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**Third Committee****Summary record of the 21st meeting**

Held at Headquarters, New York, on Monday, 17 October 2022, at 10 a.m.

*Chair:* Mr. Venancio Guerra (Vice-Chair) ..... (Portugal)**Contents**Agenda item 68: Promotion and protection of human rights (*continued*)

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*In the absence of Mr. Blanco Conde (Dominican Republic), Mr. Venancio Guerra (Portugal), Vice-Chair, took the Chair.*

*The meeting was called to order at 10 a.m.*

**Agenda item 68: Promotion and protection of human rights (continued)**

**(a) Implementation of human rights instruments**

*(continued)* (A/77/40, A/77/44, A/77/228, A/77/230, A/77/231, A/77/279, A/77/289 and A/77/344)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)**

(A/77/48, A/77/56, A/77/139, A/77/157, A/77/160, A/77/162, A/77/163, A/77/167, A/77/169, A/77/170, A/77/171, A/77/172, A/77/173, A/77/174, A/77/177, A/77/178, A/77/180, A/77/182, A/77/183, A/77/189, A/77/190, A/77/196, A/77/197, A/77/199, A/77/201, A/77/202, A/77/203, A/77/205, A/77/212, A/77/226, A/77/235, A/77/238, A/77/239, A/77/245, A/77/246, A/77/248, A/77/262, A/77/262/Corr.1, A/77/270, A/77/274, A/77/284, A/77/287, A/77/288, A/77/290, A/77/296, A/77/324, A/77/345, A/77/357, A/77/364 and A/77/487)

**(c) Human rights situations and reports of special rapporteurs and representatives (continued)**

(A/77/149, A/77/168, A/77/181, A/77/195, A/77/220, A/77/227, A/77/247, A/77/255, A/77/311, A/77/328 and A/77/356)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued)** (A/77/36)

1. **Ms. Jimenez-Damary** (Special Rapporteur on the human rights of internally displaced persons), introducing her report (A/77/182), said that, since assuming the mandate six years previously, she had sought to build upon the substantial legacy of her predecessors, who had contributed to the development and dissemination of core international human rights and humanitarian standards safeguarding the rights of internally displaced persons, in particular the Guiding Principles on Internal Displacement. The focus had evolved over the years from developing relevant standards to mainstreaming the human rights of internally displaced persons, improving their protection and ensuring respect for their human rights by the United Nations, the international community and Member States. Key efforts to that end included the Plan

of Action for Advancing Prevention, Protection and Solutions for Internally Displaced People 2018–2020, which she had spearheaded together with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office for the Coordination of Humanitarian Affairs.

2. She had emphasized the need to ensure the participation of internally displaced persons in decisions affecting them throughout her tenure, beginning with her first report to the General Assembly in 2017 (A/72/202). The effectiveness of interventions to protect internally displaced persons or support solutions to their displacement was contingent on an approach that was centred on them and enabled them to take control of their lives and decide on their futures. She welcomed the increased attention given by many States, supported by civil society, national human rights institutions and United Nations agencies, to the political participation of internally displaced persons through their right to vote and stand in elections, which had been the theme of her final report to the Human Rights Council (A/HRC/50/24). She also welcomed the increasing focus on finding solutions to internal displacement, including through the High-level Panel on Internal Displacement, and hoped that the implementation of the Action Agenda on Internal Displacement throughout the United Nations system and the work of the Special Adviser on Solutions to Internal Displacement would drive the adoption of human-rights-based solutions, alongside the continued implementation of standards.

3. Her advocacy over the past six years had been rooted in the promotion of a human-rights based approach and the centrality of protection in the delivery of humanitarian, development and peace efforts. Such an approach remained critical to preventing arbitrary displacement and addressing neglected drivers of internal displacement, including the slow-onset adverse effects of climate change and development-induced displacement.

4. While development underpinned solutions to internal displacement by providing livelihood opportunities, an adequate standard of living and access to essential services, development projects could also provoke internal displacement. Development-induced displacement was often associated with large infrastructure or extractive projects with heavy environmental footprints, but development projects with ostensibly more benign aims, such as conservation or tourism projects, could lead to displacement, with certain communities, such as women and Indigenous peoples, particularly marginalized by the experience. A human rights-based approach to development must analyse the inequalities underpinning development

challenges. Development-induced displacement was entirely avoidable and could be prevented through appropriate policy choices. In her report, she had provided recommendations to that end for States and project developers.

5. **Ms. Banaken Elel** (Cameroon) said that economic, social and cultural rights, including the rights to housing, food, health, education, work and protection from unemployment, were the first to be affected by internal displacement. Her delegation would be interested to hear about good practices in the fulfilment of the economic, social and cultural rights of internally displaced persons, in particular in the context of prolonged displacement, and proposals for durable solutions.

6. Internal displacement was both a migration and a humanitarian issue, leading to duplication and competition among agencies on the ground, in particular UNHCR and the International Organization for Migration. She asked to hear more about any interactions between the Special Rapporteur and such agencies during country visits.

7. Her delegation would be interested to hear examples of large development projects that had been conducted without displacement. She asked how States could reconcile the constraints of development-induced displacement with the imperative of the right to development as a collective right – in other words, how a human rights-based approach to development could be reconciled with a development-based approach to human rights.

8. **Ms. Ong** (Canada) said that her delegation welcomed the Special Rapporteur's call to ensure the participation of displaced persons and affected populations in decisions affecting them. Canada supported the mandate of the High-level Panel on Internal Displacement and its objectives to raise awareness of internal displacement, strengthen international responses to internal displacement and support durable solutions for displaced persons. In the light of the launch of the Action Agenda on Internal Displacement, she wondered what role the United Nations system and development actors should play to support greater participation of displaced persons in the planning and implementation of development projects and in policies that might affect their fundamental rights. Her delegation would be interested to know how countries that had often experienced displacement following disasters could share information and lessons learned in managing displacement crises, including in the context of development-induced displacement.

9. **Ms. White** (United Kingdom) said that a shift to longer term, more sustainable approaches was needed to meet the needs of all displaced populations and the communities that hosted them. To that end, development approaches and non-aid instruments should be considered. The humanitarian system was increasingly overstretched and was insufficient to meet the needs of populations that were displaced for long periods of time. The United Kingdom shared the Special Rapporteur's concerns about the particular impact that development-induced displacement might have on the rights of women. All States should recognize women as heads of households in their legislative frameworks to ensure that they were not doubly affected by displacement and a lack of the right to compensation. She asked how States could work with international financial institutions to further strengthen their safeguarding policies to deal with development-induced displacement.

10. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that the European Union and its member States continued to be among the leading international donors in situations of forced displacement. In 2021, the European Commission had allocated most of its humanitarian budget of 1.4 billion euros to projects addressing the needs of forcibly displaced and local communities. The European Union provided humanitarian aid to support internally displaced persons worldwide, including in Syria, Colombia, South Sudan, Iraq, Myanmar, Yemen and, most recently, Ukraine, which was experiencing the largest human displacement crisis in the world. The European Union endorsed the Guiding Principles on Internal Displacement and systematically promoted their inclusion in international and national law.

11. She asked what kind of legal and technical assistance and capacity-building could be provided by the international community to strengthen institutional capacities with a view to preventing internal displacement induced by development projects. Regarding the Special Rapporteur's suggestion to create or mandate a multilateral body to address development-induced displacement globally, she asked which existing institution could be given such a mandate and what its scope could be.

12. **Ms. Eberl** (Austria) said that the largest ongoing human displacement crisis in the world – a consequence of the unlawful, unprovoked and unjustified Russian war of aggression against Ukraine – was located only some 500 km from the Austrian capital. The long list of other displacement hotspots caused by armed conflicts, including Syria, Afghanistan, Bangladesh and Ethiopia, pointed to the global urgency of the matter. Disasters such as the torrential rainfall and historic floods that had

displaced more than half a million people in Pakistan demonstrated the need to address climate change challenges at the international level. Her country was committed to providing bilateral and multilateral humanitarian aid to those who had been forced to leave their homes and supported the efforts of UNHCR and the International Red Cross and Red Crescent Movement to help and protect displaced groups of people. The international community should take action to address the root causes of displacement.

13. Human rights defenders who raised concerns about development projects were often the target of reprisals. Lack of access to legal remedies not only prevented affected communities from advocating for their human rights but was also in itself a rights violation. She asked whether more legal instruments were required to be able to address such practices at the international level. Noting that women were disproportionately affected by development-induced displacement, she asked what measures could be taken by the international community to support women in that situation.

14. **Mr. Murphy** (United States of America) said that inclusive processes that involved and empowered marginalized groups, including internally displaced persons, were necessary to work towards better humanitarian and development outcomes. The adoption of the Action Agenda on Internal Displacement and the appointment of the Special Advisor on Solutions to Internal Displacement provided an opportunity to achieve more impactful and durable solutions. The United Nations should work with affected States, donors and international financial institutions towards concrete action to improve outcomes for internally displaced persons. He asked whether the Special Rapporteur had any recommendations on how the Inter-Agency Standing Committee should advance support for internally displaced persons.

15. **Mr. Sahraoui** (Algeria) said that the 2030 Agenda for Sustainable Development was important for addressing the development-related root causes of displacement. Aware of the impact of inequalities on social and economic development and on national security, his Government attached great importance to the development of remote areas, with suburbs recording higher growth rates than city centres.

16. The impact of the coronavirus disease (COVID-19) pandemic was missing from the Special Rapporteur's report. He asked how the pandemic had affected internally displaced persons and their human rights, and how recovery plans and strategies could be harnessed to reduce inequalities as a driver of displacement. He

would also like to know how United Nations agencies and partners could shift the way in which they worked with States to foster conditions for durable solutions through development-oriented strategies.

17. **Mr. Kuzmenkov** (Russian Federation) said that his delegation agreed with the Special Rapporteur that States bore the primary responsibility for preventing internal displacement and protecting displaced persons with an emphasis on respect for fundamental human rights. Assistance in solving problems related to internally displaced persons should be provided by the international community only with the consent of the States concerned and on the basis of the principles of neutrality, humanity, independence and impartiality. Otherwise, such measures would constitute not assistance, but rather interference in the internal affairs of the States.

18. Examining development-related situations that led to mass internal displacement, analysing the causes and consequences thereof and suggesting ways to address the related problems had clear benefits. The Special Rapporteur's recommendations could be useful for countries in which development-related internal displacement was a problem. The human rights of internally displaced persons must be respected in accordance with the national laws and international obligations of States.

19. **Ms. Lortkipanidze** (Georgia) said that, since February 2022, more than 18 million Ukrainians had been uprooted from their homes as a result of the premeditated, unprovoked and unjustified full-scale military aggression of Russia against Ukraine. Her country had experienced aggression and occupation by Russia. As a result of the multiple waves of ethnic cleansing carried out by the Russian Federation in the Georgian regions of Abkhazia and Tskhinvali, more than half a million Georgian citizens had been expelled from their homes since 1991 and were still deprived of their right to return. The European Court of Human Rights had legally established the responsibility of Russia, as the authority exercising effective control over those regions, for the violation of fundamental norms of international law, including the right of the internally displaced persons and refugees to return to their homes, and had concluded that Russia was obliged to enable the inhabitants of Georgian origin to return to their homes. The Geneva International Discussions must continue and achieve tangible results. Georgia was actively using other platforms to make the voices of the internally displaced persons heard and ensure their fundamental right to a safe and dignified return. The annual General Assembly resolution on the status of internally displaced persons and refugees from the Russia-

occupied regions of Abkhazia and Tskhinvali was thus extremely important.

20. **Ms. Ahangari** (Azerbaijan) said that the international community had a shared responsibility to address the root causes of displacement by developing effective multilateral responses to ensure the safety and dignity of the millions of people affected by violent conflict, poverty, inequality, climate change and disasters. Displaced persons fleeing armed conflict must be permitted to return to their homes, properties and possessions, particularly in areas in which hostilities had ceased.

21. The population of internally displaced persons in Azerbaijan had been one of the largest per capita in the world for almost three decades as a result of the conflict between Armenia and Azerbaijan. After the signing of the trilateral statement on 10 November 2020 ending the conflict, 700,000 internally displaced persons of Azerbaijan had finally been able to realize their right to return to their homes. Her Government had given priority to their rehabilitation and reintegration and to the reconstruction of the liberated territories.

22. The most pressing remaining challenge was the threat from landmines, which was impeding the safe return of the internally displaced persons. In its resolution [76/167](#), the General Assembly had noted the urgency of providing protection from landmines, including by supporting host countries and local organizations. She asked how the United Nations system could better assist host countries to ensure the safe return of internally displaced persons, especially to places which had been mined.

23. **Ms. Lehmann** (Switzerland) said that, given the ever-increasing number of internally displaced persons, it was vital to address the factors leading to displacement, reduce related risks and support those seeking a durable solution for affected populations. The topic of development-related displacement required dialogue among all relevant stakeholders, including States, private enterprises and civil society, and respect for the Guiding Principles on Business and Human Rights. Due diligence and public consent were critical to those efforts. She asked whether there were any convergences among the different stakeholders that could be strengthened.

24. **Mr. Tun** (Myanmar) said that the illegal military coup in Myanmar in February 2021 and the subsequent atrocities committed all over the country had led to mass forced displacement. According to the United Nations, over 1.3 million people, including more than 300,000 Rohingyas, were currently internally displaced in Myanmar. More than 986,000 of those people had been

internally displaced within the past 20 months. Their basic rights had been repeatedly violated by the military. Without decisive action, they would be at a high risk of becoming victims of trafficking in persons.

25. Access for the provision of humanitarian assistance was another pressing challenge facing his country. He asked how the international community could be more effective in enabling internally displaced persons to return to their homes and in finding ways and means to provide the necessary assistance to internally displaced persons.

26. **Ms. Mudrenko** (Ukraine) said that the armed aggression of Russia against her country had provoked one of the largest displacement crises in the world. More than 13 million Ukrainians, or nearly one in three, had been forced to flee their homes. About 60 per cent of the general population, or more than 7 million individuals, had been displaced within Ukraine. Those numbers continued to grow as Russia continued to purposefully attack critical civilian infrastructure. About 63 per cent of those internally displaced were women, who were fleeing occupied and war-affected areas, where it was increasingly evident that a deliberate campaign to eliminate, subdue and rape women was being carried out. The Russian war had taken a tremendous toll on development in areas such as education and health-care facilities, and had led to massive loss of life, trauma and injuries among civilians. There had been another strike on civilian infrastructure that day, with three people killed and four injured in Kyiv. The war had caused a massive increase in psychological harm and distress, with more than 60 per cent of Ukrainians needing psychological support. The efforts of Ukraine to address the displacement crisis were undermined by the ongoing hostilities of Russia. The only way to protect civilians and minimize their suffering was for Russia to stop its senseless and barbaric war.

27. **Ms. Mendoza Elguea** (Mexico) said that the visit of the Special Rapporteur to Mexico in September 2022 had enabled deeper dialogue on the work of her country to prevent, address and provide reparations for internal displacement. A General Act on such work had been adopted in 2020. Her Government had continued its efforts to adapt policies and protection measures, expanding national legislative frameworks to ensure greater inclusion of displaced persons. Regulations such as the General Environmental Balance and Protection Act, the General Climate Change Act and the General Victims Act continued to give legal recognition to internally displaced persons in Mexico and fostered greater security through protection measures addressing the causes of internal displacement. She asked for

examples of success stories in addressing the multifaceted causes of internal displacement.

28. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation wondered whether the danger of development-induced displacement rose to such a level that it should be the subject of a report. The Syrian delegation had reviewed important cases of internal displacement in a number of countries and none had been development-induced. That had been confirmed by delegations in their statements, as most speakers had not mentioned development projects or the right to development. His delegation had hoped that the underlying causes of internal displacement would be addressed.

29. Terrorism, foreign occupation, aggression, human rights violations and violations of the Charter of the United Nations were the main causes of internal displacement. The imposition of unilateral economic sanctions – not development projects – was also a major cause of internal displacement. In his country, more than 3 million Syrians in the governorate of Idlib alone were under the control of Hay'at Tahrir al-Sham, the Nusra Front, Da'esh and other terrorist organizations contained on Security Council lists. If people living under the control of those groups stayed where they were, they were subjected to human rights violations. If they decided to leave their homes, they became internally displaced persons. The same applied in the north-west of Syria, where there were detention camps, as mentioned repeatedly in almost all of his delegation's statements. That was a very dangerous situation and a huge obstacle to development. His delegation hoped that in the future there would be a deeper study of those issues.

30. **Ms. Bachikhi** (Morocco) said that her delegation welcomed the focus placed by the Special Rapporteur on the pressing need to close the data gap and her call on Member States to collect, publicize and regularly update disaggregated statistics on the number of internally displaced persons. There was an urgent need to collect baseline data on the human rights situations and living conditions of internally displaced persons, to conduct regular follow-up evaluations to assess how the enjoyment of human rights by and the living standards of project-affected populations changed over time and to publish such data. Regarding the Special Rapporteur's recommendation for the international community to create or mandate a multilateral body to serve as a repository of global data and agree on common statistical methods for data collection and estimation, her delegation was keen to hear about how such a repository could be an invaluable asset in finding

solutions to forced displacement and what major challenges were facing its implementation.

31. **Mr. Andersen** (Norway) said that responsibility for protecting the human rights of internally displaced persons lay with Governments. The Secretary-General, in his Action Agenda on Internal Displacement, explicitly called for the integration of the human rights of internally displaced persons into efforts to prevent and find solutions to situations of internal displacement, and the mandate of the Special Rapporteur was thus key. It was important to recognize the particular challenges faced by persons displaced by development projects and to hold consultations with those persons affected. He asked the Special Rapporteur to elaborate on the change in mindset that she saw as required in order to empower individuals and communities to realize their right to development rather than be treated as passive subjects subordinate to State interests.

32. **Ms. O'Hara-Rusckowski** (Observer for the Sovereign Order of Malta) said that internally displaced persons often faced the same threats as refugees, who by definition were crossing international borders. The fact that internally displaced persons, unlike refugees, had no special status in international law made their protection and long-term aid difficult.

33. The situation of civilians in the Middle East in general and in the Holy Land in particular was a major concern. Through one of the Order's programmes, internally displaced persons had been returned to the Ninawa plains in central Iraq and provided with sustainable and dignified shelter through the reconstruction of war-damaged houses. The programme had resulted in enhanced livelihoods and economic development, and increased access to high-quality education. In 2021, 12,611 homes had been repaired or reconstructed, 1,886 people had been trained in business, construction and agricultural techniques, 41,186 young people and adults had been reached through cultural activities to foster social cohesion, and 5,262 children had been involved in schools supported by the programme.

34. The best example of the work of the Order with internally displaced persons was the response of its entities in Europe to the crisis in Ukraine. More than 69,000 volunteers and staff had been working non-stop to provide shelter, food, basic items and medical supplies.

35. **Ms. Jimenez-Damary** (Special Rapporteur on the human rights of internally displaced persons) said that her previous report to the General Assembly ([A/76/169](#)) included many good practices by States in preventing displacement from different causes and contained an



interesting analysis of how to prevent arbitrary displacement in situations of armed conflict and violence. The good practices that had come to her attention had always been based on respect for human rights and the recognition by States that the rule of law could be a good tool for enabling solutions to internal displacement. Her first report to the General Assembly had been on the topic of the participation of internally displaced persons. Over the past six years, some countries had begun to involve internally displaced persons in the development of policies and laws on their protection.

36. Over the years, the number of internally displaced persons and the gravity of the human rights violations committed against them had increased. Solutions must be aimed at preventing the root causes of situations in which internal displacement, especially arbitrary displacement, was provoked. Multi-stakeholder approaches within each country and the support of the international community were also needed. Upon the conclusion of the Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced People 2018–2020, it had become clear that examining how States were implementing the Guiding Principles on Internal Displacement was part and parcel of the solution to internal displacement. Good practices in responding to internal displacement must be based on recognition of the multifaceted causes of internal displacement.

37. It would not be possible for only one or two United Nations agencies to solve or respond to the problem of internal displacement. Steps must also be taken at the national level together with the United Nations country team and the humanitarian country team. Together with UNHCR and the Global Protection Cluster, she had initiated an expert group on the protection of internally displaced persons, composed of former special rapporteurs and other relevant international, national and regional experts, with a view primarily to supporting the inter-agency approach at the country level under the resident coordinators and humanitarian coordinators.

38. The Inter-Agency Standing Committee should place more emphasis on the protection of internally displaced persons, not only the coordination of humanitarian assistance. Global data on the effects of development-induced displacement were needed. The rule of law and a human rights-based approach were also important in the context of development-induced displacement. She encouraged States to support her successor and enable her to visit countries first-hand to provide technical assistance.

39. **Ms. Mullally** (Special Rapporteur on trafficking in persons, especially women and children), introducing her report on the gender dimensions of trafficking in persons, in the context of climate change, climate related displacement and disasters ([A/77/170](#)), said that climate change increased the risks of serious human rights violations, including trafficking in persons. Both sudden- and slow-onset climate disasters could result in loss of livelihoods, increased poverty, displacement and migration, all of which set the stage for human trafficking. Traffickers were more likely to prey on people in rural areas affected by slow-onset climate change, but urban destinations might also be targeted in the context of rural-to-urban migration. Indigenous migrants and migrants in irregular situations were particularly at risk of exploitation, owing to intersecting forms of discrimination. Women were vulnerable to specifically gendered forms of trafficking at various stages of the migration process, and women and girls with disabilities were exceptionally vulnerable. Climate-induced loss of livelihoods, income reduction or deterioration of working conditions in the agricultural sector had particular implications for rural women.

40. More than 500 million children were estimated to live in areas with extremely high risk of flooding, and approximately 115 million lived in areas with high or extremely high risk of tropical cyclones. Both during and following climate-related disasters, loss of access to formal education could make children more vulnerable to trafficking, including for the purposes of child and forced marriages. Other risk-increasing factors included separation from families and communities, closure of schools and the breakdown of child protection services. While all children were exceptionally vulnerable to exploitation in the context of climate disaster, children with disabilities, migrant and refugee children, children living in poverty, children separated from their families and very young children were at even greater risk. All climate change policies should protect the rights of the child and should be developed with the participation of children and young people.

41. Sectors recognized as contributing to climate change, environmental degradation and loss of biodiversity were also high-risk sectors for human trafficking, usually for the purposes of forced labour. In West Africa, extractive industries and intensive farming activities attracted significant numbers of migrants, thereby increasing environmental pressures on host communities and the risk of child exploitation. Human rights due diligence laws could ensure that corporations addressed the human rights implications of climate change, including trafficking in persons.

42. Current measures to address the gender dimensions of climate insecurity and conflict did not take obligations to prevent trafficking in women and girls into account. National laws and policies on internal displacement and migration should specifically address the obligation of States to prevent trafficking in persons, especially women and children, and prevention programmes must recognize the role of climate change in displacement and forced migration. At the global level, international law and policy instruments should recognize a general right of admission for people who were forcibly displaced as a result of climate change. Climate justice should be at the heart of anti-trafficking laws and policies. To combat climate-induced trafficking, it was necessary to ensure just transitions and protect workers' and children's rights.

43. **Ms. Garcia** (Luxembourg) said that preventing climate-related trafficking in persons required the development and diversification of safe migration pathways as well as ambitious climate action. As a champion of the Global Compact for Safe, Orderly and Regular Migration, Luxembourg had modified its international climate finance strategy to give particular attention to gender issues, human rights and climate migration. She wished to know the most important measures that States should take to address trafficking in persons in their climate action.

44. **Ms. Eyrich** (United States of America) said that her Government was committed to addressing the disproportionate impact of human trafficking on vulnerable populations such as women and girls. The United States national action plan on human trafficking addressed systemic injustices through a whole-of-government approach based on the four pillars of prevention, protection, prosecution and partnerships. She asked what specific measures could be taken in the context of climate change to prevent trafficking in Indigenous communities and protect survivors.

45. **Ms. White** (United Kingdom), expressing the view that women's rights organizations should be at the heart of the response to gender-based violence, said that United Kingdom provided long-term support to such organizations through its contribution to the United Nations Trust Fund to End Violence against Women. It also used online tools to help people in Ukraine who were at risk of human trafficking spot trafficking indicators. She would appreciate the Special Rapporteur's views on lessons that could be learned from Ukraine about keeping women and girls in vulnerable situations safe online in times of crisis.

46. **Mr. Bless** (Switzerland) said that his country had promoted the protection of people displaced in the

context of climate change for many years through the Nansen Initiative and the Platform on Disaster Displacement, and it was continuing to do so as an elected member of the Security Council. He asked what could be done to ensure that the response to the climate crisis incorporated measures to prevent trafficking in persons. He also wished to know what steps could be taken to protect migrants from trafficking in urban areas.

47. **Mr. Oehri** (Liechtenstein) said that the fight against human trafficking had long been a priority for his country, which had launched the multi-stakeholder Finance Against Slavery and Trafficking initiative. He wondered whether there were parallels in terms of vulnerable populations between climate-induced disasters and the COVID-19 pandemic that might inform efforts to combat human trafficking in the context of climate change. He would also appreciate the Special Rapporteur's thoughts on the role of environmental, social and governance investing in addressing climate-related human trafficking risks.

48. **Ms. Romulus Ortega** (Mexico) said that, while climate-induced migration and displacement made more women susceptible to trafficking, their vulnerability was rooted in ongoing exploitation due to gender inequality, patriarchal norms and toxic masculinity. Victims of trafficking should be recognized as victims and ensured access to justice and to health and mental health services. Mexico remained committed to assisting trafficking survivors and looked forward to the visit of the Special Rapporteur. She asked what steps could be taken to involve the private sector and civil society in combatting trafficking in women and girls on the move.

49. **Mr. Kezas** (Greece) said that, as a gateway to the European Union, his country battled human traffickers on a daily basis and had adapted its legal and operational frameworks to address new challenges, including those created by the climate crisis. He wished to know what additional measures the European Union could take to combat human trafficking.

50. **Mr. Abdullah** (Bangladesh), welcoming the Special Rapporteur's upcoming visit, said that his country had implemented comprehensive legislation, policy measures and action plans to address human trafficking. It was collaborating with regional countries and organizations to combat trafficking and ensure the smooth rescue, recovery and reintegration of victims. As a climate-vulnerable country, Bangladesh had taken significant steps to deal with internal displacement. He would appreciate the Special Rapporteur's recommendations for reducing trafficking risks in the Rohingya communities in Myanmar.



51. **Mr. Mohd Zim** (Malaysia) said that his country had been contending with human trafficking for some time because of its geographic location and had taken a number of measures to address the problem domestically. He asked what multilateral mechanisms or tools could help States identify traffickers and intermediaries.

52. **Mr. Kenneally** (Ireland) said that his delegation welcomed the Special Rapporteur's calls to ensure an intersectional and human rights-based approach to anti-trafficking measures, to recognize the role of systemic failures to remedy gender inequality and to ensure the meaningful participation of women and survivors in policymaking. He asked her to elaborate on the potential of women and girls to act as agents of change in addressing inequalities.

53. **Mr. Kuzmenkov** (Russian Federation) said that the Special Rapporteur should adhere to her mandate and avoid duplicating the work of other special procedures and mechanisms. Three special rapporteurs had already been created by the Human Rights Council under the environmental agenda. The Special Rapporteur's recommendations to States seemed to his delegation to be highly intrusive. Governments based their work primarily on the available material and technical resources, as well as on the specificities of the legal system.

54. To address the issue of trafficking in persons holistically, the Russian Federation advocated constructive and substantive dialogue and a balanced approach. Every State had the right to determine for itself the most appropriate national mechanism for countering trafficking in persons. Developing practical cooperation and direct contacts with the police, migration services and border control agencies was a key element of international cooperation in countering trafficking in persons.

55. The European Union's years-long operation to counter trafficking in persons in the Mediterranean with the use of force was an outright failure and a violation of human rights. Human rights organizations were raising the alarm about the high numbers of deaths at sea of people who had fallen into the hands of traffickers. Organized trafficking in persons in the Mediterranean was a result of the aggressive invasion of Libya by the West.

56. **Ms. Matheï** (Belgium), noting that climate change exacerbated pre-existing inequalities, said that it was important for environmental and climate policies to address women's and girls' human rights. It was also crucial to adopt an intersectional approach and to ensure that trafficking survivors were involved in trafficking

responses. She asked what concrete measures States could adopt to help civil society organizations contribute to preventing human trafficking in the context of climate change.

57. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that the European Union was committed to fighting human trafficking and all forms of exploitation both within its borders and around the world. When Russia had invaded Ukraine without provocation, the European Union had acted immediately to reduce the vulnerability to trafficking of people fleeing the country. However, war was not the only cause of increased vulnerability. The risks of trafficking were rooted in poverty, inequalities and discrimination, and they were heightened by the growing incidence of natural disasters. The European Union was supporting the efforts of partner countries to avert climate-related displacement, minimize its impact and strengthen adaptation. She asked how climate change policies and actions could be mainstreamed in national, regional and international anti-trafficking actions and within the United Nations system; how national, regional and international anti-trafficking actions could combat trafficking in persons in the agriculture sector, and what immediate climate-related measures could be taken to address the gender dimensions of trafficking.

58. **Ms. Al-thani** (Qatar) said that her delegation welcomed the recommendations in the report on the importance of recognizing the increased risks of trafficking in the context of climate change, displacement, natural disasters and conflicts. The commitment of Qatar to those issues was demonstrated by its mediation and conflict resolution efforts and by the gender-sensitive development and humanitarian assistance it provided to the least developed and developing States to minimize the impact of climate change. Her delegation would be grateful if the Special Rapporteur could share examples of measures to prevent trafficking in persons in the context of implementing the women and peace and security agenda.

59. **Ms. Stanciu** (Romania) said that her country's anti-human trafficking framework had evolved over time to align with the four pillars of prevention, prosecution, protection and partnership. In the context of the unjustified Russian aggression against Ukraine, Romanian border-crossing procedures had focused on providing information on how to gather and verify private offers of humanitarian assistance and avoid trafficking, and border and asylum centre personnel had been trained to recognize indicators of human trafficking. She wondered what prevention measures the Special Rapporteur would consider most appropriate in

Romania, given the large number of refugees crossing Romanian borders.

60. **Mr. Kouakou** (Côte d'Ivoire) said that climate change and soil degradation had displaced people and exacerbated existing inequalities, poverty, racism and discrimination. Côte d'Ivoire had ratified the international instruments relevant to human trafficking. It encouraged subregional and regional cooperation in protecting and assisting victims, was working to combat cross-border crime and had provided assistance and training for more than two thousand human trafficking survivors.

61. **Mr. Scherf** (Germany) said that the unprovoked, unjustified and illegal Russian war of aggression against Ukraine had displaced millions of Ukrainians, many of them women and children. Noting the concurrent rise in trafficking in persons, he said that Germany was concerned about the role of trafficking in connection with Russian use of sexual violence as a weapon of war. Gender-responsive and trauma-centred approaches were needed, and the sexual and reproductive health rights of survivors must be upheld. He would appreciate the Special Rapporteur's assessment of the risks of human trafficking in the context of the Russian war against Ukraine, as well as her ideas on how to better protect vulnerable persons from being trafficked and to ensure that human traffickers operating in the context of armed conflict were held accountable.

62. **Mr. Wang** Zixu (China) said that all countries should redouble their efforts to address climate change while observing the principles of community-based disaster risk management. Developed countries should assume their responsibilities and obligations to provide technical support and strengthen climate adaptation capacities in developing countries. China was domesticating the provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It had launched a 10-year action plan on human trafficking and had established an interministerial office for combatting human trafficking and assisting victims.

63. **Mr. Pilipenko** (Belarus) said that, in its national capacity and as the coordinator of the Group of Friends United against Human Trafficking, Belarus had always supported the mandate of the Special Rapporteur and closely followed the work of the United Nations system to counter trafficking in persons. His delegation was disappointed with the content of the Special Rapporteur's report. The Special Rapporteur was gradually moving away from the practical focus of her work towards overtly provocative politicized rhetoric.

The report was full of terminology that was not supported by Member States, that was not in line with the terminology used in the main relevant international legal instruments and that was publicly rejected by certain groups of countries. His delegation was concerned that attempts to promote the politically motivated rhetoric that was fashionable in certain developed countries were causing the Special Rapporteur to lose focus and the important conclusions that the report contained to lose traction. The Special Rapporteur should use her undeniable influence and talent to address the practical elements of trafficking in persons. Doing so would be consistent with, and contribute to, the programmatic work of the United Nations Office on Drugs and Crime and the work of other relevant agencies and mandate holders.

64. **Ms. Livermore** (Australia) said that, as co-Chair with Indonesia of the Bali Process on People Smuggling, Human Trafficking and Related Transnational Crime, her country was working to improve the regional response to human trafficking. Domestically, it had taken steps to integrate gender-transformative approaches into disaster risk reduction programming. Australia was committed to addressing the root causes of human trafficking, to providing holistic, gender-responsive, survivor-centred protection and support for survivors and to ensuring that the voices of survivors informed its national response. She asked how climate financing could be leveraged to support gender-responsive prevention and protection.

65. **Ms. O'Hara-Rusckowski** (Observer for the Sovereign Order of Malta), noting that human trafficking was extremely lucrative, said that the Order had recently proposed the first-ever human trafficking protocol for global healthcare providers, developed in cooperation with health care institutions worldwide on the basis of experience gained from its training programmes for medical personnel.

66. **Ms. Mullally** (Special Rapporteur on trafficking in persons, especially women and children) said that States should integrate their obligations to prevent and protect persons from trafficking into their policymaking processes on climate change. They should endeavour to replace forced displacement with planned relocation. Rural-to-urban migrants should have access to social protection without discrimination, and child migrants must be able to attend school. People displaced across international borders should be given admission, humanitarian assistance and status, in accordance with the Global Compact for Safe, Orderly and Regular Migration.

67. Her June 2022 report to the Human Rights Council on trafficking in persons in the agriculture sector ([A/HRC/50/33](#)) provided concrete recommendations. Given that child labour was a key entry point for child trafficking, States should also refer to the recently adopted Durban Call to Action on the Elimination of Child Labour, which contained important recommendations for ending child labour in agriculture. In addition, they should take steps to implement climate-smart agriculture.

68. Gender inequality and discrimination were root causes of trafficking in women in all sectors, making a feminist response imperative. It was necessary to end gender discrimination in land tenure and agricultural policies. It was also critically important to recognize the role of women and girls as agents of change. Thus, approaches to trafficking in persons should be not just survivor-centred but also survivor-led. The recently agreed conclusions of the Commission on the Status of Women on achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes ([E/CN.6/2022/L.7](#)) represented an important step towards addressing the gender inequality dimensions of climate change and strengthening women's participation in designing responses to climate change. However, responses to climate change must also address the risk of trafficking in women arising from loss of livelihoods and displacement. In addition, the risk of conflict associated with climate change should be more systematically included in action plans on women, peace and security.

69. Climate financing provided an important tool for addressing the gender equality dimension in the context of climate adaptation and for focusing on preventing trafficking risks, including risks for children. Environmental, social and governance investors could play a critical role in reducing climate-related trafficking risks by considering corporate attention to the prevention of human trafficking in conducting their due diligence assessments. In that connection, her report pointed to the importance of mandatory environmental and human rights due diligence. Current proposals needed to be strengthened to include human trafficking risks.

70. At the multilateral level, the Africa Climate Mobility Initiative and the recently adopted Kampala Ministerial Declaration on Migration, Environment and Climate Change were useful tools but should be strengthened to address trafficking in persons specifically. Within the United Nations system, the special procedures on human trafficking, climate change and environmental degradation should coordinate their

work. At the national level, States should empower civil society organizations by providing an enabling environment and ensuring that they had adequate resources. It was imperative to protect human rights defenders, including those who were trafficked persons or at risk of trafficking, without discrimination.

71. Regarding trafficking in persons in the context of the war in Ukraine, it was important first and foremost to end the war. Technologies would continue to play an important role in providing information on how to avoid the risks of trafficking and access assistance. States must remain on guard against the very serious risks of trafficking in persons, particularly for purposes of sexual exploitation, and should provide long-term protection by granting residency to displaced persons. Accountability should be strengthened through international cooperation and fact-finding.

72. **Mr. Obokata** (Special Rapporteur on contemporary forms of slavery, including its causes and its consequences), introducing his report on contemporary forms of slavery, including its causes and consequences ([A/77/163](#)), said that the informal economy accounted for over 61 per cent of all employment globally. Informality was highest in Africa. Worldwide, it was higher among young and older people and tended to be higher among women.

73. In the informal economy, jobs were often temporary in nature and many did not have predetermined working hours. Workforce turnover was high, and enforcement of labour laws was weak. As a result, frequent unemployment, a lack of access to social and labour protection, unsafe and unhealthy working conditions and low wages pushed many workers into poverty, increasing the risk of contemporary forms of slavery. Marginalized minorities and migrant workers, particularly those with an informal migration status, were often forced to work with low or even no pay under harsh working conditions, which could amount to servitude or forced labour.

74. Informality was common in agriculture, domestic and care work, manufacturing, construction, mining and sex work. It was highest in the agriculture sector, where exploitation was common. The exploitation of children in all sectors was of particular concern.

75. Not all forms of informal work were exploitative or abusive, but in certain sectors, there was a clear link between informality and contemporary forms of slavery. Governmental and non-governmental actors in a number of countries had taken steps to protect workers in the informal economy. Some States had registered informal businesses, while others had implemented simplified tax systems or established cooperatives for informal

workers in order to promote financial inclusion. Many States had extended social and other protection to informal workers, and others had subsidized health coverage for vulnerable populations and communities. Some trade unions represented informal workers or helped them unionize. Others provided a range of additional services in cooperation with the Government and the private sector.

76. Transitioning to formality was challenging. High costs and bureaucratic procedures discouraged informal businesses from registering formally, and workers and employers were often unable or unwilling to make tax and social security contributions. The steps required would depend on the economic, social, political and cultural context of each State. In facilitating the transition, States should consider differential needs. They should also bring all relevant stakeholders into the decision-making processes in order to promote a cohesive approach.

77. **Ms. Eyrich** (United States of America) asked how States could help organizations offer the services that informal sector workers needed to enter the formal economy.

78. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that it was important to ensure access to education, vocational training, decent work and justice for informal workers. Her delegation would appreciate some examples of best practices for helping workers transition to formal employment.

79. **Mr. Yamaguchi** (Japan), recalling that the report recommended promoting compliance with the Guiding Principles on Business and Human Rights, said that his country had just released its Guidelines on Respecting Human Rights in Responsible Supply Chains. He encouraged other States to take similar action.

80. **Mr. Oehri** (Liechtenstein) said that the fight against modern slavery had long been a priority for his country, which had launched the multi-stakeholder Finance Against Slavery and Trafficking initiative. He wondered if there were any proven solutions for helping vulnerable populations gain access to financial services and what States could do to help the financial sector facilitate such access.

81. **Mr. Kuzmenkov** (Russian Federation) said that his delegation agreed with the main conclusion of the Special Rapporteur that a transition from the informal to the formal economy was important for the promotion of decent work and respect for human rights. While the mandate given to the Special Rapporteur by the Human Rights Council related primarily to human rights

questions, much of the Special Rapporteur's report was dedicated to economic matters. Such matters were already covered by intergovernmental platforms such as the Economic and Social Council and the International Labour Organization. The Special Rapporteur played a vital role in upholding social, economic and cultural human rights recognized by international law. In its resolution 42/10, the Human Rights Council directly stated that the Special Rapporteur would focus principally on aspects of contemporary forms of slavery that were not covered by existing mandates of the Council. The topic of respect by businesses of human rights was covered by the Working Group of the Council on the issue of human rights and transnational corporations and other business enterprises. Duplicating functions and mixing up ideas could divert attention from the real crimes associated with contemporary forms of slavery. The Special Rapporteur should adhere more closely to his mandate.

82. **Ms. Al-thani** (Qatar) said that her country had recently made radical changes in the area of employment. Qatar had had a longstanding partnership with ILO and had opened an office of the organization in Doha. The Government had adopted legislative and executive measures praised by human rights groups and United Nations agencies, including the introduction of a minimum wage, cancellation of exit permits for expatriate workers and abolition of the requirement for workers to obtain their employers' permission before changing jobs. Qatar had established 14 entry visa centres in sending countries in order to speed up hiring processes and had strengthened mechanisms for the investigation of workers' complaints. It had also provided workers with insurance in order to ensure their right to a healthy and safe working environment.

83. **Mr. Merabet** (Algeria) said that, in the context of the informal economy, his Government had created a self-employed status and was encouraging craft and artistic activities, providing support for youth employment and the creation of micro-enterprises, and working to raise awareness of workers' rights and protections. Given the key importance of capacity-building, he wished to know if the Special Rapporteur was planning to address that topic in collaboration with United Nations agencies. Noting the prevalence of discrimination against African migrant workers, he asked how the Special Rapporteur planned to address such discrimination and reduce the inequalities exacerbated by the COVID-19 pandemic.

84. **Ms. El Guera** (Mauritania) said that her delegation thanked the Special Rapporteur for his visit to her country in May 2022, during which he observed the clear progress that had been made in combatting

contemporary forms of slavery. Mauritania had established a ministerial committee to combat trafficking in persons and a technical committee to follow up on the recommendations issued in the report. There was strong political will to end the phenomenon, which resulted from an outdated mentality. Mauritania had adopted legislation criminalizing slavery practices and had established special courts on slavery that had sentenced perpetrators. It had established national organizations to combat trafficking in persons and the smuggling of migrants and a regional forum on slavery had been organized for civil society in the Group of Five for the Sahel. In addition, Mauritania had taken special initiatives to support the victims of such practices.

85. **Mr. Wang** Zixu (China) said that human trafficking was rampant in the informal sector, particularly in the United States, which had a heinous history of slavery and slave trade. He asked if the Special Rapporteur's failure to mention the United States in his report was due to ignorance or deliberate omission. He also wondered what measures the Special Rapporteur recommended imposing on Japan to hold it accountable for using sexual slavery as a weapon of war during the Second World War. China expected the Special Rapporteur show the same courage as his predecessors and to carry out his mandate in a thorough and non-selective manner.

86. **Mr. Obokata** (Special Rapporteur on contemporary forms of slavery, including its causes and its consequences) said that, as indicated in his report, States could encourage businesses to formalize by providing incentives to register and pay tax and social security contributions. They should also work closely with national financial institutions and regional and international partners to promote the financial inclusion of informal businesses. It was important to provide incentives for financial institutions to offer credit and bank accounts to both informal businesses and informal workers.

87. States should empower trade unions and workers' organizations to represent informal workers and should guarantee the trade union rights of informal workers. They should also enforce labour rules and regulations by strengthening labour inspection, and they should support the work of civil society organizations by protecting their civic space.

88. Access to education and training was key for transition to formal employment. For particularly vulnerable informal workers, it might be appropriate to adopt temporary special measures facilitating their access to education, training and decent work. Capacity-

building was especially challenging for developing countries.

89. Promoting compliance with the Guiding Principles on Business and Human Rights was difficult in informal economies, especially where a large part of the workforce was informal. The task of promoting compliance fell primarily to States, but he encouraged regional and international organizations to brainstorm on how entities such as the United Nations Development Programme or the International Labour Organization could promote application of the Principles in the context of the informal economy.

90. Regarding his terms of reference, the topic of the report was entirely within the mandate conferred by the Human Rights Council, which included addressing Sustainable Development Goal 8 on decent work. Furthermore, while the mandate was human rights-oriented, it was impossible to talk about workers' rights without addressing business behaviours.

91. To prevent discrimination against migrant workers, it was important to establish dialogue between the sending and destination States. One good practice was to establish an interministerial task force to ensure that the rights of migrant workers were protected before they left their own countries and when they arrived at their destinations. He encouraged all States to implement similar bilateral initiatives.

92. With respect to the informal economy in the United States, informality affected all regions, and his report discussed migrant workers and minorities in the developed world. Regarding sexual slavery, it was indeed a gross violation of human rights and must be addressed. How it should be addressed depended on the specific context and political and legal system. He recognized his responsibility to investigate the topic and issue recommendations.

93. He thanked Algeria, Mauritania and Qatar for highlighting examples of good practice. Emerging or developing economies were often excellent sources of good practices, and he encouraged all Member States to continue to submit information for his reports. He also urged States to respond positively to his country visit requests.

*The meeting rose at 12.35 p.m.*