

Ensuring protection to all victims: minorities

Thank you Katarina.

Excellencies, distinguished delegates and panelists,
mesdames et messieurs. *Bonjour, Gruss Gott!*

I'm honoured to be invited to this 22nd Conference of the Alliance against Trafficking in Persons on upholding victims' rights and strengthening assistance, and particularly to be able to join such a distinguished second panel on ensuring the protection of all victims.

The UN Secretary General António Guterres recently warned that "For predators and human traffickers, the war in Ukraine is not a tragedy, it's an opportunity - and women and children are the targets." As others have also noted, for trafficking rings notoriously active in Ukraine and neighbouring countries in peace time, the fog of war is perfect cover to increase business.

This afternoon's panel is entitled 'Ensuring protection to all victims'. Implied in those few words is the need for clarity as to whom are the victims – and here unfortunately it's not always the fog of war which may obscure matters sometimes.

Most victims of trafficking are from minority and other vulnerable groups, especially women and children from these communities as we've been hearing and as my fellow panelists will be highlighting.

Human traffickers target and exploit for sexual, labour and other purposes those who are most vulnerable, and periods of war and instability exacerbates those who socially, economically and legally are at the lowest, most disadvantaged and marginalized rungs of society.

We all know who they are, but it hasn't necessarily 'clicked' that they tend to be women, children and workers from mainly minority backgrounds in part because they are not always also acknowledged as minorities.

Who are among those who are the most marginalized and disadvantaged in Europe? Migrants and refugees. Romas and people of colour. Those from South Asia, or the Middle East, or Africa who may also be fleeing conflict but who are deemed as others. Those who are stateless – who are not citizens of any country - or who do not have the required legal or identity documentation. Those who because of their language or education are less able to defend themselves.

In practical terms, these are disproportionately often minorities whose legal status or identity therefore makes them the preferred targets of human traffickers, not least because the lack of proper identity documents make the movements of these members of minorities, whether they are migrants or refugees, particular difficult to track.

As you can appreciate, there are complex push and pull factors that can operate to lead individuals by their millions to flee their country or seek a better life, sometimes at great, even fatal, risks. But one of the greatest is war and conflict, not only in the Ukraine, but also Afghanistan, Cameroon,

Central African Republic, Mali, Myanmar, South Sudan, Yemen and other parts of the world.

All those fleeing these conflicts are also minorities in Europe.

This brings me to point out the greater care we need to take in relation to how we conceptualise and address human trafficking in the European context: if you look again even at the description of this panel in the official conference programme, it mentions the importance of effective protection of trafficking victims persons being based and ensuring access to remedies for all trafficked persons irrespective of their age, gender, citizenship, and social, economic, cultural, ethnic or religious background.

Unfortunately, this omits one of the greatest barriers to ensuring access to remedies – and that is language. Those who are displaced and disoriented, often with no idea where to go next, need to be reached as effectively as possible – and that means through their own language.

If you continue to read the panel description more closely, it then goes on to emphasize on the following, and I quote “on

the needs of the victims who often remain overlooked or for whom the protection response still needs to be developed, including national minorities, people on the move, including those seeking refuge from armed conflicts, people with disabilities, as well as take into account gender-specific vulnerabilities.” End of quote.

Let us be clear: most of those who are most in need of protection are not national minorities, in the European sense, but members of ethnic, religious or linguistic minority groups who may be particularly vulnerable because of language barriers, or lack of proper legal status or proper identification papers?

In her 2010 report on “Trafficking in persons, especially women and children”, my colleague the Special Rapporteur on trafficking in persons points out on the need to adopt inclusive approach in preventing human trafficking and highlights that minorities are among the groups at high risk of being trafficked because of the wide range of intertwined factors at play. One single factor such as poverty, gender discrimination or lack of employment opportunities per se

does not necessarily lead to trafficking; rather, it is the combination of multiple factors that may place certain individuals, mainly minorities, at a higher risk of being trafficked. Thus, the SR argues that measures aimed at addressing the root causes of trafficking should be based on the recognition that trafficking is caused by a lack of comprehensive protection of such human rights, as freedom from discrimination, the right to work, the right to an adequate standard of living and freedom of movement.

As an example, UNICEF advocates a comprehensive child protection system rather than measures that focus narrowly on trafficking. In its “system-building” approach, UNICEF promotes shifts towards building and strengthening social welfare, changing social behaviour and improving the legal and justice system for child protection in a holistic manner, based on the principles enshrined in the Convention on the Rights of the Child. This approach can be offered to other groups at high risk of being trafficked, such as women or minorities, so that prevention measures are designed to protect the human rights of potential victims of trafficking in

a comprehensive manner rather than focusing on alleviating one factor.

Another important observation to return to the issue of language is that from the field experiences translation and language support has been one of the most troubling and inadequately provided services to the victims of trafficking, who are again usually minorities, yet it is crucial in the rehabilitation and reintegration of victims and in their access to justice.

Times of conflict can at times serve as lens that magnifies some of the darker sides of our humanity, yet it is during these periods that more needs to be done to better protect those most vulnerable and in need of protection.

I wish I did not have to remind us of what is happening to some minorities, but you have all heard about some fleeing the conflict who find themselves at the back of the line, not receiving assistance or less assistance because of the colour of their skin or their obvious ethnic origins.

You may have heard about the government minister of a member state of the European Union loudly declare in a media interview that not a single Muslim would be admitted in the country due to the conflict in Ukraine. And Roma from Ukraine who have availed themselves of the open borders of some neighbouring countries which allows them to enter the country without documentation are now finding themselves in ethnically segregated reception centres with poor living conditions and not enough food to go around.

These discriminatory treatment of Roma and other minorities because of their religion or language or colour of skin do occur, make them even more vulnerable even during this extreme period, and thus more vulnerable to human trafficking. More obviously needs to be done by focusing, as a number of colleagues and myself warned in a press release issued a few weeks ago, that discrimination and racism increase vulnerability to trafficking of those who are most marginalised, and that usually means minorities.

And to conclude if I may take a few more minutes, it may be useful to remember that we have been here before. In 1939 the

MS Saint-Louis, a ship with around 900 Jewish passengers, was refused landing by Cuba, Canada, and the United States in the lead-up to the Holocaust. They as members of the Jewish minority in Nazi Germany faced harassment, discrimination and worse. For many, that rejection was a death sentence.

They were turned back because of their religion and ethnic origins during a period of our history where antisemitism and prejudice against minorities such as themselves but also Roma, Dalits, Africans and Asians was widespread, even almost prevalent in a number of societies.

In a declaration I issued last week, I stated that all people of Ukraine, including people of African, Asian, Middle Eastern descent and Roma must be granted equal protection and safety when seeking refuge inside and outside of the country, regardless of their ethnicity, religion, language or status.

Minorities such as Roma or people of African descent, those of Middle East or Asian origins, and all other minorities regardless of the colour of their skin, or their ethnicity or religion, must all be dealt with without discrimination along their evacuation route out of Ukraine.

The governments and populations must be commended for the waves of generosity in opening their borders, their homes and their hearts to many of the more than 3 million currently having fled the war in the Ukraine.

But there is also a wider context which must be confronted.

Those fleeing conflicts in Afghanistan, Cameroon, Central African Republic, Mali, Myanmar, Yemen and other parts of the world also deserve to be treated with equality, generosity and humanity and should not be pushed away like were Jews on the St-Louis in 1939, also sometimes to their death on the shores of the Mediterranean or of the English Channel because, well because of the colour of their skin, the God to which they pray, or the sound of their voices. We should remember the promises that have been made by many. Never again, plus jamais, nunca mas.

Merci, Danke schoen.