



HUMAN TRAFFICKING AND HUMAN RIGHTS

Panel event organized by the Sovereign Order of Malta

in collaboration with the Geneva Centre for Human Rights Advancement and Global Dialogue

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**GENEVA CENTRE
FOR HUMAN RIGHTS
ADVANCEMENT AND
GLOBAL DIALOGUE**



AMBASSADOR TO MONITOR AND
COMBAT TRAFFICKING IN PERSONS

SPEAKERS

H.E Prof. Michel Veuthey (Moderator), Ambassador of the Sovereign Order of Malta to Combat Trafficking in Persons

Dr. Umesh Palwankar, Executive Director, Geneva Centre for Human Rights Advancement and Global Dialogue

Msgr. Robert J. Vitillo, Secretary General, International Catholic Migration Commission (ICMC)

Paola Fudakowska, Legal Consultant, TRIAL International

Ena Lucia Mariaca Pacheco, Co-Founder and Global Ambassador, U.S Council on Violence against Men and Boys

Alisa Gbiorczyk, International Survivors of Trafficking Advisory Council (ISTAC) Member, OSCE Office for Democratic Institutions and Human Rights (ODHIR) and CEO & Founder, Cyber Ntewatch

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Foreword

As we commemorate the **75th anniversary of the Universal Declaration on Human Rights** and on the eve of the Global Refugee Forum on Refugees, we should **make full use of all legal instruments to prevent and combat human trafficking**: human rights, refugee law, labour law, international humanitarian law, international criminal law (under specific circumstances human trafficking could be prosecuted as a war crime or a crime against humanity), international maritime law, the Palermo Convention and its Protocols, without forgetting **restorative justice**.

The Sovereign Order of Malta would like to underline the important **role of religious leaders and religious congregations, especially the International Catholic Migration Commission (ICMC)**, in the protection and assistance to refugee victims of human trafficking. **The Catholic Church's Social Doctrine** makes it possible to identify and tackle the root causes of the resurgence of slavery, the first of which is the loss of ethical reference protecting the fundamental rights of the human person and his or her family, social and natural environment. Two key documents are: the "**Laudato si**" Encyclical Letter and the "**Pastoral Orientations on Human Trafficking**".

Shared universal fundamental values and prayers based on an Interreligious dialogue respecting the life and dignity of every human person could be an important contribution.

One example is the **Joint Declaration of Religious Leaders Against Modern Slavery** signed on 2 December 2014 at the Casina Pio IV, headquarters of the Pontifical Academies of Sciences and Social Sciences, by Catholic, Anglican, Muslim, Hindu, Buddhist, Jewish and Orthodox religious leaders. They publicly committed themselves to work together in spiritual and practical action to eradicate this crime against humanity and restore dignity and freedom to its victims.

The Order of Malta contributes to the fight against human trafficking by:

- **Advocating** through its bilateral diplomatic network (113 States) and diplomatic network through statements at each session of the Human Rights Council, UN General Assembly and even at the Security Council (last week, on the 7th of December, Ambassador Beresford-Hill, the Order's Ambassador in New York, made a statement before the Security Council on human trafficking as a threat to international peace and security)
- **Assisting victims** through medical and social programs through its National Associations and its worldwide humanitarian organization "Malteser International", often in cooperation with local Catholic bishops (among others in Boston, Salzburg and Tangiers) and congregations (as the Sisters of Saint Louis in Lagos for the "Bakhita House")
- **Offering a free online training course** for helpers in English, French and now in German, Italian and Spanish as well, on <https://www.cuhd.org>
- **Organizing webinars on best practices** to prevent and combat human trafficking (www.adlaudatosi.org) with subtitles in seven languages (Chinese, English, French, German, Italian, Russian and Spanish). Since October 2020, 35 webinars have been organized. The video-recordings, transcripts and handouts are freely available online and on Vimeo.

The Order of Malta's international status and diplomatic network, as well as its National Associations and its world-wide relief corps, Malteser International, will continue to raise awareness of contemporary forms of slavery, increase assistance and protection to its victims and contribute to their rehabilitation.



Furthermore, it is **cooperation between all stakeholders that is needed** to effectively prevent, protect, and rehabilitate victims and survivors. Training is essential if governments, civil society, and all stakeholders are to become aware of and able to implement the legal, political, economic and social instruments needed to combat the scourge of human trafficking, and, for the second time in history, undertake to eradicate slavery.

The Order of Malta is very pleased with the collaboration established with the **Geneva Centre for Human Rights Advancement and Global Dialogue**, as well as with the contributions of the speakers and the questions asked by the audience.

Michel Veuthey

Introduction

On 30 November 2023, the Sovereign Order of Malta organized a panel event entitled “Human Trafficking and Human Rights”, in collaboration with the Geneva Centre for Human Rights Advancement and Global Dialogue.

Human trafficking involves recruiting, transporting, transferring, harboring, or receiving people for the purpose of exploitation, whether through force, coercion, fraud, or some other form of deception. It is a form of modern-day slavery, a scourge that affects every region of the world. Human Trafficking is a grave violation of human rights, affecting more than 50 million individuals worldwide. However, since human trafficking is a hidden crime and its definition is challenging, estimating its scale is difficult. A number of the practices associated with human trafficking are prohibited under international human rights law, including slavery, servitude, child sexual exploitation, forced marriage, and enforced prostitution. Target 8.7 of the 2030 Sustainable Development Goals calls for states to take immediate and effective measures to eradicate trafficking, forced labour, and modern slavery.¹

Victims of human trafficking often face multiple forms of abuse, exploitation, and trauma. Victims may be trafficked within a country or across the border for various purposes, including forced and exploitative labor in factories, farms, and private households, sexual exploitation, forced marriage, and organ removal. Twenty-three years after the Palermo Protocol (United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women, and Children²), the scourge of human trafficking is far from being defeated. The Protocol provides an agreed definition of the term: “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, or practices similar to slavery, servitude, or the removal of organs”. Article 5 of the Protocol requires States to criminalize trafficking, attempted trafficking, and any other intentional participation or organization in a trafficking scheme. However, gaps still exist in the implementation. Although the Palermo Protocol calls for a comprehensive approach to combat trafficking, this approach has not been fully realized.

In light of the numerous human rights violations resulting from human trafficking, as well as the universal nature of human rights, victims of trafficking are entitled to the full spectrum of human rights, irrespective of their gender, age, race, ethnicity, nationality, migration status, or any other distinctions, the Permanent Mission of the Sovereign Order of Malta and the Geneva Centre for Human Rights Advancement and Global Dialogue are organizing a panel event on this major issue, on 30 November 2023 in Geneva. By increasing awareness among the international community, the panel event hopes to combat this aggravating global issue.

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8637135/>

² <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons> (2000)

Summary of the Panel Discussions

In the Opening Remarks, **H.E Prof. Michel Veuthey**, Ambassador of the Sovereign Order of Malta to Combat Trafficking in Persons,



H.E Prof. Michel Veuthey, Ambassador of the Sovereign Order of Malta to Combat Trafficking in Persons. He graduated from Geneva University Law School, as a Doctor of Laws, and he also received a Diploma from the Hague of Academy of International Law. He has been a Member of the Swiss Association of the Order of Malta since 1986, and has served as a Member of the Council for nine years.

In 2011, he was appointed Deputy Permanent Observer of the Order of Malta to the UN in Geneva. In July 2017, he was additionally appointed Ambassador of the Sovereign Order of Malta to monitor and combat trafficking in persons. Michel Veuthey is the initiator of the networking project of international experts against human trafficking “adlaudatosi” to promote understanding and common research in order to reduce this scourge.

stressed the importance of a dialogue concerning human trafficking and human rights. 75 years after the Universal Declaration, many human rights are violated and that's not so much a celebration that we need today, but more mobilization, especially for victims of human trafficking. Despite the Palermo Protocol 23 years ago, today, there are an estimate 50 million slaves, and it's more than ever in history.

Human trafficking is a complete contradiction to human rights, especially the right to life, liberty, and security of persons as Article 3, prohibition of slavery as Article 4, freedom from torture, that's Article 5, the right to work in just and favourable conditions, that Article 23, right to an adequate standard of living, Article 25, right to education, Article 26, right to freedom of movement, Article 30, right to freedom of thought, conscience and religion, Article 80, and the right to be free from discrimination, Article 2.

Finally, he concluded by saying that today, with new technology raising awareness through events, collaborations between various people in society, creative content, and community engagement.

Dr. Umesh Palwankar, Executive Director, Geneva Centre for Human Rights Advancement and Global Dialogue.



Dr. Umesh Palwankar, Executive Director, Geneva Centre for Human Rights Advancement and Global Dialogue. Prior to joining the Geneva Centre, Umesh Palwankar worked for the International Committee of the Red Cross (ICRC), beginning at HQs as Legal Adviser on humanitarian law, and later in the field in the Middle East and West Africa, before his last post as Diplomatic Adviser to the ICRC Directorate.

He next worked as an independent consultant in humanitarian affairs, transitional justice, early recovery and peace-building. This was followed by a post in UNDP as Senior Coordinator of the UN Peace Building Fund (PBF) funded three year country programme for peace consolidation in the Comoros, involving several UN agencies, national authorities, NGOs, regional actors and key States.

In his Opening Remarks, **Dr. Umesh Palwankar**, thanked Ambassador Michel Veuthey Ambassador of the Sovereign Order of Malta to Combat Trafficking in Persons, for organizing this panel jointly with the Geneva Centre, and added his pleasure at seeing this first collaboration between the two institutions materialize. The theme of the panel was a very critical issue, whose consequences are at the core of human rights, constituted by equality, freedom, justice, and human dignity.

He briefly presented the Geneva Centre, an independent human rights think-tank and advocacy institution, founded in 2013, and holding special consultative status with UN ECOSOC.

The mandate and activities of the Geneva Centre rest on four interconnected pillars: research and publications; training and national capacity building; international advocacy, mainly through following and reporting on important human rights developments and conferences, in particular, the various Human Rights Council sessions; and, offering a platform for a global dialogue on current, vital human rights issues through the organization of international conferences and panels, and publication of their proceedings with an incorporated think-piece on lessons learned and ways forward, for universal distribution.

The Geneva Centre's focus areas include equality, non-discrimination including gender-based, racism, access to justice, education, women and children's rights, inter-religious dialogue, empowerment of women and youth, and increasingly, the right to a safe, healthy, and sustainable environment, and business and human rights.

Dr Palwankar observed that human trafficking is one of the cruellest and most degrading violations of human dignity and equality, affecting millions across the world. Its despicable consequences include slavery, forced labour and prostitution, gender-based violence, sexual exploitation of children, and extraction and sale of body organs. These heinous acts are in total violation of the right to life, liberty, equality, physical and moral integrity, access to justice, health care, education, enshrined in Human Rights instruments, Labour Law, International Humanitarian Law, Criminal Law, Refugee and Migration Law, among others.

Dr Palwankar underlined that human trafficking thrives on inequality and preys on vulnerable populations and said we urgently need to engage in a determined effort to ensure social justice and vanquish this scourge of humanity.

At the conclusion of the rich panel discussions, Dr Palwankar identified several extremely important observations and recommendations made by the eminent panellists, including the paramount need to address root causes of human trafficking, empower individuals to take action by reporting suspicious activities, and advocating for victims' rights, create a platform for advocating policy changes at local, national, and international levels to strengthen anti-slavery laws and enforcement mechanisms, encourage collaboration among NGOs, governments, businesses, religious congregations and their leaders, and civil society to pool resources and efforts to combat contemporary slavery effectively and foster local engagement through grassroots activities, educational sessions in schools, and community discussions to ensure that the message reaches diverse segments of society.

Msgr. Robert J. Vitillo, Secretary General, ICMC,



Monsignor Robert J. Vitillo is the Secretary General of the International Catholic Migration Commission since June 2016. In June 2022, he was mandated by ICMC's Plenary Council for a second four-year mandate. From 2005 to 2016, he served as Head of Delegation of Caritas Internationalis in Geneva and as Special Advisor on HIV and AIDS.

From 1997 to 2005, Msgr. Vitillo held the position of Executive Director for the Catholic Campaign for Human Development of the United States Conference of Catholic Bishops. He is a Catholic priest and served in Catholic Church-related charitable agencies at local, national, and global levels.

offered some perspectives that aim to respect and plan actions in response to two human phenomena that are in stark contraposition and conflict — that is, human trafficking and human rights.

Human Trafficking certainly represents one of the greatest human rights failures of both past and present eras. Such failure may be rooted in our limited focus on the legal and technical aspects of our defence and promotion of human rights. While such elements are fundamental to such efforts, they are not at all sufficient. Thus, as rights bearers, all members of the human family also have responsibilities to recognize, promote, and defend both rights of their own as well as the rights of others.

With regard to human trafficking, I believe that States, civil society, and individuals all need to understand and effectively respond to the root causes of human trafficking. Given the complex phenomena of human trafficking and forced unsafe migration, he distinguished some examples (4) of efforts undertaken by the organization, International Catholic Migration Commission (ICMC), to prevent human trafficking and smuggling, address the needs of its survivors, and advocate, with the entire human family, to eliminate this evil from our world of today and in the future. The ICMC works to prevent human trafficking among the vulnerable group of refugees and migrants in irregular situations by providing job training that leads to access to decent jobs or to start their small businesses and by maintaining “safe spaces” for

socialization and learning among women and child refugees who are survivors of sexual and or gender-based violence.

Root Cause 1: Extreme poverty and unequal access to enjoy basic human rights to a life worthy of God-given human rights and human dignity, education at all levels, as well as decent world, housing, and the physical, social, and spiritual conditions that help children to thrive and adults to provide adequately for themselves and their families. Those deprived of such basic essentials of life easily become more vulnerable to human trafficking or to desperately seek unsafe migration routes.

- The 2023 global Multi-dimensional Poverty Index (MPI) from the UN Development Programme (UNDP), shows that 1.1 billion out of 6.1 billion people (just over 18%) live in acute multidimensional poverty across 110 countries.
- Sub-Saharan Africa (534 million) and South Asia (389 million) are home to approximately five out of every six poor persons. Nearly two-thirds of all poor people (730 million people) live in middle-income countries, making action in these countries vital for reducing global poverty.

Root Cause 2: Lack of Birth Registration and other important documents

- The 2020 report of the Independent Commission of Inquiry on the Syrian Arab Republic issued this alarm: *“Girls and boys also face considerable obstacles related to documentation and are vulnerable to exploitation through child labor or child marriage, often as a result of the death or disappearance of male parental figures. Crucially for their long-term prospects, a huge number of children have missed out on years of education and are currently out of school. This status quo will affect the ability of boys and girls to exercise their basic rights in innumerable ways as they grow older.”*
- The lack of such documentation prevent access to vital services and often forces migrant and refugee children and adults to seek the services of smugglers and traffickers to reach their destinations, to be reunited with family members, or to accept indecent or exploitative work situations.
- *One in four children under age 5 (166 million), on average, are not registered in the world today since parents often are deterred from applying for such necessary documentation because of high costs and complicated bureaucratic procedures imposed by public offices;*
- *Similar challenges are faced by these migrants and refugees who do not have access to their academic diplomas or certificates for professional or other specialized skills training.*

Root Cause 3: Fixation of business almost exclusively on amassing more money and profit easily leads to the commodification and exploitation of people which, in turn, could result in the vulnerability of poor and marginalized people to human trafficking:

- The 2021 Global Estimates of the International Labour Organization indicate that 28 million were in forced labour. It should be noted that compared to 2016 global estimates 10 million more people were in modern slavery.
- Most forced labor occurs in the private economy. Eighty-six percent of forced labour situations are imposed by private actors — 63 percent in the Private economy in sectors other than commercial sexual exploitation and 23 percent in forced commercial sexual exploitation. State-imposed forced labour accounts for the remaining 14 percent of people in forced labour.
- The Organization for Economic Cooperation and Development reports that:
 - This type of labor is estimated to generate at least \$150 billion per year of illegal profits in the private economy worldwide (ILO).
 - Human trafficking occurs with the collusion of corrupt officials with criminal gangs. Addressing human trafficking and corruption jointly is more effective than addressing these two issues individually.

Root Cause 4: The Demand Side

Paola Fudakowska, Legal Consultant, TRIAL International,



Paola Fudakowska is a public international law and human rights lawyer, working with TRIAL International – a Geneva-based NGO fighting impunity for international crimes and supporting survivors in their quest for justice. Paola has 15 years of experience as a litigator at an international law firm in London and Geneva and 3 years as a legal adviser for the U.K. Government at the Foreign, Commonwealth, and Development Office.

Paola is Honorary President of AIJA – the International Association of Young Lawyers and Co-founder of the AIJA Women Network.

reported the new due diligence obligations introduced in Switzerland earlier this year on companies. She also briefly described a couple of cases that TRIAL has done bringing criminal complaints against Swiss companies for violations in their supply chain.

These new due diligence obligations effectively require Swiss companies to comply with due diligence and reporting obligations in two areas. First, when importing or processing conflict minerals or offering products and services with risks of child labour. Within these new rules, Switzerland is effectively bringing itself in line with the EU and international rules and regulations, including the EU Conflict Minerals Regulation and the corresponding OECD guidelines.

Under the new rules, any company which has a registered office or head office in Switzerland must comply with their due diligence duties in their supply chain and reporting obligations if they have activities in one or both of the following areas. Either importing, processing of minerals or metals with quantities exceeding certain thresholds containing tin, tantalum, tungsten or gold from conflict or high-

risk areas into free circulation in Switzerland or processing these minerals in Switzerland. The second option is offering products or services in Switzerland or abroad, for which there is a reasonable suspicion that they are manufactured or provided using child labour, as defined by the International Labour Organization. There are cases where companies are exempt from these obligations relating to child labour specifically, and it's either if the companies are small or medium-sized enterprise or presents a low risk of child labour.

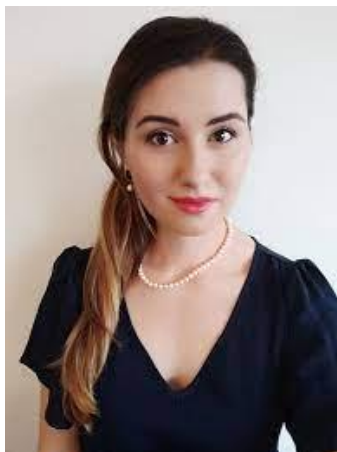
In the areas of child labour, the exception requires companies to adhere to a list of relevant ILO conventions that are indicated in the ordinance. Compliance with an international set of laws can take place at the company or at the group level.

In the area of conflict minerals, compliance with the due diligence obligations must be audited by an external specialist authorized by the Swiss Federal Audit Oversight Authority. Companies with a parent company in a third country whose parent company publishes an equivalent report do not have to publish a separate report. In this case, it would suffice that the company refers to the parent in its annual report and publishes the parent company's report.

Further, she spoke about the two cases, which were brought by TRIAL International against Swiss companies for violations in their supply chain. Both cases were in the context of pillaging, so more in the conflict minerals space. The first case took place in November 2013, when TRIAL initiated proceedings against a company based in Ticino, which was refining almost 3 tons of gold mined in the Democratic Republic of Congo between 2004 and 2005. The second case that TRIAL brought was in November 2016, and that was in partnership with the Open Society Justice Initiative, where a criminal complaint was filed against a Swiss businessman Christoph Huber, who was operating also in the trade of minerals.

She concluded by stating that companies must now ensure that parties can report concerns about conflict, minerals, or child labor. In addition, there is a traceability system that records information on product origins, suppliers, and the processing steps. However, what is needed is an enforcement mechanism with a criminal sanction. The lack of an enforcement mechanism is a real weakness in the Swiss regulation. It is an opportunity for organizations to lobby the Swiss authorities to amend the regulation and bring it in line with many EU member states, which have adopted a criminal liability in their equivalent legislation.

Ena Lucia Mariaca Pacheco, Co-Founder and Global Ambassador, U.S Council on Violence against Men and Boys,



Ena Lucia Mariaca Pacheco, Co-Founder and Global Ambassador, U.S Council on Violence against Men and Boys. She is a researcher and advocates for justice, specifically for boys and men who are survivors of abuse, exploitation and human trafficking. Member of Global Association of Human Trafficking Scholars (GAHTS). Author of “The needs and stories of male survivors of child sexual abuse, exploitation and human trafficking”. Ena Lucia Mariaca Pacheco earned two bachelor’s degree in History and Political Science at the University of Ottawa, Canada, and a master’s degree at Royal Roads University in Human Security and Peacebuilding.

considering her extensive work with various agencies worldwide toward the common goal of raising awareness and stopping human trafficking, she reported some of the key moments.

First, the moment when she considered the sufferance of victims of trafficking. Second, the moment when she first witnessed human trafficking with her own eyes in Phnom Penh. These bars openly sold sexual "services" with children. Small menus written in black marker listed many forms of abuse and exploitation on sale for only a few dollars. These kids sat closely together on dirty couches, and each of their shirts were marked with a number to help customers choose their preferred victims. Finally, the third moment was when she came across a report that unveiled the severe online abuse suffered by infants toddlers, and boys of all ages. Male children scored highest in terms of the severity of their abused based on the COPINE scale. The boys suffering the most severe abuse were victims of unimaginable horrors, including bestiality, live torture, and murder.

There were much fewer studies and very little advocacy, and social services focusing on men and boys. The literature suggests that many frontline professionals struggle to perceive boys as potential victims of sexual. International and national legislations, aligned with legal frameworks, have predominantly focused on violence against women and girls. Despite the inclusion of male victimization in some legal instruments, the implementation often associates male victims with the image of the vulnerable girl. In many countries, the absence of any convictions in human trafficking cases with male victims of sexual exploitation reflects the impact of our very real concerns about underreporting.

She affirmed that it is imperative to consistently bear in mind that individuals who have experienced human rights abuses, particularly those related to trafficking, are not only healing from the pain and trauma they endured but from the ways they were treated when they asked for help. All these survivors want, regardless of gender, is to be actively listened to and believed. They see true healing when they feel respected and gain back their autonomy from their trauma. Therefore, as much as experts prioritize finding solutions first, we need to remember that victims and survivors are people, with very human needs, such as being listened to, feeling respect, and regaining a sense of dignity. These core human rights and needs should be placed first, before addressing the bigger problem. This is what led to the creation and development of the *U.S. Council on Violence against Men and Boys*. It is established with the conviction that every individual, regardless of gender, deserves to live free from violence and its debilitating aftermath, we tirelessly work towards a more just and equitable future. The Council's purpose is clear, to challenge and change the narrative surrounding violence against males as a public health crisis, fostering a society where all individuals can thrive without fear, prejudice, or harm. By illuminating the root causes and effects of violence and trauma, we strive to empower communities, policymakers, and institutions to effect positive change. The mission of the U.S. Council is to advocate for, research, and educate on matters pertaining to the violence and trauma experienced by men and boys. Rooted in a public health framework, we delve deep into the complexities of this issue, aiming to eradicate its pervasive impact on individuals and communities.

Finally, she reported data from the United States State Department Trafficking in Persons Report. In 2019 there were over 24.9 million people trafficked globally but after COVID-19, it is estimated that 49.6 million people are now living in modern slavery, of which 27.6 million are in forced labor, and 27.6 million people in forced labor, 6.3 million are trafficked and forced into commercial sexual exploitation. This is a clear indication that human trafficking and slavery are increasing at a drastic speed.

Alisa Gbiorczyk, International Survivors of Trafficking Advisory Council (ISTAC) Member, OSCE Office for Democratic Institutions and Human Rights (ODHIR) and CEO & Founder, Cyber Ntewatch.



As CEO & Founder of CYBER NITEWATCH, **Alisa Gbiorczyk** is dedicated to providing research, intelligence, training, and support to the world. In her career, Alisa has collected and analyzed high-quality data, identified victims and traffickers, researched various aspects of human trafficking, mapped out transnational criminal networks, led international operations, and assisted and trained authorities worldwide. As criminal techniques continue to evolve, she conducts research into their evolving strategies.

In addition to holding a master's degree in international relations from Harvard University, Alisa is a member of the OSCE International Survivor Advisory Council (ISTAC), and a member of INTERPOL's Human Trafficking Expert Group, and a member of the Global Association of Human Trafficking Scholars. Her certifications include Certified Human Trafficking Investigator (CHTI), certified in open-source intelligence, and certified trainer in human rights issues.

Ms Alisa Gbiorczyk shared her pivotal role in combating human trafficking around the world through the identification of victims using indicators recognized by law enforcement and government agencies. Her contributions extend to actively participating in the generation of more than a thousand intelligence reports that identify human trafficking and assist law enforcement. She led and assisted international operations and gathered intelligence on human trafficking networks around the world, including in Ukraine and South Africa.

She affirmed that the protection of children is one of her top priorities. Protecting children against human trafficking is a multifaceted challenge that demands a comprehensive and collaborative response from all parts of society. One crucial aspect of this effort involves education and awareness initiatives but there must be equal efforts in all aspects to be able to make an actual impact in disrupting the operations of organized crime. Community engagement plays a pivotal role in creating a protective environment and building strong relationships with local communities. Fosters trust and encourages the reporting of suspicious activities training and capacity building are essential components of an effective response and more importantly in preventative measures providing law enforcement social workers and medical professionals with the necessary training on identifying signs of trafficking.

Coordination and collaboration are paramount in the fight against human trafficking building strong partnerships between local national and international agencies.

The monitoring of online platforms and social media for potential recruitment activities significantly enhances the capability to intervene before victims fall prey to exploitation. Holding social media platforms accountable is equally imperative, especially concerning their facilitation of child sexual abuse material and child trafficking relying solely on technology to identify and respond to. Activities on these

platforms have proven insufficient in curbing the crimes conducted within their realms, therefore it is essential to emphasize the accountability of social media platforms recognizing the technology while a powerful tool cannot be relied upon in isolation in the fight against child exploitation and child trafficking demands.

Survivor and trauma-informed approaches to assisting the victim and coming forward are essential to the success and prosecution of traffickers and buyers if legislation is created to assist the victims but does not add for stronger penalties for those who purchase minors the law is nothing more than a piece of paper and will not ensure safety or security for victims to come forward.

She concluded with some questions, including to what extent is society prepared to go to ensure the protection of our children? what if safeguarding involves holding politicians CEOs and officials at various levels of government both domestically and internationally accountable for their actions? to what degree is society willing to resist and make sacrifices even if it means disrupting profitable business ventures? when will the tolerance for those who enable and foster child exploitation come to an end? when will the discussions and meetings we engage in translate into tangible responses and decisive actions?

Q&A

QUESTION 1

First of all, I would like to thank the panellists for this incredible discussion. It's very important that we pay attention to this. I will start off with the two questions. The first one is for Mr Palwankar: The four pillars of your organisation that you mentioned; research and publication, training, international advocacy, and the platform for Global Dialogue are very comprehensive. Can you share specific success stories or challenges in each of these that highlight their impact on addressing human trafficking?

The second question is for panellist Vitillo: The International Catholic Migration Commission has been working on the causes that you mentioned, such as extreme poverty and undocumented birth registration. How can organizations collaborate effectively to address the root causes and create sustainable solutions?

Msgr. ROBERT J. VITILLO: I thought it was for someone else as well. There are many ways that we must work together. I think one thing is that at times we distinguish too much and divide the global level, the international level, with the national levels and the local levels, and we have to make sure that our efforts are touching all of those levels, especially as Ena just talked about that we include the voices of the people who are directly experiencing these things, and also they have the best sources for the way we solve these situations. I'll give you an example. I quoted from a Vatican guideline on how church organizations, the Catholic Church, and other organizations could be working on the prevention of human trafficking and also responses to human trafficking. Those guidelines were developed by listening to the voices of all of the people involved, and all of the stakeholders, including the people who were living with these experiences.

Michel was with us, and we gathered about 200 people in Rome after all of this research and listening had been done. Then we developed those guidelines together, and at each of the group tables as we worked on those guidelines, there was someone who had experienced trafficking at each table because they were the people, we looked to first in addition to theologians, lawyers, social workers, mental health professionals, et cetera. I think it's really by working together that we find the responses. Then it's really important that we also improve our advocacy with the national governments and also with the multilateral organizations as we have here at the United Nations because they often have the power to make changes. We also have to make sure they don't just sign very nice flowery languages. I've sat in many, many committee meetings where we've debated, where we put the punctuation points or what exact word we want to have where, but then we come up often a good document, but it doesn't get implemented. That's the other thing. I mean, many, many times, even here in the United Nations, we have documents, and we have signatories by hundreds of governments, with all due respect to the governments here in the room, but we don't have a way of enforcing those things, of monitoring and of also making sure that these are implemented. Those are a couple of different ways that I would see us working with others on this. Thank you.

Dr. UMESH PALWANKAR: Your first question was addressed to me, thank you for it. I'll be very brief because I've mentioned that the outset of this panel when Michel gave me the floor is that this is the first time we are collaborating. That's a very positive step. As I also mentioned, we focus on human rights and certain focus areas. Human trafficking wasn't one of them because we had others. This is also a learning experience for us. I'd also mention that in all our focus areas, the effects of human trafficking do have a consequence on them, for example, having freedom, equality, non-discrimination, gender-based violence, children's rights, access to education and justice.

Human trafficking is detrimental to all of these meanings for all our former panels, and our discussions and reporting, in a way, to these values and fundamental human rights contributed. But now we can start becoming more specific concerning specifically the human trafficking side of things.

INTERVENTION 1

First of all, I'm very happy to be here with you, and me and my Permanent Mission in Geneva, we are interested in human trafficking and human rights-related issues to work together with different stakeholders, including those institutions, civil organizations, and international organizations, including you here. Thank you for the Sovereign Order of Malta and the Geneva Centre for Human Rights and Advancement and Global Dialogue.

I thank you for organizing this event training. We appreciate that. I thank you, really, the speakers, and the panelists, for excellent and insightful presentations and experience sharing, case study sharing on this very important topic. Just want to a little bit just to say something about all three important points from my country's experience and the presentations here.

The first thing that I want to discuss just to say something about is human trafficking cases and crimes, which are the most organized and shameful crimes affecting every region in the world, including the Eastern Africa region, where I come from. The nature of irregular migration must be supported by a very organized network of criminal actors working out of the region and the destination States in that region.

There is a mixed city migrants comprising of refugees are there, asylum seekers are there, and migrants with different legal statuses and multiple vulnerabilities who are skipping just poverty, and prosecution, often leave for transit, especially the three main routes of irregular migration in East Africa. Based on that, recently Ethiopia has just, my country, made sites to discontinue the crime of trafficking in persons. In April 2020, Ethiopia brought into force a proclamation that provides prevention and separation of trafficking in persons. This proclamation has established by itself a high-level council.

This council has been chaired by the Deputy Prime Minister of the Nation to protect the country's response to trafficking in person. This shows how much the case is serious around the region, and it attracted the attention of high-level officials to intervene to demonstrate the political will to counter this organized crime. Also, there is a National Partnership Coalition for the Prevention and Control of the Crimes of Trafficking in person, in collaboration with international organizations, civil societies, and even international organizations for migration.

We are working on preparing a national migration policy. This is the first-ever policy that's remarkable to counter this trafficking in person. Furthermore, the attorney general, the office of the country, and the Federal Attorney General develop specific strategies for the prevention of trafficking in persons.

These are very remarkable milestones for my country to take action against this organized crime, which brought very serious human rights violations of women, children, men, and boys. It is very inclusive, and accordingly, in my country, only from 2018-2020, we have 2,332 cases in this regard which are investigated and carried out by the police, and some of them have just resulted in the conviction and some of the cases are still pending.

This action also demonstrates how much we are facing the problem and how much we are working to counter that. This is just to highlight the situation in the region and the commitment of my government in this regard.

The second point, I will be brief on this issue about the root causes of trafficking. The root causes are very complex and multi-dimensional. There are multiple actors in this regard, and the modalities of just practice committing these crimes are different in our scenario. The way forward should be multi-dimensional, and it needs collective efforts, which means just asking the speakers, we noted that one. The States should be just collaborating together, State to State, and state with civil societies, international organizations, institutions, and social institutions like religious institutions the society itself should be collaborative on academic institutions, speech value and awareness creation, and others, and the law

enforcement agencies, the police, prosecution office, Minister of Justice, and every institution in this regard.

It needs collective action, and because it is complex. So, it needs collective comprehensive, and organized action in this regard. Finally, I invite you all here to work together, with my Mission here in Geneva, and as well as the national institutions in my capital in Addis Ababa the city of the African Union and others, many more international organizations. I am very happy to be here and thank you very much for the opportunity.

QUESTION 2

Thank you so much. First of all, I'd like to thank you for your precious time to come here and present. I have two questions, so please bear with me.

I would like to ask about TRIAL International. Since you mentioned the two cases from Switzerland, once you have identified the violations, then you will have to take in the supply chain. What sanctions or remedies in place at TRIAL International are undertaken which ensure all the eradication or mitigation of the violation to not occur again? What mechanisms exist?

My second question was... any of the panelists take over... as we establish the violations that take place, the trafficking in various fields of humanitarian field, volume of migrants, refugees, and civil society? We also mentioned the labor force, especially in the private sectors that we have discussed. For instance, if we go into the specifics, for instance, the fashion industry. The makeup that goes wherever, even sometimes meals, other clothes from luxury brands that exist in today's world, most of the chemicals and the materials and the clothes that come, and the manufacturing is like they are collected from children half of our age. What kind of enforcement rules or legislation exist in the advocacy department or all of these institutions, and where are well organized? What kind of mechanisms exist that hold the private sector accountable in taking respect to the measures, and not using children, for instance?

PAOLA FUDAKOWSKA: I will start with your first question and thank you for raising that. I would describe the TRIAL as it's a small Geneva NGO with a very loud voice. TRIAL was set up 20 years ago by a Swiss lawyer here in Geneva. Part of the drive to set up the organization was to seek accountability for survivors of war crimes and to give those people a voice. When we're talking about a victim-centered approach, that's very much a part of the organization. I think what's interesting about the two cases I talked about was that those cases were brought, the organization has felt for a long time that there is a place for seeking corporate accountability, specifically in the context of war crimes. Even though there was a lack at the time of a legal framework within Switzerland to hold the companies accountable, those complaints were formulated in a way that made it possible to bring them to the attention of the authorities. TRIAL brought those claims to the attention of the attorney general in Switzerland in the form of a criminal complaint. They were formulated as war crimes because in the two cases I talked about, they related to the pillaging of conflict minerals. That played a very important role in bringing to the attention of the Swiss authorities that there are Swiss companies within its jurisdiction, who are effectively potentially responsible to some extent for crimes going on very far away from there. That is what TRIAL does in all its work, is it's trying to bring to the attention of the relevant authorities that there are these crimes ongoing and that they must... These individuals or companies must be brought to account.

This leads now to your second question, where you're asking about accountability for private company actors who have in their supply chains that perhaps not following, the right standards. As you say, some perhaps forced labour on their children. This is what's exciting with what's going on in the whole movement of ESG, so environmental, social, and governance. We've seen in the last couple of years a big shift in people recognizing that companies do have these obligations. Companies suddenly, it feels to me, as a human rights lawyer, that companies are suddenly putting human rights on their agenda. Before I

would say, there was very much not everyone, but with a lot of companies, there was just a lot of lip service given to, "Okay, we need to comply with this, and we just took a box." Now companies and boards of directors are putting on their agenda, where are we with ESG? What are we doing as a company in terms of our strategy, in terms of our policy? How are we verifying our supply chains? That pressure is being put on them by the regulation that's being introduced by organizations. I mentioned the OECD by the EU.

For EU Member States, that's putting huge pressure on 26 countries within the EU to implement those regulations into national legislation. I gave the example of Switzerland, the enforcement. There is no criminal liability, but many EU Member States have gone that step further, and they've put in a criminal liability. That means the board of directors is criminally liable. If you've got child labor in your supply chain amongst your suppliers and you haven't identified that, then you are really at risk as a member of that board of directors. That is a huge shift.

It's going to be interesting when we see the first cases. Either being brought in the domestic courts or toward the international level. I'm very hopeful now that we're moving in the right direction. Certainly, companies can no longer turn a blind eye to that. They are now thinking about bringing it into their company strategy, and into their policies, and they are talking about it. As Michel mentioned, we've just spent two days at the UN, at the UN Forum for Business and Human Rights. The number of companies and commercial organizations who attend this event, every year is increasing, and they want to be seen to be having a voice and to show what their company is doing positively, to comply with the human rights agenda.

QUESTION 3

You said there's a lack of positivity, but if you want to go to find the strongest partnership and you, as a board, obviously are for peace, security, and stability in the society that the World Economic Forum is of business leaders and the core of the business is part of maximization, so at least two goals of peace and profit. It's like they're not very competitive if you think about it. Do you think that could give rise to more challenges or that's a good thing and it could still work out?

PAOLA FUDAKOWSKA: I suppose what I would say is go back to the point that I've already made. I think what's happening now with this increased regulation is that it's forcing companies to treat human rights compliance almost as important as profit, and that means investing the money into making sure that their compliance, that their supply chain is robust, and that it is complying. I think that is where the shift is happening. I'm hopeful certainly, that there will come a point where companies understand that their reputation is priceless. You may have the turnover and the profit figures, but if your reputation goes down the drain because overnight you are exposed as having child labor in your supply chain, there will be no more profit. I think that is what it seems to be slowly getting through and seems to be more widely recognized by big brands. Coca-Cola, and Nestlé, are all brands that have been held to account by NGOs, for example, Oxfam, who've done big reports about how these companies are lacking. Now these companies have taken that as an opportunity to present themselves as a model because they have addressed those problems. They've said, "Okay, we're not going to deny we have these problems, but we've now taken steps to address them, and we want to be seen in how a company can be run in a sustainable human rights campaign way." My message is, that I'm optimistic that we can bring all these things closer together. I don't know if anyone else has any.

Msgr. ROBERT J. VITILLO: Our experience is more on another end, but it's also a way of feeding into these processes that have been developed, and I'll give an example. In Catholic schools, but think a lot of government schools too, all over the world, children are expected to wear school uniforms. In the United States, the National Council of Catholic Women has thousands of members throughout the country. They took on this issue of forced labor, and they did research on the companies that the different church groups

were ordering their uniforms from, and then they identified where these were coming from, many times from outside the United States, but they were being produced under slave-like or forced conditions.

They would identify that, tell the school officials about this, and then start a boycott against those companies. Also, it was a way of feeding into those accusations into the legal processes. That's an important way of involving people because it often takes a very long time before you get to the courts and or the legal instances to enforce these sanctions on companies. That's one way. Another way was the speaker in the video talked about Ukraine. I convened at the request of the Vatican and still do convene this, a working group of all the major global Catholic organizations that were responding to Ukraine, and Michel's is one of the largest, of course. Immediately we started meeting two weeks after the latest invasion of Ukraine in 2022, and we immediately identified the risk of trafficking.

The traffickers were already at the borders. We were there too, but they were there before us.

We immediately put together the guidelines for the prevention of this for the humanitarian workers from the Churches who were reading these people, but then also simple instructions for the people who were coming through. Many times, they came through the train station, and somebody said that many people of goodwill said. I will take you to my home. You could stay with me for a while, but many people with ill will were doing the same thing. I think those are the things that we could do to alert the public, and then also to feed into the situation of the legal sanctions and the processes that could punish private employers.

ENA L. MARIACA PACHECO: I would just like to add one thing. To go from what you both had said, I think there does need to be an increase in the penalties, not just financial, but in criminal cases. For example, just using the example of Canada, where I'm from, we do not have one case of male victimization. Just to go on that, in any other cases where there are like female victims of labor, or sex trafficking, the penalties are quite ridiculously small. and even ten years ago, it wasn't even against the law to do this. You can get away with it. You would get a longer sentence for, let's say, the drugs in your pocket that you were caught with, than the two little girls in the trunk of the car. You would get maybe six years for the drugs and six months for the kidnapping and trafficking of minors.

Of course, this has increased over time, but think 3, 4, or 6 years is not enough for the crime at hand. A lot of these traffickers, buyers, sellers, and exploiters are taking advantage of that in a loophole in our system, which is a very low penalty rate for the crime and for the amount of money that can be made from that crime. If we put an increase in the conviction time instead of six years, 25 years, 30, 40, 50, a life sentence, or something like that, then that's when you're bringing real change to the system because then they must evaluate, is this worth it? Is this crime worth the punishment? Because \$600 and six months, anyone will, if they have a large enough trafficking network, you can just get someone to take the blame, go inside. You pay their family until they come back out and then they continue trafficking. And so, it's just to increase that warrant mechanism as well.

Msgr. ROBERT J. VITILLO: Just another point on that is that a number of the national frameworks of the anti-trafficking require the victims to testify, and that means that a lot of victims will not do that because they also know that their families in their home countries or these are huge gangs of organized crime. In the US and their national law, which was done right after the Palermo Protocol was finished and it was negotiated by some of the US officials who were involved in those negotiations? They did not require the victims to testify. They also gave a path to legal residents in the country. I later was involved with the Italian government in negotiating their law, and we put them together with the US people so that they could understand, because the Italians were ready to say, if you want to stay in the country, then you have to testify against these, and there still are many governments that still have that requirement.

INTERVENTION 2

Just one thing, we did last year, which is called forced labour and transparency of supply chains. Two words are prescriptive or legally mandatory approaches. And we have a testimonial video from Sara Thornton who is the former UK Independent Anti-Slavery Commissioner, of the IAS Police Land Authority, saying that it's not effective. And I'm afraid, I just don't want to. You know what I'm saying?

She says it's not from the UK first. It's not enough because it's not mandatory that they serve.

PAOLA FUDAKOWSKA: If I may, I think that's the shift that we're seeing. In the last two, three, and four years, the guidelines and regulations being brought in by the EU, which are then forcing that down, trickle into the national legislation. But you're quite right, the enforcement mechanisms having the modern slavery commissioner, that's a very key role, but it's then giving those people the tools to enforce. I think that that is where we're seeing the weakness. Certainly, there are examples of national jurisdictions where criminal liability is very much included as part of the penalties. There's criminal liability, civil liability, and fines. I suppose we want to see more of that, and well, going to your point, when it comes to criminal liability, what is the length of the sentence?

QUESTION 4

Thank you for all the speeches on the floor today. I would like to ask a question. Just consider the specific nature of the issues that you. Just the nature of the issues that you have brought to light today, would you say there is also a need for an indirect approach to the solution specifically targeting the detrimental oppressive nature of the patriarchy when it comes to the way the men and boys are received in society and by professionals regarding their victim?

ENA L. MARIACA PACHECO: Thank you very much for that question. Yes, to answer it in that way. I came at this from my feminist point of view when I began my thesis. Seeing these different lenses and approaches to go with this, but that is something that we have to consider within our society. Our society tells men you can't have emotions, you can't share your feelings, you can't cry, you can't show weakness. This is kind of involved in this view of what it is to be male, what it is to be masculine, which in some sense does come from this patriarchal point of view. It does need to be dismantled to a degree in the way where we as a society and as a collective say, men are human, just like women are human.

We all should be allowed to seek support. We should all be allowed to disclose trauma that has happened to us, and that has influenced us. We should all be able to ask for that help to tell our story and to be believed. Unfortunately, in many of our societies, we do not have that in place, and a lot of social services don't even exist for men and boys. But that is one of our first steps in changing that narrative, challenging those conceptions, and allowing for a safe and equal space for anyone, regardless of gender, age, ethnicity, or social background, to be able to tell their story and to be supported.

QUESTION 5

Very quickly, that approach is implemented in the structures that are already in place.

ENA L. MARIACA PACHECO: That's the challenge that we are hoping to do. With the US Council, I think the very first thing is to raise that awareness in order to have any change. When it came to human trafficking in Canada, everyone didn't even have an idea that it was happening there. Until we were raising awareness, we were showing the cases, we were bringing those stories out, and then that's when legal change began to happen, and societal change began to happen.

So just like for this topic, we're going to have to start with education, with raising awareness, with bringing those topics into these rooms and making it an issue that we also need to investigate bringing those

people to the table, not just men, but those with disabilities, those from different groups, different ethnicities as well. That where I would say, would be the very first step.

QUESTION 6

How do you expect the rehabilitation programs to be tailored to meet the needs of child trafficking survivors and ensure their long-term well-being? As you mentioned, there are biases among women and men and also girls and boys, so are there different approaches that are implemented to eliminate trauma between male and female individuals or children?

ENA L. MARIACA PACHECO: No, don't worry. When it comes to the rehabilitation process for both men and women, it is similar to a degree but there are different approaches depending on the situation, depending on every single individual. I would say firstly, it is very individual to the person because not everyone has the same trauma story, the same background, there are many different forms of trafficking, and even within sexual exploitation and child abuse, stories vary quite a lot.

There needs definitely to be a tailored approach. Within my research and then within other research, when it comes to children, the actual age of abuse and exploitation is around, let's say 11 to 14 for girls, but for boys, it starts quite young, from literally a few months old up to the age of eight. And so, we can see there already just in the ages. There already needs to be a tailored approach, just for boys and girls. Women, as I said in the previous question, do you have the ability to reach out to community peer support? Look for those social services a lot earlier, whereas men and boys tend to not disclose, and if they do disclose, it might be 30, 40 years after the fact, so then that's another tailored need that needs to be looked into it.

When I came into my research, it really seemed that the steps to go forward were first for like a self-evaluation, seeing what has occurred, accepting that it had occurred, and doing that research into self-help books, into community groups, but mostly done in an anonymous way, works really well for men. Then that goes into the community, which means starting to look into community groups, starting to share your story for the first time with trusted individuals, with trauma-informed individuals. Then that goes into reaching out for peer support.

This could be specialized tailored therapy groups. Then after that, it goes into pursuing your life passions, what brings you joy again, and then bringing that humanity back into your life and not just focusing on trauma, but building off of that. It can be similar for women and girls but feel like we have the possibility to start engaging in this process significantly sooner and without that much stigma involved.

Like myself, we can get therapy like this whereas I think for a man, it'd be quite a little bit more difficult to convince them. This is something you can do without a fear of stigma or shame, or something involved. As survivors, there are similar difficulties, but just like gender or just like age, or different ethnicities will change how they can approach healing and what they have access to as well. Thank you so much.

QUESTION 7

My question is for Paola Fudakowska. I am really very impressed by the work. In the scenario and for fighting against human rights abuses. When you came across countries of the Democratic Republic of Congo and their leadership group, part of my question has already been answered. I'm just interested in how the group aspect has challenged and then if you're like when you demand for instance that like so you can prevent or delay operations when in shared groups engaging in forced labour with the industry.

Does it happen that the lucrative aspects overpower the moral aspects like more questionable business issues? I mean, in your experience of what has been your experiences like how. I mean, I just wanted to

know that it would be a little great for the purpose of developing countries to make development policy changes and fight illegal businesses with seriousness.

PAOLA FUDAKOWSKA: I think there's a number of quite complex issues raised there, but I think I will try to answer the question in quite a simple way. Effectively TRIAL mandate if you like, is to use the national courts to seek justice for war crimes and crimes against humanity. That's the basic mandate. As part of the organization, I suppose, the agenda, if you like, is this corporate accountability strand.

The two cases that I talked about and part of the reason they were not successful in the Swiss courts, and only partly because there were other reasons why, but part of it was that there was an absence of a legal framework to make the companies liable. The significance of telling you about those cases is that Switzerland has this year now introduced this due diligence framework, which means that potentially these cases would now have a different outcome. That is very much the hope, and I suppose we will have to wait and see when the first case comes before the Swiss courts. But I think you raised an interesting point about precedent for developing countries and how they might seek to address corruption. I think the point is this model of using the national courts, which are in some ways much more nimble and able to see through these claims in a much shorter space of time than, for example, a big international mechanism.

If you think about the International Criminal Court in The Hague, a case before the Hague mechanism is going to potentially take decades. So, adopting our victim-centered approach is why we focus on bringing claims within national jurisdictions, and specifically when we're talking about war crimes and crimes against humanity, we're doing that under the principle of universal jurisdiction, because universal jurisdiction gives national courts a jurisdiction to hear those claim, and specifically for war crimes and crimes against humanity. That's a very special characteristic of those claims.

Again, going back to the two cases I talked about, the pillage there was characterized as a war crime in order to give the Swiss court jurisdiction, which did not work in this case, but it might work in other jurisdictions.

QUESTION 8

What is your personal experience like? That aspect overpowering the moral questions in the Swiss legislation. Could you elaborate a little bit so that I understand? The business point of profit maximization and lucrateness of the linkages are overpowering the moral questions sometimes related to the supply.

PAOLA FUDAKOWSKA: I think as a matter of enforcement, in this new Swiss framework that's been brought in, as a matter of enforcement, the only enforcement that exists is fines. I suppose what I'm saying is that in addition to fines, there should also be a very clear civil and criminal liability. and potentially also, a higher level of fines, because think you do make a good point. At the moment, the maximum fine under the Swiss system is CHF 100,000.

If we're talking about a huge global organization, that is pretty small. That's a small amount. So yes, I think that is something that a lot of the national jurisdictions will have to think about when they're setting values and the penalties that are being imposed to make it seriously painful for global organizations for whom hundreds of thousands, not very much at all.

Full Statements of the Panelists

Opening Remarks of H.E Prof. Michel Veuthey, Ambassador of the Sovereign Order of Malta to Combat Trafficking in Persons.

Good morning, everyone, very happy to see a diplomat here and to see also students from Webster University. Also, thanks to all speakers who will be speaking this morning, and also we will have at least one person who will speak online with a video. Unfortunately, we had one speaker from Sanremo, Claudio Delfabro, Director of the Department of International Refugee Law and Migration, and unfortunately is ill, so we put some publicity on the excellent refugee law courses, and you have also leafleted and there is the documentation. We can still know what he would be speaking about.

Human trafficking and human rights, of course, no reason for triumphalism, no reason for celebration, because 75 years after the Universal Declaration, as we know, many human rights are violated and that's not so much a celebration that we need today, but more mobilization. Mobilization, I would say, especially for victims of human trafficking, because 23 years ago, we had the adoption of the Palermo Protocol on human trafficking and also on the Palermo Protocol on migrants' rights, but still today, there is an estimate of 50 million slaves, and it's more than ever in history. That's why I think there is much work to do.

Definitely, human trafficking is a complete contradiction to human rights and especially right to life, liberty and security of persons as Article 3, prohibition of slavery as Article 4, freedom from torture, that's Article 5, right to work in just and favourable conditions, that Article 23, right to an adequate standard of living, article 25, right to education. Article 26, right to freedom of movement, Article 30, right to freedom of thought, conscience and religion, Article 80, and the right to be free from discrimination, Article 2.

Today, with new technology raising awareness through events, collaborations between various people in society, creative content and community engagement, we also need to use technologies, that's what we will be doing today because we are recording this session, and it will be available online with subtitles. We think that's why, even if this morning we are a small crowd, we need to be sure that it will be disseminated.

That's why I'm very happy now to give the floor to Dr Umesh Palwankar. He is a friend, a former colleague of mine at IRC (International Red Cross), and after a long career into the legal department of IRC, he is now Executive Director of the Geneva Center for Human Rights Advancement and Global Dialogue, and a co-organizer of this event with the Sovereign Order of Malta.

Dr. Umesh Palwankar, Executive Director, Geneva Centre for Human Rights Advancement and Global Dialogue.

Thank you, Ambassador Michel Veuthey Ambassador of the Sovereign Order of Malta to Combat Trafficking in Persons, for organizing this panel jointly with the Geneva Centre, and added his pleasure at seeing this first collaboration between the two institutions materialize. The theme of the panel was a very critical issue, whose consequences are at the core of human rights, constituted by equality, freedom, justice, and human dignity.

I will briefly present the Geneva Centre, an independent human rights think-tank and advocacy institution, founded in 2013, and holding special consultative status with UN ECOSOC.

The mandate and activities of the Geneva Centre rest on four interconnected pillars: research and publications; training and national capacity building; and international advocacy, mainly through following and reporting on important human rights developments and conferences, in particular, the various Human Rights Council sessions; and, offering a platform for a global dialogue on current, vital human rights issues through the organization of international conferences and panels, and publication of their proceedings with an incorporated think-piece on lessons learned and ways forward, for universal distribution.

The Geneva Centre's focus areas include equality, non-discrimination including gender-based, racism, access to justice, education, women and children's rights, inter-religious dialogue, empowerment of women and youth, and increasingly, the right to a safe, healthy, and sustainable environment, and business and human rights.

Human trafficking is one of the cruellest and most degrading violations of human dignity and equality, affecting millions across the world. Its despicable consequences include slavery, forced labour and prostitution, gender-based violence, sexual exploitation of children, extraction, and sale of body organs. These heinous acts are in total violation of the right to life, liberty, equality, physical and moral integrity, access to justice, health care, education, enshrined in Human Rights instruments, Labour Law, International Humanitarian Law, Criminal Law, Refugee and Migration Law, among others.

Moreover, human trafficking thrives on inequality and preys on vulnerable populations, and we urgently need to engage in a determined effort to ensure social justice and vanquish this scourge of humanity.

In conclusion, I would like to highlight several extremely important observations and recommendations, including the paramount need to address root causes of human trafficking, empower individuals to take action by reporting suspicious activities and advocating for victims' rights, create a platform for advocating policy changes at local, national, and international levels to strengthen anti-slavery laws and enforcement mechanisms, encourage collaboration among NGOs, governments, businesses, religious congregations and their leaders, and civil society to pool resources and efforts to combat contemporary slavery effectively and foster local engagement through grassroots activities, educational sessions in schools, and community discussions to ensure that the message reaches diverse segments of society.

Msgr. Robert J. Vitillo, Secretary General, ICMC.

Your Excellencies, ladies, and gentlemen, it is a great honour and privilege to offer some perspectives in this meeting that aims to respect and plan actions in response to two human phenomena that are in stark contraposition and conflict — that is, human trafficking and human rights.

The former has aptly been described by Pope Franks as an “open wound on the body of contemporary society”. The latter, which was solemnly and universally declared, with no dissenting votes by the United Nations General Assembly, “...stroved to articulate and codify the transcendent principles of the inherent dignity of each and every human person from the moment of conception to natural death.” While governments had made significant efforts to preserve these rights, I feel compelled to note, with great regret, that various situations ill today's world point out the blatant disrespect for the human rights mechanisms that have been established and even greater disrespect for the members of our human family who are the bearers of such rights.

Human Trafficking certainly represents one of the greatest human rights failures of both past and present eras.

Such failure may be rooted in our limited focus on the legal and technical aspects of our defence and promotion of human rights. While such elements are fundamental to such efforts, they are not at all sufficient. In this regard, at least in my opinion, the Catholic Church's approach to human rights may be quite helpful, since we never articulate a right without presenting its concomitant responsibility. Thus, as rights bearers, all members of the human family also have responsibilities to recognize, promote, and defend both rights of their own as well as the rights of others.

With regard to human trafficking, I believe that States, civil society, and individuals all need to understand and effectively respond to the root causes of human trafficking. Given the complex phenomena of human trafficking and forced unsafe migration, I am fully aware of the impossibility of capturing all the root causes in a short period of time. However, I will take this opportunity to cite some examples of efforts undertaken by my own organization, the International Catholic Migration Commission, or ICMC, to prevent human trafficking and smuggling, address the needs of its survivors, and advocate, with the entire human family, to eliminate this evil from our world of today and in the future.

Since some of you may not have heard about ICMC previously, I will give a brief introduction: the organization was founded by Pope Pius XII in 1951 kind gave us the mandate to form a network of Catholic institutes, including groups of Catholic bishops, worldwide, as they respond to migration and refugee challenges. We quickly began by resettling refugees from Europe to North and South America, and elsewhere, and by protecting those who were vulnerable to abuse (even though we did not use the words “human trafficking” in those days. We continue our resettlement and humanitarian programming this very day. We have some 300 staff working in some 40 countries. But that is only the tip of the iceberg when compared to the thousands of staff and volunteers engaged by local, regional, and global Church efforts by dioceses, religious congregations, Catholic-inspired organizations, and those “good neighbors”, inspired by the Gospel, to fulfill Pope Francis’ invitation to “welcome, protect, promote, and integrate” refugees and migrants wherever they may be.

Now for some of the causes:

Root Cause 1: Extreme poverty and unequal access to enjoy basic human rights to a life worthy of God-given human rights and human dignity, education at all levels, as well as decent world, housing, and the physical, social, and spiritual conditions that help children to thrive and adults to provide

adequately for themselves and their families. Those deprived of such basic essentials of life easily become more vulnerable to human trafficking or to desperately seek unsafe migration routes.

- The 2023 global Multi-dimensional Poverty Index (MPI) from the UN Development Programme (UNDP), shows that 1.1 billion out of 6.1 billion people (just over 18%) live in acute multidimensional poverty across 110 countries.
- Sub-Saharan Africa (534 million) and South Asia (389 million) are home to approximately five out of every six poor persons. Nearly two-thirds of all poor people (730 million people) live in middle-income countries, making action in these countries vital for reducing global poverty.

In speaking about different causes of human trafficking, Pope Francis calls our special attention to “...the first place of poverty, underdevelopment and exclusion, especially when combined with a lack of access to education or scarce, even non-existent, employment opportunities”.

Root Cause 2: Lack of Birth Registration and other important documents

- The 2020 report of the Independent Commission of Inquiry on the Syrian Arab Republic issued this alarm: *“Girls and boys also face considerable obstacles related to documentation and are vulnerable to exploitation through child labor or child marriage, often as a result of the death or disappearance of male parental figures. Crucially for their long-term prospects, a huge number of children have missed out on years of education and are currently out of school. This status quo will affect the ability of boys and girls to exercise their basic rights in innumerable ways as they grow older.”*
- The lack of such documentation prevent access to vital services and often forces migrant and refugee children and adults to seek the services of smugglers and traffickers to reach their destinations, to be reunited with family members, or to accept indecent or exploitative work situations.
- *One in four children under age 5 (166 million), on average, are not registered in the world today since parents often are deterred from applying for such necessary documentation because of high costs and complicated bureaucratic procedures imposed by public offices;*
- *Similar challenges are faced by these migrants and refugees who do not have access to their academic diplomas or certificates for professional or other specialized skills training.*

The Vatican’s *Twenty Points*” document, *Towards the Global Compacts on Migrants and Refugee* 2018, “encourages States... to adopt policies that require the registration of all births, providing each newborn with a birth certificate” and “to enact legislation that enables the recognition, transfer, and further development of the formal skills of all migrants, asylum seekers, and refugees in the host country. The International Catholic Migration Commission/ICMC, in fact, is redoubling its efforts to encourage birth registration by working with local Church-inspired organizations in Burkina Faso, Central African Republic, Haiti, and India to train local parish volunteers to accompany parents as they apply for birth certification for their children.

Root Cause 3: Fixation of business almost exclusively on amassing more money and profit easily leads to the commodification and exploitation of people which, in turn, could result in the vulnerability of poor and marginalized people to human trafficking.

- The 2021 Global Estimates of the International Labour Organization indicate that 28 million were in forced labour. It should be noted that compared to 2016 global estimates 10 million more people were in modern slavery.
- Most forced labor occurs in the private economy. Eighty-six percent of forced labour situations are imposed by private actors — 63 percent in the Private economy in sectors other than commercial sexual exploitation and 23 percent in forced commercial sexual exploitation. State-imposed forced labour accounts for the remaining 14 percent of people in forced labour.
- The Organization for Economic Cooperation and Development reports that:
 - This type of labor is estimated to generate at least \$150 billion per year of illegal profits in the private economy worldwide (ILO).
 - Human trafficking occurs with the collusion of corrupt officials with criminal gangs. Addressing human trafficking and corruption jointly is more effective than addressing these two issues individually.

Pope Francis warns: “There is a sociological fact: organized crime and the illegal trafficking of human beings choose their victims among people who today have little means of subsistence and even less hope for the future. To be clearer: among the poorest, among the most neglected, among the most discarded.”

For the past five years, ICMC has coordinated a multi-faceted research project, in partnership with more than Catholic-inspired organizations and the International Labor Organization, on “The Future of Work: Labor after Laudato Si’”, which, through primary research and collection of good practice models, examines ways to prevent exploitative, indecent and corrupt labor practices that often are linked to abuses of human trafficking, corruption, and exploitation of the most vulnerable people in society, and identifies good practice models being employed in various parts of the world. ICMC also is supporting programs of the local churches, in Côte d'Ivoire to build skills capacity and to promote entrepreneurship among deportees who have been returned from Europe but still are highly vulnerable to traffickers and smugglers, and, in the Central African Republic, to teach basic literacy and vocational skill to returning child soldiers.

Root Cause 4: The Demand Side

The Vatican's Pastoral Orientations on Human Trafficking points to the “different areas in which the victims of human trafficking work or operate (agriculture, domestic work, prostitution, etc.)” and points out that “consumers constitute a huge mass who seem largely unaware of the exploitation... yet enjoy the benefits” of the services provided by trafficked persons.

In her 2023 Report to the UN Human Rights Council UN Special Rapporteur on trafficking in persons, Siobhán Mullally declared “[t]aking seriously the obligations concerning prevention of trafficking in persons requires systemic and urgent law and policy reforms, rooted in international human rights law, addressing climate change, environmental degradation and loss of biodiversity.”

Pope Francis challenges us to examine our own consciences and behavior: “Certainly there is a lot of ignorance on the topic of trafficking. But sometimes there also seems to be little will to understand the scope of the issue. Why? Because it touches close to our conscience; because it is thorny, because it is shameful. Then there are those who even knowing this, do not want to speak because they are at the end of the ‘supply chain’ as a user of the ‘services’ that are offered on the street or on the internet.”

ICMC works to prevent human trafficking among the vulnerable group of refugees and migrants in irregular situations by providing job training that leads to access to decent jobs or to start their own small businesses and by maintaining “safe spaces” for socialization and learning among women and child refugees who are survivors of sexual and or gender-based violence. In Malaysia, where ICMC operates a service for refugee survivors of sexual and gender-based violence, we have constituted a “Refugee Protection Force” from within the refugee communities to serve as first responders, monitor the safety and progress of survivors, and work to change the harmful cultural practices and attitudes from within their own ethnic communities.

I conclude by citing once again the words of Pope Francis, who has been such a driving force, for the Church and for all people of goodwill, to confront the root causes of human trafficking with persistence and determination, and, with the grace of God, to put Christ's gospel into action: *“Let us not pretend and look the other way. There is greater complicity than we think. The issue involves everyone!”*

Paola Fudakowska, Legal Consultant, TRIAL International.

Thank you very much, Michel.

It's good to be here today, and thank you all for attending today. As Michel mentioned, I'm working for an organization called TRIAL International. TRIAL are a Geneva-based NGO, and their principle work is to seek accountability for survivors of war crimes. I've been asked today to consider corporate accountability in the context of human trafficking.

There'll be three areas that I will briefly look at. First of all, I'll provide an overview of the new due diligence obligations that have been introduced in Switzerland earlier this year on companies. Monsignor Vitillo mentioned the supply chain, and that is, of course, a crucial part of what we're talking about in relation to human trafficking. Then secondly, I will just briefly describe a couple of cases that TRIAL have done bringing criminal complaints against Swiss companies for violations in their supply chain.

What's interesting about them is that those cases were ejected, and partly that is because there was a lack of a due diligence framework in Swiss legislation. That's just to show you perhaps the power of what has happened this year by Switzerland introducing this new legislation. Then finally, I'll just make some reflections on how this regulation is going to impact trafficking, specifically in the context of child labour.

First of all, these new due diligence obligations were introduced in January this year, and they effectively require Swiss companies to comply with due diligence and reporting obligations in two areas. First of all, when importing or processing conflict minerals or offering products and services with risks of child labour. These firms must follow the new requirements for annual reports, which start in 2024, covering the business year for 2023. Within these new rules, Switzerland is effectively bringing itself in line with the EU and international rules and regulations, including the EU Conflict Minerals Regulation and the corresponding OECD guidelines. The Swiss legislation, these two amendments are going to affect the Swiss Code of Obligations and the Due Diligence and Transparency Ordinance.

What is the scope and extent of these obligations? Under the new rules, any company which has a registered office or head office in Switzerland must comply with their due diligence duties in their supply chain and reporting obligations if they have activities in one or both of the following areas. Either importing, processing of minerals or metals with quantities exceeding certain thresholds containing tin, tantalum, tungsten or gold from conflict or high-risk areas into free circulation in Switzerland, or processing these minerals in Switzerland.

The second option is offering products or services in Switzerland or abroad, for which there is a reasonable suspicion that they are manufactured or provided using child labour, as defined by the International Labour Organization. A reasonable suspicion is present when there exists a substantiated indication for inadmissible child labour based on internal or external information. There are cases where companies are exempt from these obligations relating to child labour specifically, and it's either if the companies are small or medium-sized enterprise or presents a low risk of child labour. A company's presumed to have a low risk of child labour if it exclusively sources products or services from countries classified as basic by the Unicef children's rights in the workplace index. However, no

exemption is available for companies where there's concrete evidence on child labour in their products and services. In practice, this will require more than a reasonable suspicion, such as in the case of specific instances of child labour reported by judicial bodies, professional associations, the ILO, or other companies.

Furthermore, there exists an exception to both obligations relating to conflict minerals and child labour if a company adheres to an internationally recognized set of rules. This will require that the company follows the rules in their entirety, publishes a report, and refers to the applied set of rules in its report. In the area of conflict minerals, it's either the OECD guidelines or the EU Conflict Minerals Regulation, which must be applied.

In the areas of child labour, the exception requires companies to adhere to a list of relevant ILO conventions that are indicated in the ordinance. Compliance with an international set of laws can take place at the company or at the group level. What do these due diligence and reporting obligations actually mean? What it requires is that the company must include a supply chain policy, a traceability system, a grievance system, and a risk management system. To comply with the supply chain policy requirement, that policy must specify which instruments the company uses to identify, assess, eliminate, or mitigate the risks of potential adverse effects in its supply chain.

This would include on-site checks, consulting experts, assurances from business partners or certifications. Moreover, companies must ensure that interested parties have an opportunity to report concerns about conflict minerals or child labour. In addition, the rules require companies to adopt a traceability system, which means that information is recorded on product origins, suppliers, and processing steps. Finally, the risk management plan must be put in place that will monitor and identify risks in the supply chain relating both to conflict minerals and child labour.

All of these obligations are largely based on existing EU rules. Compliance with these new obligations must be documented in an annual report published within the first six months of the following business year. The responsibility to report is situated with the highest management or administrative body, which in many cases means the Board of Directors.

The report must be prepared in an official language of Switzerland or English, and describe how the due diligence obligations have been put into practice. Those reports must be published electronically and made available for a minimum of 10 years.

In the area of conflict minerals, compliance with the due diligence obligations must be audited by an external specialist authorized by the Swiss Federal Audit Oversight Authority. Companies with a parent company in a third country whose parent company publishes an equivalent report do not have to publish a separate report. In this case, it would suffice that the company refers to the parent in its annual report and publishes the parent company's report. This reporting must be done on a consolidated basis, and that companies must be covered by a consolidated report, therefore exempt from the reporting obligations.

What happens in terms of compliance and penalties? In the Swiss regulation the new requirements do not contain provisions for company liability, but they do include penalties in the form of fines for failing to report or inadequate reporting. There could be a liability or a fine of up to CHF100,000 to individuals responsible for the missing or incorrect reports, as well as those failing to make accessible reports for

the required period. In the case of negligence, the fines reduced to a maximum of CHF 50,000. As these developments show, this is all part of companies all around the world coming under increasing pressure to monitor and address how their supply chains affect their environmental, social and governance-related issues.

As always, active preparation is key for companies to stay on top of new obligations and align with requirements in different jurisdictions. I'll say a bit more on that later in the context of the impact on human trafficking. Now I just want to tell you a little bit about two cases, which were brought by TRIAL International against Swiss companies for violations in their supply chain. Both of the cases I'm going to talk about in the context of pillaging, so more in the conflict minerals space. Nevertheless, I think it's interesting just to hear how these played out.

The first case took place in November 2013, where TRIAL initiated proceedings against a company based in Ticino, which was refining almost 3 tons of gold mined in the Democratic Republic of Congo between 2004 and 2005. This gold had allegedly been pillaged by a rebel group. During the year and a half that followed, the office of the Attorney General conducted an investigation as a result of this complaint into war crimes and aggravated money laundering, resulting in the refinery company's headquarters in Ticino being searched.

This case also sparked a civil society campaign against pillaging precious metals in times of armed conflict. In 2015, this case was closed. The Attorney General's office concluded that there was insufficient evidence that the company had been aware of the gold's criminal origin. Strikingly, though, the federal prosecutor did recognize that the gold had been pillaged in the Democratic Republic of Congo by a militia group. Because of the absence of a Swiss law framework for due diligence, it meant that this company was not legally obliged to investigate who they do business with or where any purchased goods came from.

At the time, TRIAL's founder Philip Grant commented that, "Without a duty of due diligence, it is impossible to demonstrate intent which is key to constitute pillage. Switzerland must adopt a regulation that requires companies to know where goods come from, as is the case of many banks that comply with know your customer guidelines. Imposing a duty of due diligence means preventing that such shortcomings reoccur and prohibiting companies at fault from shirking their responsibilities." In a way, I think Philip's comments were well ahead of their time and it's a shame that it's taken almost 10 years, in fact, for Switzerland actually to introduce the regulation that I've already described.

The second case that TRIAL brought was in November 2016, and that was in partnership with the Open Society Justice Initiative, where a criminal complaint was filed against a Swiss businessman Christoph Huber, who was operating also in the trade of minerals. During the second war in the DRC between 1998 and 2003, Huber was allegedly directly linked to an armed group accused of war crimes that occupied and de facto administered large territories in east part of the Democratic Republic of Congo.

The events in question occurred in 2001, and at that time Mr. Huber allegedly allowed one of the companies he was working for to obtain concessions from the militia, along with guarantees of protection by soldiers of the armed group. He'd been involved in the mineral trade in the region, at least since 1997, on behalf of other companies, some of them, which were also Swiss-based. Commercial documents obtained during the investigation clearly demonstrate the links between the militia group and the Swiss businessman. One of TRIAL's legal advisors said that there was no choice

but to file a criminal complaint against Mr Huber as an individual because the possibility of doing the same against a company was at the time particularly limited under Swiss law.

In this case, however, the problem was even more complex because Mr Huber's business ties with the Swiss companies in question had in the meantime been terminated. Again, the outcome in this case was that the absence of a duty of due diligence, coupled with legal liability in the Swiss legal framework, meant there was an absence of a legal avenue to prosecute the economic actors who were effectively accomplices in international crimes.

Just finally, some observations really on the impact of the Swiss regulation on trafficking and in particular child labour, which of course, this regulation seeks to address. Really, the impact is that it's imposing an obligation to have the supply chain policy, which forces companies to identify, assess, and eliminate and mitigate the risks of potential adverse effects in its supply chain. What this means in practice is the company now has to make sure there are appropriate onsite checks that the company's consulting experts, for example, the two cases I've talked about, these were in conflict regions. There are many companies who have, of course, their businesses in the similar regions, and there should be consulting experts to understand how their supply chain is linked, particularly any local companies that they are working with and receiving then from those members of their supply chain, the appropriate assurances that the appropriate due diligence has been carried out, and also certifications.

I mentioned that companies must now ensure that parties are able to report concerns about conflict, minerals or child labour. In addition, that there is a traceability system that records information on product origins, suppliers, and the processing steps. Of course, there must be a realistic risk management plan which will monitor and identify risks in the supply chain. It's an ongoing obligation. It's not just a matter of saying, "Oh, we are fine."

The board of directors effectively is responsible for making sure that their suppliers continue to respect the obligations and continue to comply. I think the big question around the regulation is the efficacy of enforcement. I told you a bit about fines, but these fines relate to reporting.

We're not really talking about the conduct in the supply chain. Really, what is needed is an enforcement mechanism effectively with a criminal sanction. There is no detail in the Swiss regulation as to how due diligence obligations should be enforced specifically with respect to child labor. It's also unclear how the breach of these due diligence obligations may be considered as a fault, and lead to a tort in civil liability proceedings.

This lack of an enforcement mechanism is a real weakness in the Swiss regulation. I think there's an opportunity here for organizations like ours to lobby the Swiss authorities to amend the regulation and bring it in line with many EU member states, which have adopted a criminal liability in their equivalent legislation. Thank you very much.

Ena Lucia Mariaca Pacheco, Co-Founder and Global Ambassador, U.S Council on Violence against Men and Boys

1. I'd first like to extend my deepest gratitude to the Sovereign Order of Malta and the Geneva Centre for Human Rights Advancement and Global Dialogue. Thank you also to Dr. Michel Veuthey and the organizing team for hosting this crucial meeting.
2. My name is Ena Lucia Mariaca Pacheco, and I am honored to represent the US Council on Violence against Men and Boys as their Co-Founder and Global Ambassador.
3. Over the past 13 years, I have worked with various agencies worldwide towards our common goal of raising awareness and stopping human trafficking. From reshaping Canada's criminal code on human trafficking to engaging with trafficked victims around the world, to now working on human security research, global anti-trafficking projects, and public advocacy on these critical issues.
4. I can summarize my story that brought me here in three moments. Let me tell you about the first one. The start of my journey, in 2010, when I first saw this little girl named Anita. She was barely two years old when she was dropped off in a cardboard box on the doorstep of an NGO in San Jose, Costa Rica. Her little body was shattered, and she was covered in scars from cigarette burns. I remember her little laugh when we would do physical therapy, trying to hide her tears — she was so strong. Witnessing her resilience inspired me to dedicate my life to the fight for human rights, especially for children.
5. This moment began my lifelong journey to help those harmed by traffickers who always think about money and never about the suffering they inflict on their victims.
6. Let's move on to the second moment, in 2011, when I found myself working in remote rural areas, small villages, and major cities in Cambodia on a humanitarian aid mission. This was when I first witnessed human trafficking with my own eyes.
7. Our team identified several karaoke bars in Phnom Penh which openly sold sexual "services" with children. Small menus written in black marker listed many forms of abuse and exploitation on sale for only a few dollars. These kids sat closely together on dirty couches, and each of their shirts were marked with a number to help customers choose their preferred victims.
8. These were just children, scared and totally unprotected from perpetrators a few seats down. This was no longer distant news stories on a website but rather tangible, helpless children just an arm's length away. I'll never forget the pain I felt witnessing that.
9. Now I'll share the third moment. While working for INTERPOL in 2018, I came across a report that unveiled the severe online abuse suffered by infants toddlers, and boys of all ages. Male children scored highest in terms of the severity of their abused based on the COPINE scale. The boys suffering the most severe abuse were victims of unimaginable horrors, including bestiality, live torture, and murder.

10. Before this moment, I had always worked with women and girls. My internal bias assumed females were the main victims, that this must not have been a problem for men and boys. But when my gender bias was challenged it compelled me to learn more about male victimization. But I noticed there were much fewer studies and very little advocacy, and social services focusing on men and boys. What I encountered were the dominant societal narratives that cast victims as female and perpetrators as male. The literature suggests that many frontline professionals struggle to perceive boys as potential victims of sexual.

11. Today, I challenge these preconceptions, aiming to redefine the narrative on victims and perpetrators in the context of human rights.

12. International and national legislations, aligned with legal frameworks, have predominantly focused on violence against women and girls. Despite the inclusion of male victimization in some legal instruments, the implementation often associates male victims with the image of the vulnerable girl.

13. For example, let's quickly do a language analysis of the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime." A keyword search reveals a stark imbalance in addressing male and female victims. The words "male", "man", "men" and "boy" result in zero search hits, in comparison to eight hits when searching for "women". Even though the term "child" refers to a person under eighteen years of age of any gender, the inference from the imbalance of word choice is that the child is most likely a 'girl'. In Article 2 the Statement of Purpose also highlights that the focus is on prevention and combating trafficking in persons by paying particular attention to women and children while fully respecting their human rights. So, we can clearly be more balanced and inclusive in the language we use to describe these issues.

14. According to the United States State Department Trafficking in Persons Report, in 2019 there were over 24.9 million people trafficked globally but after COVID-19, it is estimated that 49.6 million people are now living in modern slavery, of which 27.6 million are in forced labor, and of the 27.6 million people in forced labour, 6.3 million are trafficked and forced into commercial sexual exploitation. This is a clear indication that that human trafficking and slavery are increasing and at a drastic speed.

15. But we also know that statistics like these will never capture the full extent of the problem. Because within the stats, we only include those who we consider to be the victims. We only count those that come forth, seek help, and are believed to be victims by frontline professionals such as law enforcement, NGO workers, and researchers; unless things change, the statistics will likely always be under-reported for men and boys.

16. In many countries, the absence of any convictions in human trafficking cases with male victims of sexual exploitation reflects the impact of our very real concerns about underreporting.

17. To this day in Canada, we do not have one convicted case of human trafficking with a male victim of sexual exploitation — to our statisticians, perhaps this is not a statistically significant issue, and to frontline staff, they may think that "it must not be happening" — but then how and why do I personally know so many male survivors of human trafficking all over North America, that just wish to be heard and believed?

18. Over the last six years, I have been working closely with male victims and survivors, I've conducted dozens and dozens of interviews, learning from first-hand accounts of what frontline professionals have done to support victims effectively. But I also learned, as a collective society, what we have done that has greatly harmed victims.

19. All the participants in my research study reported experiencing significant gender bias and skepticism about their victimization when dealing with frontline professionals, such as police, medical staff, and mental health professionals. The survivors told me that service providers rarely believed their claims and were often dismissed by the very same people whose job it was to help them.

20. As reported by one of my participants that took the alias of "Wayson," after unlocking repressed memories of his trafficking during his adulthood, he checked himself into a hospital and disclosed the incidents he had recalled to mental health professionals there. Wayson said none of the mental health staff believed his story, and instead they placed him involuntarily under a 4-week psychiatric hold where he was also forcibly medicated. Wayson wanted to be free. But to leave he had to take back his disclosures of the child sexual abuse, exploitation and trafficking to the hospital staff, even if that meant being forced to deny his real, lived traumatic experiences. And this was only a couple years ago in Canada.

21. I believe that socially constructed gender and social biases are a determining factor in these institutional failures because such biases serve as a kind of "cognitive shortcut." These shortcuts lead frontline professionals, to mistakenly assume that perpetrators of sexual abuse and exploitation must be men and victims must be women and girls. Again, frontline professionals themselves have reported in other studies that these biases impact them even when they are in contact with potential boy victims.

22. From my research, we can see that disbelief is a big factor that harms male survivors. When disclosing their sexual exploitation to frontline professionals, many survivors reported that they were met with skepticism and disbelief, a lack of understanding of grooming tactics, and were met with an overt gender bias whereby the person disclosed to explicitly dismissed the existence of male victimhood (and - in some cases - female culpability) to the survivors, ultimately resulting in no actions being taken on their behalf.

23. As a society, we must learn first how to identify male victims, and then find the most effective way to provide restorative services and afford justice to male victims in line with their basic human rights from the Universal Declaration of Human Rights.

24. When thinking about reintegrating back into society after trafficking, most victims remain stuck in a cycle:

- Occurrence — when the trafficking happens.
- Silence —their inner struggle to not disclose.
- Era of acting out - drug abuse, alcoholism, failed relationships, violence towards others. If there is no intervention, then the victim continues onto the final stage.
- Lifelong ramifications and consequences- divorces, lack of contact with their children, alcoholism, drug addiction, depression, long-term health consequences, and suicide attempts.

25. My research suggests that intervention first needs to come from the male victims. They must inquire about support, services, and disclosure to get out of this dangerous cycle. This means those interactions with frontline professionals like us can either bring them to ending their era of silence or keeping them silent longer — which can last up to decades.

26. It is imperative to consistently bear in mind that individuals who have experienced human rights abuses, particularly those related to trafficking, are not only healing from the pain and trauma they endured, but from the ways they were treated when they asked for help.

27. As both individuals and as a collective, we must exercise discernment in our words and actions when offering support, abiding by the "Do no Harm" principal. Recognizing that our actions have the potential to either worsen their trauma or contribute to the healing process. This underlines the responsibility we bear in fostering a supportive and safe environment.

28. One of my participants, a trafficking survivor, told me this: "Being believed today has helped inspire me and provide me with a small sense of closure and peace. However, today was merely the tip of the iceberg for this new chapter of my life. It feels like the more you share, the more you realize that we are not alone and it's not our fault. It's not only possible for adult survivors of sexual abuse, sexual exploitation, and or human trafficking to make a tremendous impact to enhance the work of advocacy, research, frontline work, and services for others who have been victimized, it's a must."

29. All these survivors want, regardless of gender, is to be actively listened to and believed. They see true healing when they feel respected and gain back their autonomy from their trauma. Therefore, as much as experts prioritize finding solutions first, we need to remember that victims and survivors are people, with very human needs, such as being listened to, feeling respect, and regaining a sense of dignity. These core human rights and needs should be placed first, before addressing the bigger problem.

30. This is what led to the creation and development of the U.S. Council on Violence against Men and Boys — I just wanted to share my insights and find like-minded people that wanted to fight for human rights for all victims, regardless of gender.

31. The U.S. Council is a dedicated collective, representing 25 cross sectors of professional and lived-experience advocates, researchers, educators, public health stakeholders and community members committed to dismantling the barriers that perpetuate violence and trauma against males in our society. Established with the conviction that every individual, regardless of gender, deserves to live free from violence and its debilitating aftermath, we tirelessly work towards a more just and equitable future.

32. The Council's purpose is clear, to challenge and change the narrative surrounding violence against males as a public health crisis, fostering a society where all individuals can thrive without fear, prejudice, or harm. By illuminating the root causes and effects of violence and trauma, we strive to empower communities, policymakers, and institutions to effect positive change.

33. The mission of the U.S. Council on Violence against Men and Boys is to advocate for, research, and educate on matters pertaining to the violence and trauma experienced by men and boys. Rooted in a public health framework, we delve deep into the complexities of this issue, aiming to eradicate its pervasive impact on individuals and communities.

34. Our vision is one of a society that values the well-being and safety of every person, regardless of gender. We envision a world where boys and men can grow, learn, and thrive without the shadow of violence looming over them. Through data-driven insights, lived experiences, and scientific integrity, we strive to create a future where violence is the exception, not the norm.

35. And we are working together actively with our partners. Just next week we will participate in the webinar on, "Challenges and best practices in human trafficking policy, legislation, investigation, and victim support services for male victims," the in my series of webinars to teach frontline professionals about male victimization hosted by Michel and the\Order of Malta.

36. So we are committed to sharing knowledge and resources with the public, professionals, and stakeholders. Our educational programs aim to empower individuals and communities with the tools and information needed to prevent and respond to violence and trauma. When the global community finally starts to see, to understand, and then engage in our content, that is when there is real change.

37. At the U.S. Council on Violence against Men and Boys, we stand united in our pursuit of a safer, more equitable world for all. Together, we can create lasting change and ensure that every individual, regardless of gender, can live a life free from violence and trauma.

38. In June 2024, the U.S. Council on Violence against Men and Boys will host its first global conference in Miami, Florida. This conference is survivor-led and trauma-informed. We aim for it to be a transformative public health intervention in terms of education and capacity-building to help address the often-overlooked issue of violence against men and boys.

39. With a focus on reframing violence as a health issue, the conference aims to equip individuals from the private sector, government, healthcare, social services, and criminal justice with the practical knowledge and skills necessary to prevent and respond effectively to various forms of violence experienced by males.

40. Through a heightened awareness of the scope of trauma experienced by males, attendees will explore the structural determinants of numerous types of violence and related impacts on mental and physical health, educational attainment, criminal justice involvement, revictimization, financial stability, and public safety.

41. I take this opportunity to invite all of you to join us in Miami next year, in support of our work to include men and boys in the discussion. While it is so important that we are here to address Human Trafficking and Human Rights, which demand our unwavering attention and collaborative efforts, it is also important we stand together and be inclusive when identifying potential victims of some of the most severe violations of human rights. Let us not forget that victims can be of any gender and age.

42. I would like to finish with a quote from John-Michael Lander, Founder of An Athletes Silence, a lived experience expert, and a man whose resilience and inner strength inspires my ongoing commitment to advocate for universal human rights. With his gracious permission, I present his statement:

43. "We need to look at the long-term effects of sexual abuse and trafficking as two separate entities: 1) The trafficking event itself, and 2) the meanings survivors place on the events, feelings, and

emotions. The event is traumatic and extorted from an exterior presence, but the inner meaning we attach to understand and comprehend why it happened can be even more detrimental...

44. ...Since the experience, survivors struggle every day battling against the internal negative self-talk to appear and function as normally as possible based on the stigmas our society bestows on us.

45. ...In hindsight, I realized that I punished myself through shame, guilt, embarrassment, and negative self-talk. As survivors pursue their healing journey, they are never very far from being triggered by outside influences that will rapidly return their psyche to the exact moment of the event, even if they have perfected the numbing and distancing strategies to protect them. And since each survivor is unique, their healing journey needs to be individually devised for optimum success. Sharing our stories helps others while providing ourselves the critical insight to heal. I want people to understand that healing is a life-long journey."

46. Human rights are non-negotiable and fundamental, guiding our collective Responsibility towards a more humane and just society.

47. So I urge each of you here, to take the knowledge gained from today's meeting and turn it into action. Whether you work in policy, legislation, investigations, or any other field, your contributions matter. Together, we can make meaningful impact and contribute to a world where human trafficking is eradicated, and survivors are provided with the support and care they deserve, regardless of status, ethnicity, religion, or gender. All survivors matter.

48. Thank you very much.

Alisa Gbiorczyk, International Survivors of Trafficking Advisory Council (ISTAC)
Member, OSCE Office for Democratic Institutions and Human Rights (ODHIR)
and CEO & Founder, Cyber Ntewatch

Ladies and gentlemen, distinguished guests,

Let me begin by thanking the Sovereign Order of Malta and the Geneva Centre for Human Rights Advancement and Global Dialogue for inviting me to this important meeting today. My name is Alisa Gbiorczyk and I am the founder and CEO of Cyber Night Watch an open-source intelligence expert first responder, and a certified human trafficking investigator. I am also a member of the International Survivors of trafficking advisory Council part of Interpol's human trafficking expert group certified cryptocurrency investigator, and a member of the global Association of Human Trafficking Scholars.

Leveraging my expertise as an intelligence operative, I've played a pivotal role in combating human trafficking around the world through the identification of victims using indicators recognized by law enforcement and government agencies. I have collaborated with various stakeholders to expose human trafficking networks operating in many countries. My contributions extend to actively participating in the generation of more than a thousand intelligence reports that identify human trafficking and assist law enforcement. I have led and assisted international operations and gathered Intelligence on human trafficking networks around the world. My work includes an in-depth analysis of the exploitation of Ukrainian women and children following the Russian invasion of Ukraine in only 42 days. I have successfully identified more than 15 potential victims and uncovered two large networks potentially trafficking refugees out of Ukraine, this led to the creation of Cyber-Knight Watch a leader in intelligence collection and Analysis and open-source intelligence investigations.

I have trained and assisted in law enforcement agencies such as Interpol the South African Police Service the directorate for priority crime investigation in South Africa and the Royal Canadian Mounted Police in identifying and disrupting large, organized crime. Additionally, my training has included financial institutions nonprofit organizations, and members of the community. My team and I conduct research provide specialized training to develop investigation techniques analyze data assist in worldwide operations from First Responders to research psychologists. Our dynamic team comes from a wide range of specialized background grounds. In addition to collecting and analyzing data, we also provide consultancy services to our partners on how to identify and disrupt large organized crime online, and in the field, my team and I have used our passions to identify and disrupt criminals who exploit vulnerable populations. We do so by using digital Outreach raising awareness through our training and resources developing Partnerships with others who share the same passion making eye-catching content and simply engaging the community in important conversations.

For example, in the coming week, I will speak on the webinar on challenges and best practices in human trafficking policy legislation investigation and victim support services for male victims. This shows the importance of these Global Partnerships highlighting each other's strengths but also sharing our found best practices and challenges to the community so that we can all work together in a better manner, supporting victims regardless of gender.

The protection of children is one of my top priorities. Protecting children against human trafficking is a multifaceted challenge that demands a comprehensive and collaborative response from all parts of society. One crucial aspect of this effort involves education and awareness initiatives but there must be equal efforts in all aspects to be able to make an actual impact in disrupting the operations of organized crime. Community engagement plays a pivotal role in creating a protective environment and building strong relationships with local communities. Fosters trust and encourages the reporting of suspicious activities training and capacity building are essential components of an effective response and more importantly in preventative measures providing law enforcement social workers and medical professionals with the necessary training on identifying signs of trafficking. Implementing appropriate response protocols is crucial for early intervention prevention and support programs that are critical for addressing the root causes of trafficking by developing initiatives. Target not only at-risk populations but all we can provide support and resources before individuals fall victim to trafficking establishing systems procedures and protocols that facilitate swift responses to potential cases. Coordination and collaboration are paramount in the fight against human trafficking building strong partnerships between local national and international agencies. It ensures the effective sharing of intelligence resources and best practices, utilizing technology for data analysis and tracking stands as a crucial strategy for identifying patterns and potential human trafficking networks.

The monitoring of online platforms and social media for potential recruitment activities significantly enhances the capability to intervene before victims fall prey to exploitation. Holding social media platforms accountable is equally imperative, especially concerning their facilitation of child sexual abuse material and child trafficking relying solely on technology to identify and respond to. Activities on these platforms have proven insufficient in curbing the crimes conducted within their realms, therefore it is essential to emphasize the accountability of social media platforms recognizing the technology while a powerful tool cannot be relied upon in isolation in the fight against child exploitation and child trafficking demands. Ongoing research and the continuous updating of systems criminals evolve their verbiage tactics and techniques on a daily basis underscoring the need for a proactive approach to technological solutions furthermore and most importantly adopting a victim Centre approach is critical with a dedicated focus on the well-being and rehabilitation of survivors in the aftermath of trafficking experiences. This approach prioritizes the safeguarding of children making their welfare the foremost concern in alignment with the OSCE's norms and national referral mechanisms. All interactions and communications involving children must consist consistently prioritize their specific rights and best interests this means that all communication or any communication intervention or action with children occurs within environments that are child-centered trauma informed and safe according to my colleague a policy expert and member of ISTAC.

Advocacy for stronger legislation and policies is essential to create a robust legal framework that addresses the root causes of trafficking and provides better protection for victims. It is crucial that stakeholders and survivors work closely with lawmakers to ensure that legislation is applicable to survivors and provides sustainable resources. Aftercare support to ensure there is no re exploitation, this must include stronger penalties for those who purchase children for sex and labor purposes. In the US there is a lack of trauma-informed response and care by law enforcement and agencies assigned to assist children who report abuse. It makes increasingly difficult to get cooperation for convictions we must have consistent training and buying by agencies who work with and walk with miners in the in their pursuit of Justice policies that can work to enforce proper.

Survivor and trauma-informed approaches to assisting the victim and coming forward are essential to the success and prosecution of traffickers and buyers if legislation is created to assist the victims but does not add for stronger penalties for those who purchase minors the law is nothing more than a piece of paper and will not ensure safety or security for victims to come forward.

I will end my response with these questions for the audience today: *to what extent is society prepared to go to ensure the protection of our children? what if safeguarding involves holding politicians CEOs and officials at various levels of government both domestically and internationally accountable for their actions? to what degree is society willing to resist and make sacrifices even if it means disrupting profitable business ventures? when will the tolerance for those who enable and foster child exploitation come to an end? when will the discussions and meetings we engage in translate into tangible responses and decisive actions?*

Thank you!



**GENEVA CENTRE
FOR HUMAN RIGHTS
ADVANCEMENT AND
GLOBAL DIALOGUE**

Rue de Vermont 37-39, 1211 Geneva 20, Switzerland
Tel: +41(0) 22 748 2780, info@gchragd.org