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Human Rights and Trafficking in Persons

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Working Group 1: Preventive Measures

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Prevention of trafficking in persons

- UN Trafficking Principles and Guidelines on Human Rights and Human Trafficking
- Measures that address causes of trafficking:
 - Vulnerability of trafficked persons
 - Demand for goods and services produced by trafficked persons
 - Corruption in trafficking

Basic principles

- Do no harm! (Measures shall not adversely affect the human rights and dignity of persons.)
- Participation of those affected – cooperation between States, inter-governmental and non-governmental organizations (ASEAN Convention against Trafficking in Persons, Art. 11)
- Act with due diligence to prevent: taking all reasonable and necessary measures
- Strengthening capacities of law enforcement to prosecute traffickers as preventing measures

Challenges in prevention

- Ensuring access to information
 - Turning information into action: ensuring access to justice
 - Information on safe migration
- Addressing underlying attitudes that fuel trafficking
 - Discrimination of marginalized groups, attitudes towards migrant workers

Addressing demand

- Role of private sector in prevention
 - Strengthening liability of companies concerning trafficking in human beings
 - Duty of businesses to respect human rights: mandating companies to report on efforts against trafficking in supply chain
- Demand for ‘cheap labour’:
 - Example: domestic work: formalizing the sector, defining minimum wages
 - Enabling workers to organize regardless of status or sector to claim rights
 - Monitoring practices of recruitment agencies
 - Strengthening role of labour inspectorate but separate from immigration status inspection
- European Trafficking Convention: Criminalizing of the use of services of a trafficked person

Addressing vulnerability

- Gender-based discrimination
- Vulnerabilities of children
 - Ensuring access to education for children, in particular girls
 - Birth registration
 - Protecting the rights of children on the move

Addressing vulnerability

- Vulnerabilities of children
 - Trafficking of children for forced criminal activities
 - Principle of non-punishment
 - Protecting children during emergencies: addressing trafficking in children
- Necessity to establish programmes for livelihood options (basic education, skills training, creating employment options)

Monitoring and Evaluation

- Evaluating impact of preventive measures
- Monitoring mechanisms for implementation of regional/international instruments on trafficking in human beings