnership.

Ladies and gentlemen:

One of the painful lessons I've learned in my time working on trafficking is that real change doesn't – won't ever - come easily. The ideas we are engaging with: human rights, the rule of law; equality between men and women, social justice are still new; they are still fragile. They fly in the face of human history and human experience, which has always accepted the domination of the strong over the weak - the rich over the poor.

These ideas are radical because what we are really talking about is the redistribution of power: taking power away from the strong – from those who have too much – and giving power to those who don't have enough.

History, and our own experience, teaches us that those who hold power do not give it up easily. Once we understand that, we also come to understand that the struggle for human rights, equality and justice is not a one-off battle. It is, rather, a slow chipping away at structures, attitudes and behaviors that have defined the human condition and human relationships, for a very long time.

Our efforts at partnerships and collaboration may be patchy; they may sometimes fall apart altogether. But I believe that as long as we are committed to a common vision: a vision based firmly on shared international standards – then we will make progress.

Thank you.