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**STATEMENT BY MS. JOY NGOZI EZEILO, THE
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PERSONS, ESPECIALLY WOMEN AND
CHILDREN**

High Level Meeting of the General Assembly on the Appraisal
of the Global Plan of Action to Combat Trafficking in Persons

*Panel on: The Global Plan of Action, relevant legal instruments, and
Effective Partnerships to Protect and Assist Victims of Human
Trafficking*

**United Nations, New York
Monday 13 May 2013**

Excellences,
Distinguished Delegates
Ladies and Gentlemen,
Chairperson,

It is my pleasure to deliver this statement in my capacity as the UN Special Rapporteur on Trafficking in Persons, Especially Women and Children I welcome this high level meeting and I'm grateful for the invitation to participate in and be part of this dialogue.

Increasingly I find very profound and compelling article 1 of the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, which unequivocally and in an unusual fashion –atypical of international instruments - put forward a statement of purpose for the Protocol articulated as follows:

- ✓ To prevent and combat trafficking in persons, paying particular attention to women and children;
- ✓ To protect and assist the victims of such trafficking, with full respect for their human rights; and
- ✓ To promote cooperation among States Parties in order to meet those objectives.

I draw a lot of strength, inspiration and additional impetus from this statement of purpose in the course of my global mandate and the depressing work of fighting human trafficking and seeing first-hand the victims of this heinous crime, listening to their tales of woes that shames and challenges humanity. The emphasis on cooperation in article 1 brings hope that we can make meaningful progress working together in a global partnership to end human trafficking. Cooperation and partnership are cross-cutting elements in all aspects of the efforts to combat trafficking in persons. In my past thematic reports, I have addressed the importance of cooperation and partnership among different stakeholders such as Governments, businesses, civil society organizations and trafficked persons themselves, not only at a national level but also at sub-regional, regional and international levels.

The Global Plan of Action is a milestone and a clear manifestation of global cooperation envisaged in article 1 of the TIP Protocol to combat human trafficking.

As Special Rapporteur on trafficking in persons, especially women and children, the fulcrum of my work has been advocating that the implementation of anti-trafficking responses be based on 5Ps (protection, prosecution, punishment, prevention, promoting international cooperation and partnership), 3Rs (redress, recovery and reintegration) and 3Cs (capacity, cooperation and coordination), guided by international human rights law and standards.

At the core of partnership/international cooperation is the motivation to protect and assist VOTs and importantly provide effective remedy to the victimized and vulnerable persons. Both articles 6 and 9 underscored the need to protect and assist victims and to cooperate to prevent human trafficking. There is abundant reference to the right to effective remedies in international and regional instruments, including: UDHR, ICCPR, CAT, CERD, CEDAW, the European Convention for the Protection of Human Rights and Fundamental Freedoms Art. 13; American Convention on Human rights (art.25); African Charter on Human and Peoples' Rights (art.7, para. 1(a)); and the Arab Charter on Human Rights (art. 9).

Trafficked persons are rarely known to have received compensation, as they do not have access to information, legal assistance, regular residence status and other assistance necessary to seek compensation. At worst, many trafficked persons are wrongly identified as irregular migrants, detained and deported even without having had a chance to consider seeking remedies.

In my report to the Human Rights Council in 2011, I focused on the right to effective remedy, the legal framework of this right, good practices and main challenges in ensuring its effective implementation at the national level. The report also set out in detail each component of the right to an effective remedy, identifying specific factors to be considered when applying this right to trafficked persons, and put forward recommendations to States on how they could fulfil their obligations to provide effective remedies to trafficked victims.

Furthermore, my 2010 report to the GA on prevention of trafficking emphasized the need for public/private partnerships, -- including monitoring and evaluation of anti-trafficking initiatives. Strategies aimed at preventing trafficking in persons must address underlying factors that render people vulnerable to trafficking, such as poverty, lack of employment opportunities, sex discrimination and inequality, restrictive immigration laws and policies, war and conflict. Demand for exploitative labour and services, particularly demand by employers and third parties involved in trafficking, should be addressed as a root cause of trafficking. In preventing trafficking in persons, the participation of trafficked persons in designing and implementing prevention measures is critical. Policies, initiatives and programmes informed by the voices of trafficked persons will be more effective, as trafficked persons can provide crucial information about why they left their homes and what strategy or support was needed to prevent them from being trafficked.

The GA resolution on modalities, format and organization of the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons (A/RES/67/260) has taken a bold and necessary step to evaluate the journey so far, progress made in relation to the implementation of the GPA, challenges, gaps and what remains to be done to reach the goal post. This, I believe, is a forwarding looking strategy in our collective quest to end human trafficking. The GPA promotes international cooperation in combating trafficking in persons, which is often committed transnationally and require cooperation of source, transit and destination countries. Without international cooperation and collaboration, effective investigation and prosecution of the crime of human trafficking, including prevention would be hindered.

Recalling making a case for GPA in my initial report to the Human Rights Council in 2009 and subsequently speaking at a special session of the GA that was a precursor to the adoption of resolution on the GPA; I consider myself and the mandate privileged to be a witness to today's event of stock taking three years down the line. The outcomes of the Global Plan of Action are encouraging, especially the establishment of the UN Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children. I believe that there is room for strengthening this plan with the involvement of all stakeholders. And I emphasize that we need to reach out to all stakeholders, carry them along to deepen the dialogue and political will and

leadership already galvanized. We need all voices! I consider all voices of UN member States, UN agencies, regional and sub-regional organizations, CSOs, Victims vital for full realization of this plan.

I hope that the feedback from this special session by way of summary of proceedings and lessons learned during these past years can inform the re-formulation of this policy document towards achieving its goals and strategic objectives. Cooperation runs through the length and breadth of the TIP Protocol and identified gaps in terms of capacity and coordination needed to effectively combat trafficking could only be achieved through partnerships, including with the non-governmental organizations, the private sector, especially the media.

The Global Plan of Action; the International Framework for Action to Implement the Trafficking in Persons Protocol, the Recommended Principles and Guidelines on human rights and human trafficking developed by OHCHR in 2002 are significant in amplifying and reinforcing existing relevant international legal instruments to combat human trafficking. The GPA has renewed the urgency to end all forms of trafficking in persons, especially women and children; ensure that the promotion and protection of the human rights of victims of trafficking in persons is at the core of efforts to prevent and combat trafficking in persons.

Universal ratification of the Protocol will reinforce the global partnership and cooperation required to end human trafficking. Over 40 countries are yet to ratify the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons. The Trafficking Protocol clearly recognizes the role of bilateral or multilateral cooperation in alleviating factors that make persons vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity, as well as in discouraging demands that foster trafficking in persons.

UN member States should ratify other related legal conventions and instruments of significance in fighting human trafficking, including the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182); ILO Domestic Workers Convention No. 189; the Convention on the Rights of the Child; and the Optional Protocols thereto on the sale of children, child prostitution and child pornography; the Convention on the

Elimination of All Forms of Discrimination against Women; and the Human Rights of Migrant Workers Convention.

Chairperson,

I look forward to continuing work with relevant stakeholders, especially UNODC, Member States, international, regional and sub-regional organizations, private sector, including civil society in furthering implementation of the Global Plan of Action.

Thank you.