

## KEYNOTE REMARKS

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*Organization for Security and Cooperation in Europe (OSCE)*  
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*Mediterranean Region*

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Excellencies, Ladies and Gentlemen,

I am honoured to participate in this distinguished gathering on an issue so vital to human rights and dignity.

I'd like to begin by thanking the OSCE and Dr. Maria Grazia Giammarinaro, Special Representative and Co-ordinator for Combatting Trafficking in Human Beings, for the invitation and the privilege of being here with you today. I also would like to thank the Government of Italy and Luxembourg for their support.

### **Introduction**

We are all aware that human trafficking is one of the great scourges of the modern, global era. Aging populations and falling birth-rates in many industrialized countries stand in stark contrast to rapid population growth in much of the developing world. New labour markets have been opened as service industries and employment opportunities are established in new places. In too many countries, migration policies do not respond adequately to this reality and have become more restrictive and rigid.

The global economic crisis has only exacerbated this reality. Over the last five years, we have seen some governments react to the downturn by restricting access to domestic labour markets to all but the most highly skilled foreign workers. Others have instigated a complete freeze on all foreign workers in some sectors, and still others have incentivized employers to retrench migrants.

We are well aware of the impact of such policies. Migrant workers quickly become the most vulnerable category of the working population. They are more likely to be overrepresented in jobs that are dirty, difficult, and dangerous; they are more likely to be subjected to non-payment of wages; they are less likely to be unionized.



Although 50% of the currently estimated 215 million international migrants and more than 750 million internal migrants are women, migrant women are disproportionately affected by these conditions.

These factors, when coupled with larger pools of desperate people, government cut-backs for social programming, increased xenophobia, and cost-sensitive consumers and businesses, make our goal of eradicating trafficking more difficult, not less so. With this context in mind, I would like to highlight three areas where, from IOM's perspective, a more concerted effort is required.

## **I. Protecting Victims by Protecting Migrants**

The identification of victims of trafficking remains one of the principal challenges to effective protection, and nowhere is this more evident than the migration context of the Mediterranean. By land, sea or air, migrants keep coming, despite the well-known risks of mishap and abuse, and deaths estimated in the thousands. Among the irregular migrants that reach North Africa or Southern Europe - how many suffer abuse? - how many are destined for exploitation? - how many are trafficked?

The process of identification is not an exact science, and there is often a fine line separating a trafficked person from an exploited or abused migrant. And yet to positively identify a person as a victim of trafficking means that he or she may be eligible for temporary or permanent residence, safe accommodation, medical and psychosocial support, skills training, and a raft of other forms of assistance. An irregular migrant with similar needs often receives none of this – especially if he is male and doesn't fit a particular stereotype. In my view, this disproportionate response is not logical, and only impedes our efforts to identify *bona fide* victims of trafficking. Surely we would identify and protect more victims of trafficking if we prioritized the rights and needs of irregular migrants, rather than focussing in levelling administrative or criminal sanctions for the manner of their entry or stay.

We must also address those traditional practices that we know exacerbate the vulnerability of migrants – perhaps most obviously the selective application of labour laws in certain sectors, such as agriculture, construction, or domestic service. We hear too many stories about migrant workers, legal or in an irregular situation, who run a gauntlet in crossing borders to work in labour intensive sectors for wages well below the minimum required by law (or the industry standard); often to be denied even these



by unscrupulous employers who instead conspire to arrange their deportation when they are no longer needed.

Let us not confuse the issue by calling it an immigration problem: this is a problem of exploitation, and yet the victims of these scenarios are generally more likely to be penalized for their minor role than are employers who profit from illegally cheap, or even free, labour. How much would it cost, economically and politically – to enforce existing labour laws in sectors vulnerable to these kinds of practices? Is the price too high?

There is no quick or easy solution to strengthen our ability to identify and protect victims of trafficking, but a greater commitment to protecting all migrants – regardless of legal status - may well be a precondition.

Together with North African countries we have worked since 2007 to build a better understanding of trafficking, and develop practices to address its many challenges. Trainings to the benefit of judges and prosecutors, law enforcement officials, civil society organizations and religious personnel (both Muslim and Christian) have increasingly taken place. The Arab Spring has slowed these efforts, and there is a need to revive them in order to keep the counter trafficking process moving ahead. At the same time, IOM is working to ensure a protection sensitive approach to border management within the Mediterranean, and one which safeguards the rights of migrants.

## **II. Preventing Trafficking by Discouraging Demand**

Let me now move to another area where further concerted effort is required. I believe that after more than 12 ago years of prevention work, and the investment of millions of dollars and countless hours, the time has surely come to critically analyse our efforts to prevent trafficking.

In looking back, I believe that many of our prevention efforts have relied on a misallocation of root causes. For too long have we assumed that poverty, or a lack of opportunities at home are the root causes of trafficking. But let us not mistake what we know to be common migration *push* factors for the root causes of human trafficking. Is economic deprivation, social discrimination, or political unrest so much more prevalent today that they have caused a corresponding, and exponential, growth in the trade in human beings? It would seem to me that while such conditions can undoubtedly make people more vulnerable to trafficking, they are not the root causes of trafficking in

persons as such. Unfortunately, this misallocation of root causes has proved to be a distraction, encouraging us to focus our prevention efforts disproportionately on the supply end of the human trafficking chain – in countries and communities of origin – rather than on *the demand for the goods and services* produced and provided by victims.

The idea of demand as a root cause is not a new one, but it has been neglected. While hundreds of millions of dollars have been spent on campaigns to raise awareness of trafficking among aspirant migrants in the vain hope that they won't be seduced by false offers of employment abroad, relatively little has been spent to prevent trafficking in the countries and communities where the victims are most likely to be exploited.

IOM is starting to redress this imbalance. In 2009, we started a pilot initiative in Europe to raise public awareness to the fact that uninformed consumerism fuels trafficking in persons and labour exploitation. Known as ***Buy Responsibly***, the project challenges conscientious consumers – those people who want their purchases to reflect their human values – to ask ‘what’s behind the things we buy’. We believe that if we can encourage such people to regularly seek assurances from their retailers that individual consumer products have not been produced by trafficked and exploited migrant labour that this in turn can encourage these retailers to prefer to stock items which are guaranteed to have been produced ethically. In a time of economic uncertainty, when consumers and businesses alike are particularly partial to prioritize costs savings, initiatives of this sort become even more crucial to our fight against trafficking.

Preventing trafficking in persons undoubtedly requires a sustained investment of time and resources, and it may be the most difficult of the 3Ps to achieve. But surely prevention is worth this investment. Surely it is better to prevent trafficking from occurring in the first place than it is to be forced to react to its horrific consequences. My own view is that we will only succeed in preventing trafficking in persons if we address the root causes directly. This means working to curtail the demand for the labour and services of trafficked persons, as well as the goods produced by their labour, and to reduce the profit margins for the perpetrator.

### **III. Partnerships**

The final area that I'd like to emphasize is our partnerships. Trafficking is an organized crime that necessitates an organized response, and yet it is a phenomenon



whose very nature seems designed to frustrate cooperation between those seeking to counter it. In how many countries have governments remained inert while their various ministries – of Justice, of Interior, of Social Welfare – debated which should take the lead? How often have traffickers escaped prosecution because of jurisdictional issues and the inability of different national criminal justice systems to interact effectively? How many times have trafficked persons been summarily deported or repatriated without any coordination between immigration authorities? These are challenges that persist everywhere, including within the EU and between members of the Arab League and African Union - to say nothing of the broader challenge of cooperation between countries on opposite sides of the Mediterranean.

As international organizations, we also have a great deal more work to do to strengthen our relationships in the fight against trafficking, or we risk duplicating efforts, ignoring significant gaps, and missing opportunities to leverage our comparative strengths in pursuit of our common goal. Between IOM and the OSCE, I am confident we have a strong foundation on which to build. Not only have we collaborated at national and regional levels to strengthen protection of trafficked persons, and improve their access to justice, we continue to advocate jointly throughout the OSCE region for policies that protect victims of trafficking from legal penalties for activities committed as a direct result of their situation as victims of trafficking. We have also worked to reduce the vulnerability of migrants as a means of preventing their exploitation. The OSCE's Alliance Against Trafficking in Persons Expert Coordination Team (AECT), of which IOM is an active member, has facilitated improved partnerships with non-governmental organizations that are so essential to ensuring the human rights orientation and long-term sustainability of counter-trafficking measures.

But we must recognize too that our traditional tripartite alliance of governments, intergovernmental organizations, and non-governmental organizations are insufficient to address the challenges we face. 2010 was the first year in which more victims of labour trafficking were referred to IOM for assistance than victims of sex trafficking, and the ensuing trend is pushing us to re-think our traditional approaches. In doing so, we've recognized the unique leverage of private companies to make a difference – particularly along supply chains that stretch across the borders of many countries and to labour recruitment practices. IOM has recognized this and is currently preparing to launch IRIS – its International Recruitment Integrity System (IRIS) – which aims, *inter alia*, to: develop an accreditation and monitoring process for international recruiters; assist



companies in assuring the integrity of their recruitment practices, and; assist labour migrants and employers in reporting illegal activities or abuses.

Governments have a crucial role in encouraging private companies to be proactive. Last year, for example, the *California Transparency in Supply Chains Act* came into effect. The Act requires every retail seller and manufacturer in California doing more than \$100 million in business worldwide to publicize its efforts to eliminate slavery and human trafficking from its direct supply chain. This is one of the first legislative efforts of its kind, and will no doubt be a template for many future efforts.

Public – private partnerships are critical if we are to make progress in the fight against human trafficking in the next decade. Only once we are able to effectively marshal the collective commitment and capacities of national governments, inter- and non-government organizations, as well as other civil society stakeholders will we begin to make noticeable progress towards eradicating this crime.

## **Conclusion**

Let me conclude by saying that since the Palermo Protocol was opened for signature more than 12 years, national laws have been enacted, referral systems established, shelters built, return and reintegration programmes implemented, thousands of officials trained, joint investigations instigated, and information campaigns carried out. IOM together with its partners has implemented around 950 projects around the world with the specific aim of preventing trafficking, protecting victims of the trade, and/or building the capacities of national governments to counter trafficking, and has been directly involved in the protection of more than 25,000 victims.

All these are *significant* results. *Significant*, but not determinative. Necessary but not sufficient. To me the litmus test of our collective success is measured by a simple question: Since the advent of the Trafficking Protocol, have we significantly decreased the scale of the problem?

Let's continue questioning our efforts and re-thinking our activities to ensure that we achieve better results and indeed succeed to decrease substantially this scourge.