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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Marangopoulos Foundation for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Trafficked women and children along the Eastern Mediterranean Route in times of the refugee and migrant crisis

Regrettably, the on-going refugee and migrant crisis along the Eastern Mediterranean Route is a humanitarian crisis posing one more threat to the respect, protection, promotion and application of internationally recognized human rights.

The recent UN Secretary General's Report to the General Assembly on large movements of refugees and migrants sounded the alarm over the large numbers of refugees and migrants in risk of being trafficked¹, urging UN Member-States to continue and step up their efforts in combating human trafficking in human beings, especially in the most vulnerable in need of protection, at times of the refugee and migrant crisis in Europe, that is, refugee and migrant women and children. The Marangopoulos Foundation for Human Rights (MFHR) aligns itself with the concerns raised by the UN Secretary General in his Report and considers a priority for Member States to take immediate action to protect refugee and migrant female and child victims of trafficking.

The international legal framework for addressing trafficking in human beings² is robust; however, the progress made in its implementation remains slow. The latest reported evidence on the numbers of women and children victims at EU level in 2013-2014, is rather disappointing and a matter of serious concern; the estimated number of 15,846 people, two-thirds of which are female victims and 2,375 children, may even not depict the reality -due to the fear or inability of certain victims to contact the authorities³ - but undoubtedly signals the inadequacy and inefficiency of Member States' action to address the issue. Moreover, the 10.000 missing migrant children in the EU recently reported by the EU police Agency Europol raised fears that many of them have been criminally exploited⁴.

The MFHR welcomes the holding of a high-level meeting in 2017 to appraise the progress made in the implementation of the Global Plan of Action against Trafficking in Persons adopted in 2010 and the adoption of the 2030 Agenda for Sustainable Development which goes a significant step further forward, by placing human trafficking on the top of international agenda as a target-precondition for the realization of a number of Sustainable Development Goals (SDGs), such as achieving gender equality and empowering all women and girls to promoting, peaceful, inclusive societies and economic growth⁵.

Women as well as children, many of them being or left unaccompanied, are subjected to hideous exploitative practices, such as debt bondage, forced labor, sexual prostitution, domestic servitude, begging and organ extraction. In addition, the recent refusal of certain Member States to accept refugees and migrants, thus creating an unbearable situation for the first reception countries, such as Greece, has led to unfriendly initiatives, *inter alia*, closure of borders⁶; arguably, an alarming trend in the numbers of victims of trafficking, especially migrant and refugee children, is attributable to such initiatives. The MFHR will not shy away from reminding the Member States, bound by the international legal instruments to combat trafficking in human beings that they need to comply with their obligation to draw up response plans which are human rights-oriented, gender and child sensitive.

Trafficking in refugee and migrant women and children must be eradicated and there are multiple ways to achieve it. Indicatively, the MFHR makes the following suggestions:

I. Human Trafficking must be perceived by all Member States as a complex international and transnational organized crime

All UN Member States must recognize “trafficking in human beings” as an international and transnational organized crime, which, due to its complex nature, requires awareness-raising, agility, decisiveness, proactiveness, pre-emptiveness and enhanced and meaningful international cooperation, in order to prevent and prosecute traffickers and to protect and support the most vulnerable.

II. Need for more effective coordinated response systems by Member States

In addition, the list of exploitation practices to which refugee and migrant women and children are exposed is non-exhaustive and develops based on demand; criminal networks invent new methods of trafficking, using new information technologies to the detriment of victims. For this reason, UN Member States must upgrade their means in order to prevent and address the use of new information technologies as well as to use the latter to detect perpetrators, monitor criminal activities, identify and rescue trafficking victims and disseminate information between anti-trafficking actors and agencies.

III. Safe alternatives to trafficking must be made available to women and children

UN Member States shall intensify their work in terms of data collection, documentation, reporting, identification and assistance to the victims. In this context, coordinated response systems must be devised by Member States within and across borders that protect refugee and migrant women and children. In addition, reluctance of certain victims to report violence or to access services, due to lack of confidence in national law enforcement authorities and procedures should be acknowledged and methods to convince the victims to report themselves as having been trafficked should be invented. Civil society organizations have a key role in ensuring the success of such methods and their action needs not only to be supported by the Member States but also to be further enhanced.

IV. Elimination of the financial motives for traffickers

It goes without saying that the financial motives for traffickers need to be eliminated. Refugee and migrant women -including girls- and children from countries in conflict situations, such as Syria, fleeing persecution, sexual and gender-based violence, war-related violence, are forced to cross into Europe, seeking a life of normality and dignity, but end up in forced or sham marriages, domestic servitude while pregnant women are forced to sell their new-born babies. To this end, additional measures by Member States are a necessity, in order to strengthen their national protection mechanisms, offering refugee and migrant women and children safe alternatives to becoming victims of trafficking. These alternatives to eradicate trafficking networks include safe and legal routes, family reunification, relocation and resettlement schemes for beneficiaries of international protection⁷; detention, restrictive immigration policies, border closure, unfair labor conditions should not be considered as an option for Member States.

V. The role of the UN Special Rapporteur on trafficking in persons

The UN Special Rapporteur on trafficking in persons must exert pressure on Member States so that these make the recourse to effective legal remedies available to the victims, along with the possibility of compensation for damage suffered; it should not be neglected that substantial protection mechanisms for trafficked migrant and refugee women and children are needed, such as interstate police cooperation and integration policies, focusing on

offering equal education and working opportunities; these mechanisms will enhance the tolerance towards groups and eliminate any xenophobic attitudes against them, thus ensuring these special, vulnerable groups do not fall also victims of discrimination.

Addressing trafficking in migrant and refugee women and children is a matter of shared responsibility of all UN Member States. The MFHR strongly believes that this important aspect of the refugee and migrant crisis requires special attention and the abovementioned suggestions by the MFHR could contribute to delivering adequate results. Decriminalization of refugee and migrant women and children is an essential safeguard for the full and effective protection, promotion, respect and application of their internationally recognized rights.

¹UN Secretary General's Report to the General Assembly "In safety and dignity: addressing large movements of refugees and migrants", General Assembly, Informal Meeting, 23.04.2016. For more information regarding action taken at the EU level, see Report from the Commission to the European Parliament and the Council, Report on the progress made in the fight against trafficking in human beings (2016) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, COM(2016) 267 final, Brussels, 19.05.2016.

²It comprises legal instruments around trafficking as well as other "soft-law" documents. For more details, please see OHCHR, Human Rights and Human Trafficking, Factsheet No 36, United Nations, New York and Geneva 2014, p. 10-11.

³Remarks by EU Migration and Home Affairs Commissioner Avramopoulos and EU Anti-trafficking coordinator Myria Vassiliadou on the occasion of the presentation of the first progress report on trafficking in human beings, 19.05.2016.

⁴M. Townsend, 10,000 refugee children are missing, says Europol, The Guardian, 31.01.2016.

⁵UN Officials call for strengthened global partnerships to combat human trafficking, United Nations News Centre, 9.02.2016.

⁶G. Christides, Closing the Balkan Route: Will Greece Become a Refugee Bottleneck?, Spiegel online international, 9.02.2016.

⁷Human Rights of refugee and migrant women and girls need to be better protected, The Council of Europe Commissioner's Human Rights Comment, Strasbourg, 7.03.2016.