

**STOLEN DREAMS**

YOUTH-LED ANTI-SLAVERY COLLECTIVE

THE  
**YOUTH FOR FREEDOM**  
COLLECTIVE

*1 July 2022*

**UN Office on Drugs and Crime Constructive Dialogue on Migrant Smuggling:  
Criminalisation and Jurisdiction - Youth Statement**

Thank you Mr Chairman for the floor, and to UNODC for convening this important Dialogue.

Distinguished Representatives and Colleagues,

My name is Ishaan Shah, I am 19-years-old and the Founder of Stolen Dreams, an international youth-led organization working to counter transnational organized crime. I am also a National Gender Youth Advocate supported by UN Women and the Youth Focal Point for SE4U Stakeholder Engagement Programme implemented by UNODC.

Existing efforts to counter the smuggling of migrants involve navigating complex criminal justice and human rights processes.

Smuggled migrants, especially women and children are vulnerable to life-threatening risks, sexual and gender based violence and situations that can reach trafficking in persons extremes.

The Migrant Smuggling Protocol provides a comprehensive framework that criminalizes migrant smuggling, promotes significant international cooperation regarding law enforcement efforts, calls for the safeguarding of the rights of asylum seekers and refugees and encourages appropriate protection measures for smuggled migrants that take into account the needs of women and children.

Yet, the full, effective and meaningful implementation of the Protocol is limited.

Despite the principle function of the Protocol being to act as an elaborate framework to criminalize and counter migrant smuggling in the context of transnational organized crime, the human rights dimension must not be neglected.

It is incredibly important, particularly with the impacts of COVID-19 and increasing crises - from conflict to climate, deepening inequalities - that States adopt adequate, effective and human-rights based responses that involve innovative, flexible, and dynamic approaches to local, national, regional and international law enforcement and criminal justice processes.

The preservation and protection of the rights of smuggled migrants, including the decriminalisation of smuggled migrants, as well as prohibiting child detention, providing shelter, asylum, mental health

services, sexual and reproductive health and rights - those crucial humanitarian, legal and financial services are vital, particularly if the lives and safety of migrants are endangered through the smuggling process.

States must not distance themselves from the Protocol's goal of protecting smuggled migrants and ensuring their basic human rights are protected. Laws, policies and practices should not punish migrants for the fact of having been smuggled.

Rather, we call on States to work in a multi-stakeholder, internationally coordinated and intergenerational manner to address the root causes enabling migrant smuggling and to commit to taking a more prominent position in this discourse on the underscoring need for safe, orderly, regular and legal pathways for migration to prevent migrant smuggling and exploitation - ensuring that smuggled migrants, especially women, youth and children are meaningfully centered in all efforts and decision making processes.

Thank you.

END