

Side – Event, 13 March 2019

**Access to rights of women and girls who are victims of trafficking: assistance, protection and support**

Organised by the European Union in partnership with the Philippines and the International Organization for Migration

Panel

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Representative of the Philippines and Professor of Social Work

H.E. Mr. John Cotton Richmond USA Ambassador-at-Large to Monitor and Combat Trafficking in Persons

H.E. Mr. Kornelios S. Korneliou . Permanent Representative of the Republic of Cyprus to the UN

H.E. Ms. Maria Theofili. Permanent Representative of Greece to the UN

Ms. Ulasi Ebele. Director of the Counselling and Rehabilitation Department, Nigerian National Agency for the Prohibition of Trafficking

**Introduction: Dr Myria Vassiliadou, EU Anti-Trafficking Coordinator.**

This year's priority theme is important in the context of women and girls who are trafficked.

One of the purposes of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Trafficking in Persons Protocol, is to protect and assist the victims of trafficking in persons, with full respect for their human rights (Art. 2(b)). The Protocol sets out specific protection and assistance standards for victims of trafficking such as measures for their physical, psychological and social recovery (e.g. housing; counselling; medical, psychological and material assistance; employment; educational and training opportunities; availability of residence permits; facilitation of repatriation and non-liability).

Social protection, assistance and support, and access to rights for victims of trafficking, are systematically placed at the core of the international and EU anti-trafficking legal and policy frameworks, including as a key priority under [the 2017 European Commission Communication on the follow-up to the EU Anti-Trafficking Strategy \(2012-2016\)](#). The fact that the EU has its own legislation, and gender specific legislation is a huge step. EU law is unique in that it is possible that the EU can have sanctions from member states who do not comply with the law.

EU Data shows that 68% of all trafficked persons are women and girls. Of those trafficked for sexual exploitation – 95% of the victims are women and girls. Trafficking for sexual exploitation is gender specific and different from other types of trafficking. We need expertise for identification, service provision, access to goods and service.

The EU has development Guidelines to help implement the law in member states. There is a long list of services that must be applied unconditionally. However, the implementation at national level is the challenge. The EU follow up on implementation in each country. We must remember that victims of trafficking are holders of rights. EU is about to launch a study to see how the national referral systems are functioning.

We need to counter the culture of impunity and ensure response globally. At international level the EU largest development donor in the world – 75 billion Euros in assistance.

### **The EU and the United Nations.**

The EU launched, together with the UN, the “[Spotlight Initiative](#)” to eliminate violence against women, aiming at mobilising commitment of political leaders and contributing to achieving the Sustainable Development Goals (SDGs), and more specifically Goal 5 on Gender Equality and Goal 16 on inclusive and peaceful societies, one of the strands of which is trafficking of women and girls. Trafficking is addressed under different SDGs in Agenda 2030 which was built to ensure that no one is left behind.

At one point when mentioned that we need to focus on prevention because, when we have victims we come far too late. Many times victims of trafficking are often exploited when very young. EUROPOL – reported last October that prostitution of children is more profitable. Men pay more to have sex with children.

### **Ms, Laura Thompson Deputy Director General, International Organisation for Migration**

Question: As trafficking happens within our own countries and within our own regions. Important that we remember them. How is the vulnerability of women and girls addressed for different forms of exploitation?

The gender dynamic in trafficking is not only about people who cross borders. A large number of women and girls are trafficked within their own boundaries.

We often think of trafficking in terms of migration, but it is not only this. Women and girls are usually trafficked for sex. Labor trafficking a bit different. Sex trafficking of women and girls brings in \$35 billion annually. A Migration Vulnerability document is being produced by IOM.

The UN and individual countries have done a lot. 10 years ago we were talking about having a legal framework and enacting it. Now almost every country has legal frameworks. A lot is being done but it does not mean that we have addressed the problem. It is about transnational crime. We have trained thousands of people to address different aspects of the crime. Yet there is a big reluctance from the majority of the systems. They address other forms of crime because they are more familiar with them, e.g. drugs

Policy and legislation are fundamental, but the regulations need to be there and used.

The capacity needs of partners are real. They are being addressed by national authorities or NGOs. Some have made a lot of progress in certain aspects others in other aspects. But there is still great need.

Trafficking has to be embedded in the broader environment. The IOM developed an ecological model - the individual within the household, community and environment - that determines the level of vulnerability. For example, we have to take into account child protection, violence within the family, family environment in its totality and other aspects related to the social context. These factors can

increase or decrease a person's vulnerability. The community may see the role or violence against women as less important. In the end, it is a whole of society response.

Finally, the structural laws reflect the individual and the community – so we need to look at all these together. Everybody – international regional, governments.... All have a role to play.

### **Philippines:**

**Question:** In the context of labor, as in domestic work, women and girls are more affected. How does Philippines address this in the country and outside?

Combatting HT is a priority for Philippine government. The whole of society is involved in the fight to end trafficking. A law to spearhead the fight against trafficking has been passed. 11 government departments, agencies and NGOs are involved in the implementation. They have a package of services, including psychosocial and social services to victims and survivors, shelters, capacity building for families where the victim will be returned, and an awareness campaign to prevent re-victimizing.

Our embassies are mandated to protect Philippine's victims of trafficking. The government has a shelter for victims in distress in the Middle East. Residents are provided support and skills. Economic support for legal assistance is drawn from funds set aside to assist overseas nationals. Our government forges partnerships abroad – to ensure decent working conditions and partnerships to identify victims. WE engage in bi-lateral and regional efforts to combat trafficking.

**Mariette:** She worked with Department of welfare for decades. The Profile of women victims is common - young, from big and poor families, less educated. 80% have been sexually abused when young. They lose their identity in the process of being trafficked.

Advocacy campaigns are undertaken in coordination with partner agencies in the Philippines.

Even with the massive efforts being made there are still gaps:

- Insufficient organization to provide services for women and children with HIV and with mental health problems.
- Employment and job placements are competitive and survivors are left behind. Only 10 to 20 % have found their way out of the trafficking situation. Therefore the efforts are not sustainable.

To improve the situation it is important to ensure girls to stay in their place of origin in their early years. Therefore, good work for parents is essential and good education for girls so that they can make an informed decision later in life. The government needs to check structural inadequacies

**Amb. John Cotton Richmond, USA, Ambassador-at-Large to Monitor and Combat Trafficking in Persons.**

His task is to monitor trafficking in persons for the Department of State. He is new to this but not new to trafficking in persons. Now in the space of diplomacy he is at the head of the Annual TIP Report. The US uses it as one of their key diplomatic tools to see how countries can do best with the 3 Ps.

He spent a lot of time with survivors – and their experience. He also heard the story of traffickers trying to discover who they are, who they wanted to traffic and why?

First. Traffickers are opportunistic – They will traffic whoever they find. Therefore, we must look at all types for trafficking. They largely exploit women and girls,

What motivates traffickers? It is always economic. At heart it is an economic crime. It is always about money. If we think of it as an economic crime, we can focus on the types of intervention needed.

They always seek out the vulnerable. Why? It is easier to traffic them. Coercion requires energy and time so they go after the most vulnerable. The vulnerabilities do not cause the trafficking. It is the trafficker who causes it. Trafficking does not happen because people are vulnerable. It happens because a lot of us are willing to exploit others. You have no victim of trafficking unless you have others who are willing to exploit another human being.

He underlined the importance of a trauma informed right based approach. We have to treat survivors as individuals. We have to fit into their trauma and experience and not try to fit them into ours. We must treat them with dignity. Therefore make sure the survivors are not incarcerated for unlawful acts they have been obliged to commit. Far too often it is the victims that see the inside of the jail and not the traffickers.

We have international legal standards, we have the language. What we need is good implementation of those legal standards. If we could implement current law we would do a lot. We need to focus. We have to get social workers, law enforcement and prosecutors on board in this second phase of our efforts to combat trafficking.

### **Experience of EU State – Cyprus.**

#### **Representative of the Republic of Cyprus to the UN**

Perspective of one of the EU states. – Cyprus. Speaks on Cyprus and also to the EU

EU law is unique in that it is possible that the EU can have sanctions from member states who do not comply with the law.

The law exists. What about the practice? We have drafted a national action plan including national referral strategy. Elaborated by a multidisciplinary group - from all ministries and NGO representatives – to strengthen the cooperation between government and civil society. They have a new special advisor to the government.

We need to recognise the root causes. They criminalize the services provided by a victim of trafficking when the service was provided by a victim.

Since Cyprus joined the EU, the full adoption of EU legislation and implementation brought progress to Cyprus. We are determined to intensify our efforts.

The EU is watching member states who criminalize those involved in a crime. But people who are connected to the crime of trafficking are not criminalized. Happy to see this initiative.

### **Ms. Maria Theofili. Permanent Representative of Greece to the UN**

Context of Migration:

We know we have to be extremely careful no to confuse smuggling and trafficking. If we confuse them it is detrimental for the victims. Greece has taken a heavy load of migrant flows.

Greece is implementing measures to combat the structural aspect of gender in trafficked women and girls. They use the policy framework to promote synergy between the different stakeholders, governments and civil society.

She highlights concrete measures:

- Shelters for victims of violence including those who are trafficked,
- A National referral mechanism which stipulates gender and age sensitive measures.
- Provide free access to the public health system and education for minors.
- Professional guardians for unaccompanied children. Rehabilitation programs for survivors. – to empower to take up responsibility for their own lives.
- New plan with capacity building on gender forms to combat human trafficking – mainstreaming – and information for victim.
- Identification centers in many places in Greece for minors and vulnerable women.

EU is about to launch a study to see how the national referral systems are functioning.

### **Other group interventions.**

### **The Inter-Agency Coordination Group against Trafficking in Persons ([ICAT](#))**

It has produced:

- Paper on non punishment of victims
- Paper on prevention
- A paper on strengthening our partnership with civil society

**Sweden** has an ambassador on Trafficking. A very long track record on working on this issue. We already have a load of knowledge of what exists and needs to be done. We know that allowing prostitution is connecting with HT and allowing prostitution is driving demand. On 8 March, 2019 Sweden and France made a joint statement on trafficking and prostitution.

**UNODC** – The Guardian of Palermo Protocol. 2018 UNODC report confirmed that 72 % of all victims are women and girls. We need to reinforce the Convention and Palermo Protocol.

**EU Institute for Gender Equality:** EU has a legal obligation to apply gender specific rules. We analyze the EU legal framework on women and girls - gender specific roots – poverty and unequal status in the community. Need to use more specific actions to overcome difficulties. We focus on EU legislation but the challenges and means to overcome them can be applied globally – they developed indicators with them. The EU has excellent legislation and finds ways to support countries with implementation.





