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Parliamentary impetus to local and regional development of countries with high levels of international migration and to stopping all forms, including state-sponsored, of human-trafficking and human rights abuses

***Draft resolution submitted by the
Standing Committee on Democracy and Human Rights****

Rapporteur: Mr. Gajadien (Suriname)

The 145th Assembly of the Inter-Parliamentary Union,

- (1) *Noting* that the term “migration” generally reflects various means by which people and individuals are displaced across international borders, voluntarily or involuntarily, and that the terms “refugee” and “asylum-seeker” are sub-categories of migration with particular policy and legal frameworks,
- (2) *Expressing its deep concern* at the rise of the people smuggling and human trafficking industries as a means of migration, affecting people in vulnerable situations,
- (3) *Reaffirming* the objectives and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the Geneva Conventions, as well as the values and principles of the Inter-Parliamentary Union,
- (4) *Recalling* the Global Compact for Safe, Orderly, and Regular Migration and the Global Compact on Refugees, endorsed by the United Nations General Assembly,
- (5) *Recalling also* the IPU resolutions *Migrant workers, people trafficking, xenophobia and human rights* (adopted at the 118th Assembly, Cape Town, April 2008), *Strengthening inter-parliamentary cooperation on migration and migration governance in view of the adoption of the Global Compact for Safe, Orderly and Regular Migration* (adopted at the 139th Assembly, Geneva, October 2018),
- (6) *Reaffirming* the sovereign right of States to determine, in accordance with international law, their national migration policy and their prerogative to govern migration within their jurisdiction,
- (7) *Reaffirming also* that every State must ensure the protection of the human rights of all migrants, particularly unaccompanied migrant children within its territory and subject to its jurisdiction, without discrimination of any kind, including in particular on the basis of national origin,
- (8) *Acknowledging* that breaches of humanitarian law by belligerents resulting in war crimes and crimes against humanity, as well as the crime of genocide, are a major cause of forced displacement and the flow of refugees,

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(9) *Stressing* that war and violence are among the main drivers of migration and displacement, as has been witnessed following the unjustifiable and unprovoked war of aggression unleashed by the Russian Federation in 2014 and radically escalated by the full-scale military attack on 24 February 2022 against the sovereign nation of Ukraine and its people; and *recalling* the subsequent IPU resolution *Peaceful resolution of the war in Ukraine, respecting international law, the Charter of the United Nations and territorial integrity* (adopted at the 144th Assembly, Nusa Dua, March 2022), which addresses the migration and displacement that has resulted from that war,

(10) *Regretting* that, apart from massive loss of human life, the ongoing aggression of the Russian Federation against Ukraine has triggered one of the largest displacement crises in the world, with more than 7 million Ukrainian refugees and more than 6.9 million internally displaced persons so far,

(11) *Underlining* that migration is linked to poverty, climate change, natural disasters, inequitable socioeconomic structures, persecution, armed conflict, human rights violations and identity factors such as race, ethnicity, religion, age, sex and gender; that peace, security and development are closely interlinked; and that people on the move, irrespective of their legal status, are entitled to full access to their human rights, as set out in the relevant international treaties and covenants,

(12) *Noting* the insecurity and the political, economic and social instability and violence that various regions in the world are currently experiencing that forces their populations to flee and seek refuge in other countries,

(13) *Affirming* that intensified international cooperation is needed to address these structural and transnational causes of migration, bearing in mind that women and children are particularly vulnerable in migration crises and that these groups are in need of extra protection and support,

(14) *Noting* the prominently gendered aspect of migration, whereby women and men leave their origin country and move to another for different reasons and under different circumstances, facing different risks during transit and different challenges, including access to legal and social protection and health services,

(15) *Noting also* the high proportion of youth migrants, which rises in an inverse relationship to the level of economic development of the originating country, and that the wide range of reasons for youth migration includes education and employment opportunities,

(16) *Noting further* that youth migrants are heavily represented as refugees and unaccompanied minors, and thereby face particular challenges and risks, increasing their vulnerabilities compared to their adult counterparts,

(17) *Condemning in the strongest terms* the criminal human-traffickers and people smugglers around the world who exploit the vulnerabilities of migrants and refugees, especially women and children, for their own individual purposes,

(18) *Condemning also* the grave abuses committed against migrant women and girls, including all forms of gender-based discrimination and violence, forced labour, exploitation and trafficking,

(19) *Noting with great concern* a worldwide trend towards the exploitation and human rights abuse of vulnerable migrants for political and economic purposes, including to foment xenophobia and to spread misinformation,

(20) *Regretting and condemning* the tragic deaths and disappearances of refugees and migrants along different migration routes,

(21) *Seeking to guarantee* the rights of refugees under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol,

(22) Recalling the United Nations Global Plan of Action to Combat Trafficking in Persons, the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which provide a framework to effectively prevent and combat trafficking and the smuggling of persons,

(23) *Reaffirming* the role of the UN Special Rapporteur on Trafficking in Persons, especially Women and Children, as established by the UN Commission on Human Rights (Decision 2004/110) and calling on States to cooperate with their Mandate,

(24) *Recalling* the various resolutions of the Security Council of the United Nations that condemn any form of human trafficking and people smuggling in the strongest possible terms, and acknowledging the partnership work of the International Organization for Migration and United Nations Office on Drugs and Crime within the European Union funded initiative *Global Action against Trafficking in Persons and the Smuggling of Migrants* in Asia and the Middle East,

1. *Requests* that the United Nations makes the topic of human trafficking, people smuggling and modern day slavery a specific point of focus of the next United Nations General Assembly;
2. *Calls on* States and their respective parliaments to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and *also urges* States parties to those instruments to implement them fully and effectively;
3. *Urges* States and their respective parliaments to endorse if they have not done so already and to make full use of the Global Compact for Migration and the Global Compact on Refugees as roadmaps for improving international cooperation and migration governance;
4. *Calls on* parliaments, in cooperation with their governments, civil society groups and diverse stakeholders, including women and youth, to promote people's access to comprehensive and up-to-date information on opportunities, limitations, risks and rights in the event of migration, thus enabling prospective migrants to make informed choices based on realistic expectations;
5. *Urges* parliaments, in cooperation with their governments, to secure and to enhance the availability and flexibility of legal pathways and regularization options for regular migration to facilitate labour mobility and skills training, family reunification, and migration for reasons such as armed conflict, gender-based violence, natural disasters and climate change, thereby undermining smuggling and trafficking networks, and to eliminate discriminatory policies that deny migrant children access to essential services, including education and health care; and to protect and respect the basic rights of migrants;
6. *Calls on* parliaments as well as regional and sub-regional inter-parliamentary organizations to actively engage in the achievement of the 2030 Agenda for Sustainable Development to optimize migration governance and address the major drivers of forced and irregular migration that inherently fuel human trafficking – particularly wars, extreme poverty, severe inequalities between and within countries, climate change and natural disasters – and to promote measures aimed at raising awareness and maximizing the development benefits of safe and regular migration;
7. *Urges* States in the Sahel and Sahara regions, in particular the States of the G5-Sahel group, to step up their international solidarity and the coordination of their actions with a view to reducing the numbers of irregular migrants;
8. *Urges* parliaments to ensure that their governments comply with and implement relevant norms of international law and relevant resolutions of the international community and the United Nations Security Council, and contribute to the realization of fundamental human rights worldwide through active engagement and advocacy;

9. *Reaffirms* the right of every human being to be free from arbitrary deportation by a foreign power, such as the Russian Federation's forced displacement of Ukrainian civilians, including thousands of children, from the temporarily occupied territories to the Russian Federation;
10. *Requests* the strengthening of international solidarity with countries where social, economic and security conditions cause people to migrate and equally with those countries in the world hosting a considerable number of refugees;
11. *Calls upon* all parliaments and governments to design and implement development programmes that help eliminate inequality, poverty, lack of opportunities and violence, including gender-based violence, experienced by persons in countries with high levels of international migration and in migrant transit countries in order to develop opportunities in countries of origin so that there are fewer possible causes for people to migrate, and to ensure that such programmes reflect the particular needs of vulnerable groups, including vulnerable women; as it is only by fighting the roots of forced migration that it can be prevented;
12. *Calls on* States and their respective parliaments to take measures to prevent disappearances and deaths on global migration routes, to adopt the necessary laws and policies in order to be able to search for the disappeared, identify the dead and to re-establish family links, and to increase international cooperation on this matter;
13. *Urges* parliaments to promote adoption and implementation of specific programmes protecting the rights of refugees, paying specific attention to the needs of women and children, facilitating employment and ensuring education;
14. *Calls upon* all governments around the world to increase investment and promote international cooperation in youth and women's employment, empowerment and social protection programmes, including vocational training and entrepreneurship, high-quality education, health, to address their particular needs, offer greater opportunities both in countries of origin and in receiving States and to raise awareness on safe migration, and also to invest in systematic data collection, management and analysis to ensure reliable, accurate and disaggregated data on migration and human trafficking, and to develop programmes appropriate to gender and age groups;
15. *Calls on* all governments and parliaments to ensure that no obstacles, including immunities legislation or national procedural law, prevent forcibly displaced victims of aggression, war crimes, crimes against humanity or other serious human rights violations from seeking justice in domestic courts or receiving due compensation;
16. *Also calls upon* all governments and parliaments to take holistic meaningful and coordinated action, including enacting and enforcing legislation criminalizing trafficking and smuggling; raising awareness through media, including social media; and strengthening national law enforcement capabilities, to dismantle global smuggling and trafficking organizations and networks and to strengthen efforts to combat people smuggling and human trafficking as per their commitment outlined in Objective 10 of the Global Compact for Migration and ensure the effective implementation of relevant international conventions and treaties; and also to prevent , the use of false passports and/or false entry permits;
17. *Encourages* governments to provide adequate support to victims of human trafficking and people smuggling, to develop and implement programmes to provide physical and psychological care, shelter and reintegration into society for victims of trafficking, including but not limited to facilitating access to justice, protection of victims, psychological counselling, including by providing access to gender-responsive and child-sensitive measures, and extension of residence permits during their recovery from the effects of their experiences;
18. *Calls on* parliaments to ensure adequate financial support to key State agencies and units that play an integral part in responding to the scourge of human trafficking, and to conduct awareness campaigns on human trafficking and people smuggling among their broad populations;

19. *Urges* governments and parliaments to address the demand side of trafficking, including trafficking in women and girls for the purpose of sexual exploitation, through law-making, law-enforcement and educational measures;
20. *Encourages* governments to strengthen international cooperation and national and international capacities to equip officials in law enforcement, the judicial process and other agencies concerned with training and the broad-ranging skills and competencies needed to effectively prevent, investigate, prosecute and combat smuggling and trafficking, including the practice of state-sponsored instrumentalization of human trafficking; and to identify and disrupt financial flows related to these activities and all kinds of money laundering related to them;
21. *Calls on* international organizations to play a more active and bolder role in alleviating the hardships of forcibly displaced persons, as well as in preventing and solving the root causes of such displacement;
22. *Urges* all governments and parliaments to critically assess the mandates of international organizations and initiate an open discussion on how international organizations, including the United Nations, its Security Council and General Assembly, may be reformed in order to become more effective and inclusive, and to fight the root causes of forced displacement;
23. *Requests* that countries of origin and transit fully investigate trafficking routes, fully cooperate with States sharing their borders and contribute to stopping the practice of organized human trafficking to other countries, as well as to monitoring social networks and online platforms, which have become facilitators of transnational trafficking activities, and to sharing intelligence on trafficking among countries in migration flows through secured communication channels, in full compliance with applicable national laws;
24. *Reminds* governments that, in line with the principle of non-criminalization of victims, smuggled migrants must not be prosecuted for having been smuggled;
25. *Urges* parliaments to strengthen legislation to ensure protection and assistance for trafficked persons in migration flows in a human rights-based, gender-responsive and child-sensitive manner by creating conducive legal and policy frameworks to make sure that victims and survivors of this crime are protected from punishment for illegal conduct as a consequence of being trafficked, as well as from stigmatization, racism and xenophobia and from re-victimization and re-trafficking;
26. *Declares* full solidarity with migrants and refugees who are forced by conflicts and security situations to flee and seek safe havens in other countries; *affirms* its support for the victims of human trafficking and *commits* to provide them with a helping hand and assistance and to take effective measures to prevent and combat human trafficking, especially against women and children, in times of conflict and in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and various relevant international covenants and instruments;
27. *Recognizes* the importance of cooperation, solidarity, exchange of experiences and partnerships at the international level between the various relevant authorities, as well as of strengthening governance at all levels, in a manner that achieves the objectives of the Global Compact for Safe, Orderly and Regular Migration;
28. *Urges* parliaments to assume their legislative and supervisory responsibilities and roles in confronting illegal immigration, in strengthening contractual relationship rights and mechanisms, and achieving the Sustainable Development Goals;

29. *Calls on* all parliaments and governments to take targeted measures to enhance security and stability, and to resolve disputes by peaceful means;
30. *Requests* that the IPU Secretary General transmit the present resolution to the IPU Member Parliaments, the United Nations Secretary-General and all relevant institutions;
31. *Invites* the IPU Member Parliaments to communicate to the IPU Secretariat by the 149th Assembly the measures taken to achieve implementation of this resolution.

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- * A number of delegations took the floor to express their reservations:
- **Czech Republic** on operative paragraph 3, **India** on preambular paragraph 21, **Kazakhstan** on preambular paragraphs 9 and 10 and operative paragraph 9, **Qatar** on the reference to labour mobility in operative paragraph 5, **Syrian Arab Republic** on preambular paragraph 9 and **Türkiye** on preambular paragraph 19
 - **Hungary** and **Indonesia** on the entire resolution.
- Russian Federation** expressed its opposition to the resolution.