SALA STAMPA DELLA SANTA SEDE
BOLLETTINO
HOLY SEE PRESS OFFICE BUREAU DE PRESSE DU SAINT-SIÈGE PRESSEAMT DES HEILIGEN STUHLS
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Nel corso della 60a Sessione della Commissione dei Diritti Umani delle Nazioni Unite, che si svolge a Ginevra dal 15 marzo al 23 aprile 2004, in occasione del dibattito sui "gruppi ed individui specifici", l'8 aprile S.E. Mons. Silvano Tomasi, C.S., Osservatore Permanente della Santa Sede, ha pronunciato l'intervento che pubblichiamo di seguito:

• INTERVENTO DI S.E. MONS. SILVANO M. TOMASI

Mr. Chairman,

1. The vast and growing phenomenon of human mobility reaches into the tens of millions today: every country, of origin, transit and arrival, is directly affected by it. These masses on the move are actors of globalization and development through the contribution of their culture, their work and the remittances they send home, higher than those given by rich countries as aid to development. While basically a positive factor of modern societies, people on the move become a source of political and social concern, and of untold suffering to themselves, when their presence in a new environment is the result of forced expulsions and violent conflicts, as in the case of refugees and internally displaced persons, or of deception and exploitation, as in the case of trafficked and smuggled persons. The international community has developed structures and initiatives to address the needs

and rights of the different categories of people on the move. It studies ways and means to manage in a more rational and productive manner a phenomenon with major national and global implications. The Commission on Human Rights has focused its attention on the more vulnerable groups, rightly beginning with women and children. There are, in fact, subgroups of people among those moving across the globe that call for a specific and continued concern because their human rights are more blatantly trampled upon. The Delegation of the Holy See adds its appreciation for the valuable reports of the Secretary General and of the Special Rapporteur addressing these situations and looks forward to their continued contribution to better the plight of all vulnerable migrants.

2. Among the violations of migrants' rights, traffic in humans is the worst. It involves up to one million persons transported annually across national borders. It is carried out for various types of exploitation of children, women and men, subjecting them to slave-like conditions in work, sexual abuse and begging, thus stripping people of their God given dignity and fuelling instead corruption and organized crime. Trafficking has turned into a multi-billion dollar industry. The recent entry into force of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, is an important step in protection. But regional mechanism and national legislation are equally important to eradicate this scourge. Besides, it would be opportune for national legislators to take into consideration the High Commissioner for Human Rights' *Recommended Principles and Guidelines on Human Rights and Human Trafficking*. In the multilateral approach required to combat trafficking, the collection and sharing of data, including of the strategies and routes used by traffickers, becomes a significant tool to step up both investigations and prosecutions. In the effort to dismantle criminal networks the information that the victims of trafficking can provide is invaluable. But clear legal protection for victims must be assured. However, the victim’s readiness to testify in court should not be the condition for affording protection. The best practice seems that of granting at least a temporary residence permit to the victim as an encouragement to cooperate with the judicial system but also as a possible opening for social integration in the host society. This becomes a moral necessity if the return home would expose the victim to retaliation. In any case, providing assistance and protection in both countries of destination and origin and during the repatriation and reintegration process is a generally recognized obligation.

3. If most of the trafficked persons are migrants who by different strategies have been pressed into servitude, there are other vulnerable migrants who have started their journey on their own and by any means of fortune and find themselves in an irregular position in the receiving society.

In the shadowy world of their irregular status, fear and inability to stand up for their rights leave these migrants at risk of unfair treatment and of being co-opted in illegal activity. Immigration policies, that realistically reflect the labour and demographic needs of the receiving societies would favour their own and the immigrants' interest by opening regular channels of immigration adequately wide to at least prevent the worst tragedies of lost young lives of migrants crossing deserts or seas looking for a decent living The application of labour laws can also go a long way in the protection of irregular status migrants and to discourage this type of movement. Now that *the International Convention on the Protection of the Rights of Migrants Workers and Members of Their Families* has entered into force and its monitoring Committee established, all migrants have an important instrument at their disposal.

4. At the root of the migrations push we often find extreme poverty and the alluring appeal of possible jobs and a freer and more humane life in the countries of destination as powerfully projected by the global media.

5. In conclusion, Mr. Chairman, a multi-pronged approach appears necessary to make human mobility a motor for progress even for its most vulnerable segments: international cooperation in the prevention and prosecution of trafficking and the rehabilitation of victims; less restrictive and more realistic immigration policies; concerted promotion of sustainable economic and social development in poor countries; a continued formation to a culture of human rights and respect of the dignity of every person.

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