Dear Chairperson, panelists and colleagues,

Thank you so much for the invitation to address you in my capacity of Special Rapporteur on trafficking in persons, especially women and children.

As the outset, let me situate trafficking in human beings as both a violation of human rights and one of the worst forms of violence against women. While many of the practices associated to trafficking are clearly prohibited under international human rights law, such as forced labour, debt bondage, slavery, servitude, forced marriage, the exploitation of prostitution to cite only a few, only two international human rights treaties out of ten contain substantive references to trafficking, namely the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. In the early nineties there has been the emergence that trafficking in itself is a serious violation of human rights. It is in this context that the mandate of the Special Rapporteur on trafficking in persons, especially women and children was established in 2004 by the Commission on Human Rights, the predecessor of the Human Rights Council. Since its inception, the mandate adopted a human rights-based and victim-centred approach in undertaking its work.

Trafficking, as a human rights issue, is one of the worst forms of violence against women and girls. In its 2014 Global Report on Trafficking in Persons UNODC revealed that 49 per cent of detected victims are adult women and 33 per cent of detected victims are children. Although women, men and children may all be trafficked for various purposes, trafficking is often a 'gendered' crime. Current evidence strongly suggests that those who are trafficked into the sex industry and domestic servitude are more likely to be women and girls while men and boys are more commonly trafficked for various other forms of labour. Allow me to briefly recall the main type of work that this mandate can undertake and recall the contribution that NHRI's may provide in this work. I undertake country visits in order to study the situation in situ and formulate recommendations to prevent and combat trafficking and protect the human rights of its victims. I recently carried out my first country visit in Malaysia at the invitation of the Government.

In this regard, I would like to mention that my mandate has always gained insightful information from engaging with NHRI's during country visits. The partnership between the mandate and NHRI's is invaluable as your institutions are knowledgeable about human rights
issues at the national level. During country visits, my mandate routinely meet with NHRI which are an important source of information for assessing the situation in a country, and for making pertinent recommendations in order to improve and strengthen protection mechanisms for victims of trafficking.

My predecessors have underlined the extensive work on the issue of trafficking undertaken by some national human rights institutions. They have routinely called upon, among others, NHRI to give concrete follow-up to recommendations following a country visit. The mandate has also regularly urged Governments to continue strengthening the capacities of NHRI without compromising their independence.

In keeping with the ever-changing nature of human trafficking, I also look into emerging and new trends of trafficking with a view to providing guidance in my annual thematic reports to the General Assembly and the Human Rights Council. Since it will be my first reporting to the HRC in June this year, the report I will submit will focus on various trafficking themes that I intend to tackle in the course of my tenure.

As part of my working methods, I also, jointly or individually, send communications, mostly to Governments, related to allegations of the crime of human trafficking and when necessary issue press releases soon thereafter. In that regard, I would like to encourage NHRI to submit to my mandate any reliable information they may possess with regard to situations of trafficking and relevant human rights violations. My mandate can take action on violations committed against trafficked persons and on situations in which there has been a failure to protect their human rights, including ensuring adequate redress for the violations suffered and to provide adequate medical, psychological, social and other necessary assistance. The mandate can also take action in cases in which laws and/or policies might negatively impact of the human rights of trafficked persons, in countries of origin, transit and destination, as well as in cases in which efforts to combat or prevent trafficking might have an impact on the human rights of the persons concerned.

The role of the NHRI can be essential in the promotion and protection of the human rights of trafficking victims both at the national and the international levels. At the national level, the NHRI can advocate for the ratification of the existing international legislation on trafficking, and in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational 1998 Convention on Domestic Work
1999 Protocol to the Forced Labor Convention
Organized Crime (Palermo Protocol). They can also advocate for the use of the
Recommended Principles and Guidelines on Human Rights and Human Trafficking. They
can also promote the adoption of national plans of actions and ensure that they take into
account the rights of trafficking victims. In addition, they can analyze the existing national
legislation with regard to trafficking and monitor its adequate implementation and
compliance with the international human rights standards while assessing its impact on the
rights of trafficking victims and submitting specific recommendations in this regard. This
aspect was emphasized during two Consultative Meetings on Strengthening Partnerships with
National Rapporteurs on Trafficking in Persons and Equivalent Mechanisms which my
predecessor, convened in 2013 and 2014 respectively in Berlin and Bangkok. In that regard,
it was suggested that countries that do not have a national rapporteur on trafficking in persons
or equivalent mechanism, or would not be able to establish one, could look at other
institutions, such as national human rights institutions to carry out monitoring functions in
relation to trafficking.

It was during the consultation in Bangkok that the idea to have the issue of trafficking on the
agenda of the International Conference of National Human Rights Institutions was raised.
NHRIs also offer the guarantee of independence in monitoring cases of trafficking and this
was also noted during the consultation in Bangkok. Two original set-ups were particularly
highlighted in which NHRIs have specific anti-trafficking components. For example, in
Nepal, the National Rapporteur on trafficking in persons is part of the National Human
Rights Commission. In Finland, the Ombudsman for Minorities is appointed as a National
Rapporteur on trafficking. The main strengths of such arrangements are the possibility to
build on the interdependence and indivisibility of all human rights and mainstream a human
rights based approach across all anti-trafficking areas. It was pointed out in both cases that
the non-governmental nature of NHRIs enables them to evaluate objectively the implementation of
anti-human trafficking legislation, strategies and activities, point out existing drawbacks and
make comprehensive legal and policy recommendations. It was further highlighted that it
increases the credibility of their actions which includes the possibility of handling complaints
regarding trafficking in persons. NHRIs also enjoy independent collaboration with
government, CSOs and victims based on trust. However, it was stressed that in order to have
a unified approach in this set-up willingness and incentives to undertake cross-disciplinary
work in collaboration with stakeholders should be ensured.
Other examples of the contribution of NHRIs to the national efforts to combat trafficking in persons include the publication of reports on human trafficking as well as the issuance of concrete recommendations on the legal and institutional frameworks governing trafficking. In Malaysia, in 2011, in response to the Human Rights Commission of Malaysia SUHAKAM’s recommendations, the Government incorporated introduced the National Action Plan against Trafficking in Persons, which outlines a five year action plan (2010-2015).

The Amman Declaration and Programme of Action (PoA), which was adopted during the International Conference on the International Coordinating Committee of NHRIs (ICC) in 2012, calls NHRIs in relation to Violence against women and girls to “Promote measures, including penal provisions, preventive and rehabilitation measures to protect women and girls subject to trafficking and other forms of sexual exploitation”.

The recommendations emanating from the NHRIs can be valuable contributions to decision-making processes in a country when designing, implementing or assessing national human rights policies on trafficking. NHRIs can also open up dialogue for a better understanding of trafficking through sensitization campaigns. In addition, they would be in a position to monitor cases of trafficking, provide legal and psychological support to victims of trafficking.

At the regional and international level and through regional and international networks, the role of NHRIs is also to participate in international discussions and debates on trafficking recalling the importance of placing human rights at the centre of discussion around the issue of trafficking. In this regard, NHRIs could play an instrumental role in ensuring that regional anti-trafficking initiatives and cooperation are human rights compliant.

I will aim during my tenure as Special Rapporteur to further enhance cooperation with NHRIs. I look forward to your suggestions about strengthening our co-operation.

I thank you for your attention.