



Office of the Special Representative and  
Co-ordinator for Combating Trafficking in Human Beings

# AN AGENDA FOR CHANGE: IMPLEMENTING THE PLATFORM FOR ACTION AGAINST HUMAN TRAFFICKING

2009 Annual Report of the OSCE Special Representative  
and Co-ordinator for Combating Trafficking in Human Beings  
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## FOREWORD

This is my third and final Annual Report in my capacity as the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings. Three years ago, I established the Platform for Action as the framework for my work. This report provides a reflection on that framework, on our achievements and activities. I can confidently say that there has been tremendous progress in the anti-trafficking arena. At the same time, I have also seen many gaps and recognize many challenges that still remain.

The strength of the OSCE is that it is able to work across the broad spectrum of the security agenda. Trafficking in human beings is first of all a threat to the security of an individual. Additionally, it threatens the fundamental structures in society that our well-being and development are built on. The OSCE's constructive and comprehensive approach has made it a true frontrunner in fighting trafficking in human beings. The fact that there has been a Ministerial Council Decision on human trafficking every year from 2000 to 2008 is testimony to the importance given by the participating States to combating trafficking. I can truly say that the Ministerial Council Decisions have served as the backbone of the SR's engagement and the building blocks upon which the work of my Office rests.

It has been a privilege to work in the unique position of SR, having had the opportunity to engage in high-level dialogue with decision makers and policymakers in OSCE participating States, and to engage with hands-on, grass root actors of civil society. One of the strengths of the SR is the role of a facilitator for co-operation and sharing of information between various actors, and bringing together international experts and activists alike. The creation of the Alliance against Trafficking in Persons in 2004 and its maintenance over the years is, I believe, a major achievement in terms of co-operation throughout the international community. I do hope that the Alliance will be further developed and strengthened. I am convinced that my engagement and the engagement of all of the OSCE's anti-trafficking structures and officials have raised the overall profile of the whole OSCE and increased the general awareness of the important work carried out by this noble Organization.

To become a true priority, trafficking must first of all be placed high on the political agenda in all our participating States. Secondly, we need more systematic efforts to fight this crime. So far, many of our efforts have been too ad-hoc and too short-term. There are many encouraging signs that countries are starting to build up systematic approaches and strengthening the long-term national structures and strategies. The basic instruments in this regard, besides the legal framework, are National Co-ordination Mechanisms, National Action Plans and National Rapporteurs or equivalent mechanisms, which I have continuously been advocating for. Finally, adequate resources must be committed to this work. The funds and efforts put into fighting trafficking must be in proportion to the funds and efforts put into responses to other, equally serious threats of our time.

We all need to actively search and find the tipping point where the tide turns and trafficking is no longer a lucrative and low risk business. We must stop tolerating the wasting of human lives. It is my hope that

fighting trafficking in human beings will continue to remain one of the key priorities of this organization until we can confidently say that trafficking has been eradicated from this world.

I wish to express my sincerest gratitude to the Governments and delegations of the OSCE participating States for all their support, contributions and commitment to my work. I want to extend my cordial thanks to the Greek OSCE Chairmanship, as well as the previous Chairmanships of Belgium in 2006, Spain in 2007 and Finland in 2008. My sincere wishes of success go to the forthcoming Kazakh Chairmanship, which, as it has stated, will include the fight against trafficking in human beings as one of its priorities. My thanks also go to the OSCE Secretary General and the OSCE executive structures, especially the ODIHR and the field operations, as well as the members of the Alliance against Trafficking in Persons.

My warmest, heartfelt thanks go to all the highly professional, dedicated and conscientious staff in my Office, who have worked tirelessly and diligently to support my mission these past three years. Without their efforts and backing, my work could not have been successful. Their expertise has been invaluable not only to me, but also to the whole organization in positioning the OSCE at the forefront of the international work to end modern-day slavery.

Lastly, I want to thank the numerous interns who have offered their time, dedication and idealism to support our important work.



*Eva Biaudet*

*OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings*

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# 1. EXECUTIVE SUMMARY

In October 2006, Ms. Eva Biaudet, former Finnish Member of Parliament and Minister of Health and Social Services, was appointed as the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (SR). The SR is tasked by the Ministerial Council to:

*"report to the Permanent Council ...on progress achieved in work on trafficking issues in the OSCE. These reports also contain contributions from OSCE structures, institutions and field operations on developments related to trafficking in human beings throughout the OSCE region and will include an analysis of achievements in the light of objectives set out in the 2003 Action Plan to Combat Trafficking in Human Beings."*<sup>1</sup>

<sup>1</sup> OSCE MC.DEC/13/05 on Combating Trafficking in Human Beings.

This is the fourth Annual Report of the OSCE Special Representative and the third report of the current Special Representative.<sup>2</sup> In addition to providing a report on the Office of the Special Representative's efforts to combat trafficking in human beings over the period January-November 2009, it provides an overview of the activities, achievements and challenges of the Special Representative's entire three-year term in office.

<sup>2</sup> The first report was produced by the former Special Representative, Dr. Helga Konrad.

The report outlines the mandate of the Special Representative and her role in combating trafficking in human beings. It then sets out the agenda that has guided the SR's work from 2007-2009, building upon the Platform for Action described in the 2007 Annual Report. This platform is based upon six thematic priority areas:

1. Encouraging action at the national level and establishing national anti-trafficking structures;
2. Promoting evidence-based policies and programmes;
3. Stepping up efforts to prevent trafficking in human beings;
4. Prioritizing action against child trafficking;
5. Addressing *all* forms of trafficking in human beings;
6. Promoting effective assistance and access to justice for all victims.

This report explores each of these priorities in detail and explains how the SR has addressed them over her three-year mandate. The report also highlights the strong focus that the Special Representative has placed upon ensuring that a human rights-based and gender-sensitive approach is taken to combating trafficking.

In addition to outlining the SR's agenda within the framework of the Platform for Action, the 2007 Annual Report explored the work of the SR and her Office over the previous year and analysed the extent to which it had contributed to the realization of OSCE commitments in the anti-trafficking field. In 2008, the Annual Report was based upon the results of a survey conducted with OSCE participating States on national co-ordination and reporting mechanisms. It provided a detailed analysis of

anti-trafficking efforts at the national level. The 2009 Annual Report builds upon this previous material and explores the progress that has been made since their publication.

The next section of this report focuses specifically upon the activities that the SR has undertaken in 2009 to combat trafficking in human beings. It concentrates upon three main areas of work: (i) raising the public and political profile of combating trafficking in human beings; (ii) raising the visibility of OSCE action on trafficking in human beings; and (iii) joining efforts to tackle trafficking in human beings: co-ordination and co-operation. The latter section looks both at co-operation within the OSCE's structures and institutions, and at co-operation with other international organizations and key stakeholders in the OSCE region.

The report concludes with an examination and reflections on the achievements in terms of combating human trafficking in the OSCE region over the period 2007-2009, as well as the challenges which remain both for the participating States and for the Office of the Special Representative.

## 2. THE MANDATE OF THE SPECIAL REPRESENTATIVE

While the primary responsibility for tackling human trafficking in the OSCE region lies with the participating States themselves, they have clearly tasked the OSCE to play a key role in assisting them in the implementation of the relevant OSCE commitments, upon request. The fight against trafficking in human beings has been at the heart of the OSCE's work since 2000, when the first Ministerial Decision on enhancing the OSCE's efforts to combat trafficking in human beings was taken.<sup>3</sup> Real momentum on the issue gathered pace with the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings in 2003. Ministerial Decision 2/03, which endorsed the Action Plan, also established an OSCE mechanism to provide assistance to participating States to combat human trafficking. It stipulated that the mechanism would consist of two parts: a Special Representative, appointed by the Chairman-in-Office, and a special unit within the OSCE Secretariat. The Decision highlights three overarching tasks for the Special Representative:

<sup>3</sup> MC (8).DEC/1 on *Enhancing the OSCE's Efforts to Combat Trafficking in Human Beings*.

- To represent the OSCE at the political level, raising the public and political profile of combating all forms of trafficking;
- To assist participating States, at their request, in fulfilling the relevant OSCE commitments and the recommendations of the OSCE Action Plan;
- To co-ordinate anti-trafficking efforts within the OSCE and to co-operate with national authorities, civil society and relevant international actors.

In 2006, Ministerial Decision 3/06 transformed the mechanism established by the Action Plan into the *Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings* within the OSCE Secretariat. This Ministerial Council Decision also provided a more detailed framework for the work of the SR. Today, the SR is supported in her work by her Deputy Co-ordinator, a Senior Adviser, an Executive Officer, three advisers, a Press Officer and two administrative staff.

The SR and her Office are tasked to work across all three dimensions of the OSCE's work: politico-military, economic and environment, and human dimension. It is this cross-dimensional aspect of the SR's work that makes the OSCE's work on human trafficking stand out from other international actors and stakeholders. It means that the SR can approach the problem from a number of angles, engaging a wide range of other stakeholders. The cross-dimensional aspect brings together a human rights-based approach to combating trafficking, a mandate to address the socio-economic root causes of trafficking and a role in assisting in the creation of national structures and legislation designed to combat trafficking and assist victims.

The political will of the participating States to address the problem of trafficking is clear in the Ministerial Decisions adopted during the SR's mandate:

- Decision No. 14/06 on Enhancing Efforts to Combat Trafficking in Human Beings including for Labour Exploitation, through a Comprehensive and Proactive Approach
- Decision No. 8/07 on Combating Trafficking in Human Beings for Labour Exploitation
- Decision No. 9/07 on Combating Sexual Exploitation of Children on the Internet
- Decision No. 5/08 on Enhancing Criminal Justice Responses to Trafficking in Human Beings Through a Comprehensive Approach

These decisions build upon 12 other Ministerial Council Decisions taken on the fight against trafficking in human beings since 2000. A full list can be found in Annex 2 of this report.

The SR works together with individual participating States and Partners for Co-operation, encouraging bilateral and multilateral co-operation. In all of these activities, the SR acts to catalyse political will and the implementation of concrete actions against trafficking at the national level. She is able to facilitate dialogue between countries of origin, transit and destination, maintaining a multidisciplinary and human rights-based approach to combating trafficking.

# 3. THE 2007-2009 AGENDA

## 3.1 Introduction

The SR's Annual Report 2007 set out the agenda for the SR's three-year term, in full compliance with the SR's mandate. This agenda, entitled 'Platform for Action', was conceived through a broad consultative process with participating States, and in co-operation with international organizations and civil society. The agenda was based on an approach that is human rights-based and gender-sensitive.<sup>4</sup> The Platform for Action was created to provide a sound foundation for the work of the SR and the Office of the Special Representative (Office of the SR). Within this framework, the SR has actively worked to support the 56 OSCE participating States in the implementation of the Organization's anti-trafficking commitments, including the OSCE Action Plan, as well as other relevant international instruments. She has also encouraged the OSCE Partners for Co-operation to make full use of both the political and operational aspects of the OSCE anti-trafficking framework.

The Platform encompasses six broad thematic priority areas:

1. Encouraging action at national level and establishing national anti-trafficking structures;
2. Promoting evidence-based policies and programmes;
3. Stepping up efforts to prevent trafficking in human beings;
4. Prioritizing action against child trafficking;
5. Addressing *all* forms of trafficking in human beings;
6. Promoting effective assistance and access to justice for all victims.

Since trafficking is a multifaceted phenomenon, which is constantly taking new forms, a variety of issues, including many emerging and new developments, have been addressed under the six aforementioned thematic areas. The developments over the course of the SR's three-year term are reflected in the next section.

The SR's role as a catalyst to promote dialogue and action at a high political level has been key to advancing the advocacy agenda established within the Platform for Action. The SR has placed particular emphasis on engaging in high-level policy dialogue with decision makers and national authorities, non-governmental organizations and civil society, as well as with international and regional organizations.

## 3.2 ENCOURAGING ACTION AT NATIONAL LEVEL AND ESTABLISHING NATIONAL ANTI-TRAFFICKING STRUCTURES

The adoption of Ministerial Council Decisions on the topic of combating trafficking in human beings every year since 2000 gives a strong signal of commitment from participating States to the fight against trafficking. However, the key to fighting trafficking is concrete action at the national level.

*"[T]his work cannot be outsourced to international organizations. It is the responsibility of every national and local government to create concrete strategies, and to allocate adequate resources for implementation of targeted anti-trafficking efforts as well as their evaluation. I am convinced that such strengthened and sustainable political will, including the [...] National Rapporteurs or equivalent mechanisms, together with National Co-ordinators and National Action Plans, are a strong foundation upon which we can together stop trafficking."<sup>5</sup>*

The SR has advocated strongly, throughout her term, for the establishment of dedicated national structures to combat trafficking in human beings. Such mechanisms are called for in the OSCE Action Plan, which recommends that participating States establish National Anti-Trafficking Commissions, National Referral Mechanisms and National Rapporteurs.<sup>6</sup> Ministerial Council Decision 14/06 reiterates the recommendation that participating States consider appointing a National Rapporteur or similar independent monitoring mechanism.<sup>7</sup> The National Rapporteur mechanism has also been called for

<sup>4</sup> MC.DEC/14/06 on *Enhancing Efforts to Combat Trafficking in Human Beings, Including for Labour Exploitation, Through a Comprehensive and Proactive Approach* and MC.DEC/15/05 on *Preventing and Combating Violence against Women*, as well as other relevant MC Decisions.

<sup>5</sup> SR address at the Alliance against Trafficking in Persons Conference on *Prevention of Modern Slavery: An Ounce of Prevention is Worth a Pound of Cure*, Vienna, 14-15 September 2009.

<sup>6</sup> OSCE Action Plan, Chapter VI, Paragraphs 1 and 2; Chapter V, Article 3.

<sup>7</sup> MC.DEC/14/06 on *Enhancing Efforts to Combat Trafficking in Human Beings, Including for Labour Exploitation, Through a Comprehensive and Proactive Approach*, operative paragraph 3.

in other international documents, including the 1997 EU Hague Declaration and the 2005 Council of Europe Convention on Action against Trafficking in Human Beings.

8 SR 2008 Annual Report, pp. 100-105.

The SR's 2008 Annual Report focused specifically upon these national co-ordination mechanisms. It outlined efforts taken by participating States to establish such mechanisms, including National Co-ordinators and interagency co-ordinating bodies, National Action Plans and National Rapporteurs or equivalent mechanisms for monitoring and analysis. Since then, more participating States have established interagency commissions, adopted anti-trafficking legislation and elaborated National Programs (National Action Plans to Combat Trafficking in Human Beings). The developments with regard to the establishment of these mechanisms are encouraging. By the end of 2007, some 24 participating States and two OSCE Partners for Co-Operation had established a National Rapporteur or equivalent mechanism<sup>8</sup>, with a number of others establishing similar mechanisms in the intervening period.

The SR strongly believes that the adoption and implementation of these national co-ordination mechanisms forms a concrete and necessary step in fighting trafficking. The SR finds it encouraging that so many participating States have already established National Co-ordination Mechanisms, National Action Plans and National Rapporteurs. The effectiveness of these structures, however, depends on the resources, both human and financial, that are allocated to them.

While all countries are different and the structures need to be suited to the national context, there are some basic features that have proved to be crucial for their effectiveness. The 2008 Annual Report provided recommendations for the establishment of these national structures. The interagency co-ordinating bodies should be inclusive, ensuring the involvement of civil society actors. The National Action Plans should receive sufficient and adequate resources, both human and financial, and should task the relevant actors with concrete actions. The National Rapporteur should be sufficiently independent in its activities and should work in a transparent way, analysing data and trends, monitoring and evaluating the implementation of anti-trafficking policies, legislation and programmes, and providing policy recommendations, preferably through annual public reports to the Parliament. The National Rapporteur or equivalent mechanism needs to have adequate access to data on the full range of forms of trafficking and should be in a position to report directly to the Government and/or Parliament in order to make policy recommendations. The report by the National Rapporteur can therefore promote parliamentary and public debates on the issue of trafficking in human beings, and contribute to enhanced efforts at the national level.

The promotion of National Rapporteurs or equivalent mechanisms has been a consistent theme throughout all activities undertaken by the SR, as well as the focus of specific events. The 6<sup>th</sup> Alliance conference on "*National Monitoring and Reporting Mechanisms to Address THB: the Role of National Rapporteurs*", held in May 2007 in Vienna, showcased concrete examples and existing practices of National Rapporteurs or equivalent mechanisms in the participating States, and raised the prioritization of the issue amongst the anti-trafficking community. Together with the Czech Minister of the Interior and the European Commission, the SR co-organized the Czech EU Presidency conference on "*Joint analysis, joint action: EU National Rapporteurs on trafficking in human beings*", which was held in Prague in March 2009.

In line with OSCE commitments, the SR has promoted the establishment of national anti-trafficking structures and has continuously stressed the crucial role of these national structures in collecting data, in analysing and monitoring measures taken, and in providing policy guidance and recommendations to decision makers and practitioners. For example, in June 2008, in the course of her high-level visit to Spain, the SR met with Parliamentarians, Members of the Committees on Equality of the Congress and Senate of Spain to discuss the decisive role of the Parliament in making the fight against human trafficking a political priority for the country. In December 2008, the SR spoke before the Employment and Equality Committee of the Finnish Parliament, commenting on the bill on the establishment of a National Rapporteur on trafficking in human beings. In 2009, the SR discussed the significance of establishing or strengthening National Rapporteur mechanisms and other relevant anti-trafficking structures and frameworks, during her official visits to Azerbaijan, the Russian Federation, the United Kingdom, Armenia, Turkmenistan, Romania and Iceland, as well as during numerous anti-trafficking events. In September 2009, during her country visit to Romania, the SR met the Chair of the European Affairs Committee of the Romanian Parliament and the leader of the parliamentary Group to prevent trafficking in persons, and learned about their efforts to investigate and address human trafficking.

### 3.3 PROMOTING EVIDENCE-BASED POLICIES AND PROGRAMMES

One of the major challenges in fighting trafficking in human beings is that there is too little data on and knowledge of the extent of the phenomenon, of its trends and patterns. A major challenge relates to the fact that there is a gap between the operational assumption of a vast number of possible victims of human trafficking versus the limited number of actual identified victims and convicted traffickers. This is a signal that even more efforts need to be put into collecting data, law enforcement and also into evaluating the impact of anti-trafficking policies and actions. Despite many national and international efforts to standardize trafficking indicators and data collection mechanisms, trafficking remains an underreported and underdocumented crime. There is also scarce evaluation and monitoring of the various policies and programmes, and few efforts have been undertaken to date to determine whether, how and why these are effective.

*“It’s clear that we lack an overall image of the scope of this issue, the trends, and even an accurate assessment of the results of our actions! As policymakers and practitioners, we need empirical evidence so we can understand the problem, identify how far we are from the turning point, and respond adequately. Furthermore, especially in times of crisis, I believe that policymaking based on evidence can also increase public confidence in the effectiveness, efficiency and impact of efforts undertaken by all stakeholders.”<sup>9</sup>*

9 SR speech at the Czech EU Presidency Conference of EU National Rapporteurs on Trafficking in Human Beings, Prague, 30 March 2009.

In the current economic situation, it is more crucial than ever that funds spent on anti-trafficking efforts, both nationally and internationally, are accurately targeted and that the programmes and policies achieve the intended goal. To provide further examples of promising practices, in September 2007 the SR organized the 7<sup>th</sup> Alliance against Trafficking in Human Beings conference on “Assistance to Trafficked Persons: We Can do Better”. One of the main objectives of this event was to present the most recent qualitative and quantitative research available on identification of, protection of and assistance to trafficked persons. The conference highlighted the importance of a multidisciplinary approach and sustained research into understanding human trafficking. It also highlighted the need to review the notions of assistance, protection and identification through empirical evidence-based research. Finally, it underlined the benefits of closer co-operation between state and non-state actors, in particular researchers and policymakers.

In an effort to promote evidence-based policies, the SR has consistently and systematically worked to promote the establishment of National Rapporteurs or equivalent mechanisms as instruments (with national ownership) to evaluate anti-trafficking work, revise, adapt and better target anti-trafficking policies and programmes.

The Occasional Paper series, which was started by the SR in 2007, is a way of raising topical issues in trafficking and showcasing examples of good practice. The occasional papers are one way in which the SR has tried to collect and analyse evidence, in order to bring it to the attention of the participating States and to help them in shaping their policies and practical responses to human trafficking. The SR has produced three Occasional Papers, entitled: (1) a Summary of Challenges Facing Legal Responses to Human Trafficking for Labour Exploitation in the OSCE Region (2007); (2) Human Trafficking for Labour Exploitation/ Forced and Bonded Labour (2008); and (3) A Summary of Challenges on Addressing Human Trafficking for Labour Exploitation in the Agricultural Sector in the OSCE Region (2009) (see Section 3.6 for more detail on these reports).

### 3.4 STEPPING UP EFFORTS TO PREVENT TRAFFICKING IN HUMAN BEINGS

The SR has taken a broad approach to prevention, in line with the OSCE Action Plan that adopted a multidimensional approach to trafficking. It stems from the recognition that mere awareness-raising is not enough to curb trafficking. Instead, prevention has to be approached comprehensively, recognizing that all anti-trafficking efforts have a preventive function. Prevention of trafficking is a cross-dimensional issue that requires better economic and employment opportunities, good governance and the combating of corruption. It requires that trafficking be recognized as a transnational security threat requiring co-operation between participating States as well as zero tolerance of exploitation and discrimination. It also requires recognition that trafficking is a grave violation of human rights, and



10 *Human Security Now. Commission on Human Security, New York, 2003, p.6.*

that trafficking severely violates human security, destroying social cohesion and threatening the rule of law. Just as “human security [...] broadens the focus from the security of borders to the lives of people and communities inside and across those borders”<sup>10</sup>, fighting trafficking also necessitates a broad approach that incorporates gender mainstreaming, educational opportunities, the pursuit of the best interests of the child and engagement with young people. Each of these areas, when addressed in a responsible way, has a strong impact on the prevention of slavery. Each has to be dealt with, in order to ensure equality and non-discrimination, inter-ethnic peace and cultural diversity. By addressing the root causes of trafficking, the countries prevent those most vulnerable from taking desperate and risky decisions which may easily lead to enslavement. Decent alternatives may prevent former victims from being re-trafficked or for those who are still under the control of perpetrators, even from joining the criminal world as facilitators of, contributors to or perpetrators of trafficking, in order to ‘escape’ from humiliation and torture. According to research by UNODC<sup>11</sup>, a significant proportion of investigated, prosecuted and convicted traffickers are women. In fact, the percentage of women convicted for the crime of trafficking is much higher than the percentage of women convicted for other crimes. This may be due to the fact that convictions for trafficking seem to target the lower levels of criminals, as law enforcement agencies fail to apprehend the main perpetrators. In some cases, victims of trafficking turn into perpetrators as a means of gaining power and control over their situation, or simply to escape the exploitation.<sup>12</sup> In others, the so-called ‘Stockholm Syndrome’ may be present, whereby victims become so dependent on their traffickers that they begin to feel affiliation and loyalty towards them.

11 *Global Report on Trafficking in Persons, UN.GIFT, UNODC, 2009, pp. 45-47 and 52-57.*

12 Siddharta Kara, *Sex Trafficking: Inside the Business of Modern Slavery*, Columbia University Press: New York, 2009.

The Alliance against Trafficking in Persons Conference in September 2009, entitled “*Prevention of Modern Slavery: An Ounce of Prevention is Worth a Pound of Cure*”, renewed the perspective on prevention. It became clear from the discussions during the conference that the global financial crisis, worsening conditions for migrants, growing xenophobia and discrimination, job losses, reduced or non-payment of wages, and significantly reduced remittances affecting communities are all contributing to changing patterns of trafficking. Restrictive immigration policies are also creating opportunities and incentives for human traffickers who prey on desperate people vulnerable to exploitative conditions.

13 The 1994 Code of Conduct for OSCE Officials and OSCE Staff Instruction No. 11/2004 on *Preventing the Promotion/Facilitation of Trafficking in Human Beings* regulate the behaviour of OSCE staff. In addition, in 2005 the OSCE Ministerial Council adopted MC Decision No. 16/05 on *Ensuring the Highest Standards of Conduct and Accountability of Persons Serving on International Forces and Missions*. NATO has the 2004 NATO Policy on Combating Trafficking in Human Beings and the United Nations has the “Ten Rules Code of Personal Conduct for Blue Helmets”.

The conference demonstrated that every level of society can contribute to the prevention of modern-day slavery. It is crucial to use a multi-stakeholder approach to curb trafficking and forced labour in the face of the global financial crisis. Strengthening the co-operation between governments, businesses, workers and consumer associations is vital, especially for introducing regulations and carrying out monitoring to root out exploitative labour conditions. Codes of conduct in businesses, international organizations and in the military are needed to stop the production of goods and services made with child and forced labour as well as to prevent any misconduct, exploitation or abuse by military and civilian personnel.<sup>13</sup> Journalists can also create an environment in which exploitation, discrimination and impunity are no longer tolerated, and in which people are educated to understand the consequences of the demand for commercial sex and unprotected labour, and to change their behaviour.

Conference participants agreed that the responses to these challenges must include the creation of low-cost co-ordination mechanisms that can improve the targeting of anti-trafficking programmes and increase the speed of joint responses to these new threats, building knowledge and experience on trafficking. It is also necessary to find ways to collate reliable data on the real scope of human trafficking. If trafficking is analysed as a business model, it is clear that it is the enormous profits that drive the traffickers. Chasing the money trails and assets is therefore an important activity in the fight against trafficking.

14 SR 2008 Annual Report, pp. 49 and 71.

It is also crucial to address the socio-economic root causes of trafficking, including marginalization and discrimination based on ethnicity and gender, weak rule of law, as well as corruption. At the same time, it is important to selectively mainstream trafficking into a number of related policy areas in order to enhance the effectiveness of anti-trafficking policies.<sup>14</sup> This could both contribute to better co-ordination and burden-sharing between various governmental actors (e.g., those responsible for child protection, education, law enforcement, fair labour practices, social services, etc.), and enhance all actors’ contributions to combating trafficking in human beings.

Ensuring legal and safe migration opportunities is also clearly a preventive action. Female migrants are often particularly vulnerable and disadvantaged due to their gender. The “*Guide on Gender-Sensitive Migration Policies*”, a joint report by the SR, the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) and the OSCE Secretariat Gender Section, published in May 2009,



highlights the need for gender-specific action in order to ensure safe and accessible migration channels for women. The Guide, among other things, seeks to raise policymakers' awareness of the demand in countries of destination for low-skilled workers in so-called 'feminised sectors' and the challenges female migrant workers often experience in these sectors due to limited admission schemes. These limitations lead many into irregular and unprotected employment and in worse cases into labour exploitation and trafficking situations, including more hidden forms such as domestic servitude. The Guide points out these challenges and policy gaps and proposes a set of policy changes in order to better consider gender aspects in labour migration policies both in countries of destination and origin and can therefore also be regarded as one way of preventing trafficking.

Moreover, prevention must also include preventing trafficking and exploitation at each stage of the crime, as well as the prevention of re-trafficking. The SR has highlighted the responsibility of countries of origin, transit and destination to equally respond to and intervene to prevent trafficking. The SR has recognized that in order to truly prevent trafficking, it is crucial to also address those engaging in the crime, both criminals and potential criminals. The SR is contributing to this area of work by implementing a project under the United Nations Global Fight against Human Trafficking (UN.GIFT) Expert Group Initiative, entitled "Analyzing the Business Organization and Socio-Economic Context of Human Trafficking in order to Better Prevent the Crime", an overview of which can be found in section 4.3.2 of this report.

The SR has systematically raised the need for all countries and actors to address the demand for cheap and exploitative labour and commercial sex that fosters trafficking.

*"Without comprehensive measures in all countries to reduce demand, we will never reach the tipping point in our fight to eradicate trafficking from our societies. There is an urgent need to develop legislation that makes people truly accountable for exploitation. The criminalisation of demand is of course only one way – but can be a most effective measure in this regard. But most importantly, there is an urgent need to start serious discussions about whether we want to protect all our fellow human beings, regardless of their ethnicity, nationality and legal status from abuse and exploitation, or remain indifferent. The choice is ours."*<sup>15</sup>

15 SR presentation at the seminar on *Side Effects of Free Mobility*, Helsinki, 26 March 2009.

There are many emerging promising practices in this area. Efforts to raise public awareness of goods that are produced using forced labour and child labour have proven useful. The Body Shop, for instance, has launched a campaign to stop sex trafficking of children and young people. The campaign aims to raise awareness of the scale of the issue, raise funds for vulnerable children and young people, and inspire those with decision-making power to effect change.<sup>16</sup> A further good example is that of ECPAT International, who have worked together with the tourism industry to develop a code of conduct for the protection of children from sexual exploitation in travel and tourism.<sup>17</sup> The OSCE Mission in Kosovo fought internal as well as international trafficking through a 15 day awareness campaign entitled "Rock to break the silence! Report human trafficking!", which culminated in a free music concert attended by thousands of adolescents on the anniversary of the Universal Declaration of Human Rights in 2008. The OSCE Mission to Serbia depicted seven well-known prominent men half-naked on billboards, posters and television spots all across the region; the "Naked Facts" campaign encouraged people to be cautious and aware of a crime that is growing in magnitude within the borders of Serbia.

16 [http://www.thebodyshop.co.uk/\\_en/\\_gb/values-campaigns/trafficking.aspx](http://www.thebodyshop.co.uk/_en/_gb/values-campaigns/trafficking.aspx)

17 <http://www.thecode.org/>

This year's Alliance Conference also showed how community action can be a vehicle for change. An example particularly welcomed by participants was that of the Croydon Community against Trafficking (CCAT), a community-based group in London, which presented its work in identifying victims who have been trafficked for sexual exploitation. CCAT has been successful in achieving the closure of brothels known to house trafficking victims and in persuading the local media not to carry advertisements for 'personal' services potentially provided by victims of trafficking.<sup>18</sup> There is a danger that such advertisements could contribute to trafficking for sexual exploitation by increasing demand for victims, thereby making the media, even if involuntarily, an integral part of the crime of trafficking, due to the huge profits made from such thinly veiled advertisements.

18 <http://www.theccat.com>

The SR has also focused upon demand in the defence sector:

*"We have come a long way since when not so long ago a high-level UN official was quoted as saying "boys will always be boys" in response to allegations of sexual abuse by international peacekeepers. There has been increasing recognition of how trafficking for sexual and labour exploitation undermines security and international peacekeeping efforts, and we*

19 SR address at the NATO Euro-Atlantic Partnership Council, 12 March 2008.

*have begun to enforce laws and policies that address the abuse of a position of power of some international forces and workers, and to promote respect for human dignity... When members of military forces purchase sexual services from organized criminal networks, they are creating the demand for trafficking.”<sup>19</sup>*

### 3.5 PRIORITIZING ACTION AGAINST CHILD TRAFFICKING

In recent years many new, horrific forms of child trafficking have emerged. The disappearance of unaccompanied asylum-seeking children has become a growing problem in many OSCE participating States. Many of the missing children end up as victims of sexual exploitation or exploited in street begging, petty crime and domestic slavery. The situation is particularly dire for many Roma children, who face marginalization and discrimination and are at greater risk of re-trafficking. There is also a growing trend of internal trafficking of under-age girls for sexual exploitation. One aspect of this trend is the so-called ‘loverboy’ phenomenon, where a man poses as a suitor to entice and deceive under-age girls into prostitution. Furthermore, forced child labour, especially for agricultural work such as cotton-picking, but also for cannabis cultivation and domestic servitude, is a problem in parts of the OSCE region.

Child trafficking is a core theme in the OSCE’s anti-trafficking work. Key commitments include the *Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance*, adopted by the Ministerial Council in 2005, the Ministerial Council Decision 15/06 *on Combating Sexual Exploitation of Children*, adopted in 2006 at the Brussels Ministerial Council, and the Ministerial Council Decision 9/07 *on Combating Sexual Exploitation of Children on the Internet*, adopted by the Ministerial Council in 2007.

Throughout her mandate, the SR has strongly prioritized action against child trafficking.

20 SR Presentation at the Alliance against Trafficking in Persons Conference: *Child Trafficking: Responses and Challenges at Local Level*, Vienna, 26-27 May 2008.

*“When it comes to protecting children, I want to reiterate that there is no margin of appreciation. Every single country has a moral responsibility and legal obligation to actively seek to identify and protect every single vulnerable child, without discrimination and regardless of his or her immigration status... These children, like all other children, based on universally-accepted Human Rights principles, have a legal right to education, medical and psychological treatment and safe development.”<sup>20</sup>*

The SR selected the fight against child trafficking as one of her key priorities for 2008. The protection of children against all forms of trafficking and exploitation is a fundamental responsibility of all governments. Accordingly, the 8<sup>th</sup> Alliance against Trafficking in Persons Conference entitled *“Child Trafficking: Responses and Challenges at Local Level”*, held in Vienna on 26-27 May 2008, focused on how the local level can best respond to child trafficking. The conference drew attention to the overwhelming acknowledgement that children on the move are not adequately protected and thus form the largest group at risk of trafficking. An increasing number of participating States acknowledged the need to implement National Action Plans at the local level, which would mean allocating resources to combating the exploitation of children for organized begging, petty crime and sexual abuse. The SR, in her concluding remarks, advocated for a number of urgent steps to be taken to combat child trafficking:

- The establishment of National Rapporteurs or equivalent mechanisms to improve knowledge regarding the situation of children on the move;
- An increase in resources for child protection, augmenting budgets at the local level;
- An improvement in co-ordination between law enforcement and child protection authorities, with a multinational approach;
- The promotion of joint actions by mixed teams of social workers and cultural mediators from countries of origin and destination;
- The addressing of the international demand for cheap goods using child labour, as well as the use of children for sexual purposes.

The SR has stressed that children must be protected regardless of their immigration status and advocated a multidisciplinary and cross-national approach to combating child trafficking, in order to create a system of multicultural responses. Children should receive assistance, not be punished or detained.

Detention puts children at risk of various forms of exploitation and can never be in their best interest, not even in the interest of maintaining family unity, and therefore alternatives to detention must be sought. At the same time, a decision regarding safe return must be made, based upon a process of best interest determination of the child, in which the child should be included. The return of child victims of trafficking without proper risk assessment and best interest determination puts children at continued risk of exploitation and re-trafficking.

In practical terms, the SR has contributed to the prevention of child trafficking by supervising an extra-budgetary project (2008-9), entitled “*Prevention and assistance to the children victims of commercial sexual exploitation in Russia*”. The project was funded by the Principality of Monaco and implemented by the Saint Petersburg NGO *Stellit*, in co-operation with municipal bodies of the city. The project and the work of *Stellit* in this area was highly appreciated by the speakers who addressed the Alliance conference on child trafficking. The project improved rehabilitation opportunities for child victims of sexual exploitation by increasing the professionalism of specialists and police officers involved in combating commercial sexual exploitation of children, and by establishing a network of rehabilitation organizations to ensure comprehensive, consistent and continuous assistance to the victims of such exploitation, including child trafficking. The implementation of the project was extended for an additional six months, with a view to undertaking research on trafficking of children from the Republic of Moldova to Saint Petersburg. This will lead to the development of recommendations on the improvement of the child protection network, on the identification of child victims of trafficking and on providing them with continuous care in Moldova, which will be implemented by *Stellit* in co-operation with the NGO *Terre des Hommes*.

The OSCE Strategic Police Matters Unit (SPMU) organized an online workshop on 13-24 October 2008 on Countering Sexual Exploitation of Children on the Internet, the first such conference to be held exclusively online. This innovative conference highlighted, *inter alia*, the need for more training for police officers, the establishment of specialized units, improved co-operation with civil society, child-friendly procedures and effective software for investigators. The SR pointed out in her contribution to the event that the exploitation of a child always equals trafficking.

The SPMU also maintains the OSCE Policing OnLine Information System (POLIS), which consolidates all aspects of law enforcement activities within the OSCE area. The SPMU is currently working on establishing a thematic portal with comprehensive information on how to combat sexual exploitation of children on the Internet. The portal will be launched by the end of 2009.<sup>21</sup>

21 <http://polis.osce.org/>

Making the empowerment of children and youth one of her priorities, the SR regularly met with children and youth during her country visits. For example, in 2007 the SR supported the OSCE Presence in Albania in implementing a one-month national public campaign on child begging. After a survey showed that many citizens lacked a clear understanding of the forced begging phenomenon, a comprehensive media campaign was run on television, radio and billboards to raise awareness about this form of child trafficking. In April 2008, during her visit to Belarus, the SR addressed secondary school children in Minsk, raising awareness of human trafficking as a social phenomenon, both as a crime and as a human rights violation. At the European Youth Forum in Barcelona in May 2008, the SR raised the issue of migration and youth. Children who want to migrate, but who know their rights and are able to express their own views and opinions are less likely to fall victim to trafficking. The empowerment of children, and girls in particular, is especially important. This means giving girls the ability to make strategic choices regarding their own lives, as well as control over their future.<sup>22</sup>

22 *Because I am a Girl: the State of the World's Girls 2009 Girls in the Global Economy – Adding it All Up*, Plan International, p. 20.

*“It is often said that women and children are in the most vulnerable group of people trafficked worldwide. Therefore, it is important to highlight the fact that first and foremost most trafficked victims are deceived with false promises of employment abroad by traffickers; secondly, there is a need to promote desirable migration movement whilst reducing unwanted ones.”*<sup>23</sup>

23 Speech by SR at the European Youth Forum Council of Members Meeting, 2-3 May 2008.

The SR has continuously advocated for the creation of a protective environment to prevent the abuse, exploitation and trafficking of children, as well as for an environment in which children can live in safety and dignity. The children of today are tomorrow's adults and they need our protection and assistance.

### 3.6 ADDRESSING ALL FORMS OF TRAFFICKING IN HUMAN BEINGS

The Porto Declaration on Trafficking in Human Beings of 2002 and the OSCE Action Plan highlight the need to address all forms of trafficking. The SR has, throughout her mandate, stressed the necessity of a comprehensive approach, addressing all forms of trafficking, including trafficking for sexual exploitation and labour exploitation, as well as child trafficking.

24 *Global Report on Trafficking in Persons*, UN.GIFT, UNODC, 2009, pp. 48-50.

Trafficking for sexual exploitation remains the most common type of trafficking identified at the global level. Of all victims identified by State authorities, almost 80% have been trafficked for sexual exploitation. Women and girls constitute nearly 80% of identified victims trafficked for this purpose.<sup>24</sup> The SR has, throughout her work, highlighted the links between gender discrimination and marginalization of women as a root cause and contributing factor to trafficking. The SR has continuously advocated for all anti-trafficking actions, programmes and policies to be refined to ensure they are appropriate and relevant to both sexes, through an examination of how men and women are differently affected by trafficking in human beings and by its various forms. All actions, programmes and policies should also avoid compounding existing inequalities between women and men, and should strive to empower both sexes.

The 8<sup>th</sup> Alliance Conference on Child Trafficking highlighted the phenomenon of child trafficking for the purpose of organized begging and committing petty crimes. Moreover, throughout her mandate, the SR has shed light on these specific forms of child trafficking, which are difficult to tackle.

Participating States have committed themselves to combating trafficking for labour exploitation through Ministerial Council Decision 14/06 on *Enhancing Efforts to Combat Trafficking in Human Beings, Including for Labour Exploitation, through a Comprehensive and Proactive Approach*, adopted in 2006, and MC Decision 8/07 on *Combating Trafficking in Human Beings for Labour Exploitation*, adopted in 2007. These decisions, alongside the Porto Declaration and the OSCE Action Plan provide a balanced framework for tackling all forms of trafficking and also refer to the trafficking of children.

The global financial crisis has contributed to an increase in numerous reports this year of migrant workers housed in inhuman conditions, exploited, unpaid and dismissed from employment and having become victims of trafficking for labour exploitation. The use of complex subcontracting chains continues to make it difficult to bring claims against an 'employer' for unpaid wages, compensation or injuries at work. The lack of adequate efforts to identify or investigate labour trafficking in many participating States has also left victims wrongly regarded as 'irregular migrants' and thus subject to detention and expulsion without access to remedies.

Through the Occasional Paper series, the SR has placed special emphasis on trafficking for forced labour. The third Occasional Paper, *"A Summary of Challenges on Addressing Human Trafficking for Labour Exploitation in the Agricultural Sector in the OSCE Region"*, gives concrete case examples and suggests recommendations for addressing the specific vulnerabilities of agricultural labourers. It gives a solid foundation for concrete action to be taken at the national and international levels. The key points include:

- The importance of understanding the agricultural sector and its systemic problems, and how they affect the workers by placing them at greater risk of trafficking;
- The need to adapt current practices of identification within a multidisciplinary approach;
- The need to reconstruct the notions of assistance, protection and compensation to trafficked persons;
- The benefits of multidisciplinary co-operation in prosecution, along with challenges faced by the authorities in this field.

The Occasional Paper concludes that combating trafficking in the agricultural sector will require not only the identification and prosecution of criminal cases, but also the enforcement of workers' rights generally, regardless of migration or employment status. Success will depend upon participating States being willing to devote resources and attention to the machinery of labour rights enforcement, such as inspectors and tribunals, as well as to educating employers, workers and labour recruiters about these rights.

The changing global environment means that criminal groups will also be quicker to adapt. Indeed, the changing environments and changing demand means that trafficking is constantly taking new forms. While trafficking is clearly linked to organized crime, the SR has also highlighted that not all trafficking is run by organized crime groups. The modus operandi of trafficking operations can broadly be grouped into three basic categories: individual traffickers, small groups, and large-scale, international networks.<sup>25</sup> In fact, small-scale and single traffickers often use crueler methods and more violence to coerce their victims and, from this perspective, the effects and trauma on victims can be even worse.

25 Alexis Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings*, Praeger: Westport & London, 2009, p. 66.

Trafficking for domestic servitude as well as trafficking for illegal adoption and forced marriage are areas that could receive further OSCE attention in the future. With regard to trafficking for the purpose of organ removal, the recent study undertaken by the Council of Europe and the United Nations<sup>26</sup> calls for a new international convention to prevent trafficking of kidneys and other organs. This would include an internationally-recognized definition of what constitute trafficking in organs, tissues and cells.

26 *Trafficking in Organs, Tissues and Cells and Trafficking in Human Beings for the Purpose of Removal of Organs*, Joint Council of Europe/United Nations Study, 2009.

### 3.7 PROMOTING EFFECTIVE ASSISTANCE AND ACCESS TO JUSTICE FOR ALL VICTIMS

A human rights-based approach to combating trafficking in human beings requires that *“the human rights of trafficked persons shall be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims.”*<sup>27</sup> This relates to the obligations of States to prevent, investigate and prosecute traffickers and to assist and protect trafficked persons; it further implies that anti-trafficking measures should not adversely affect the human rights and dignity of persons.

27 *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, UNOHCHR, E/2002/68/Add.1.

*“A victim-centred approach...means taking the needs of the trafficking victim to be protected, assisted and ultimately empowered to live a dignified life, as the fundamental starting point during all phases of criminal proceedings. And I want to stress that adhering to this principle, often also referred to as the human rights-based approach, is not an option but an imperative for all OSCE countries, having signed up both to our OSCE anti-trafficking commitments and other key international instruments, most importantly the UN Palermo Protocol, and the Council of Europe Convention on Action Against Trafficking in Human Beings.”*<sup>28</sup>

28 SR Opening Remarks at Alliance Conference: *Successful prosecution of human trafficking – challenges and good practices*, Helsinki, 10-11 September 2008.

Victim identification is usually not an easy or a swift process, but requires active investigation as well as efforts to reach out to possible trafficked persons. A lack of trust in the authorities, fear of reprisals, immigration status, individual circumstances and cultural background, language barriers, limited availability of support services and opportunities and stigmatisation, as well as lack of comprehensible information on options of assistance are all factors that may explain why victims do not come forward to the authorities.

Furthermore, research has shown that victims of trafficking may encounter a ‘culture of disbelief’ whereby authorities coming into contact with victims may not believe the victim’s story.<sup>29</sup> The SR has continuously emphasized the need for increased and enhanced training for practitioners, such as health care and social workers, trade union representatives, immigration officers, teachers and police, as well as for sustained outreach efforts at the local level.

29 Pearce et al, *Breaking the wall of silence: Practitioners’ responses to trafficked children and young people*, National Society for the Prevention of Cruelty to Children (NSPCC), 2009, pp. 103-104.

The active involvement of civil society in both the identification of victims of trafficking and in the provision of assistance is crucial. The SR, in her contacts with governmental officials, has consistently reiterated the role of civil society organizations and NGOs as the main service providers for trafficking victims. She has highlighted their value in providing psychological and legal assistance to trafficked persons, assisting them in the rehabilitation process and in overcoming trauma. She has also stressed their important role in empowering trafficked persons to take voluntary decisions in co-operation with law enforcement agencies and the judiciary on return to the country of origin, or on pursuing other options, depending on the risk assessment. The SR has promoted the establishment of National Referral Mechanisms as a form of institutionalised co-operation between law enforcement agencies and NGOs, guaranteeing that trafficked persons receive the whole package of protection and assistance they need and deserve as victims of a crime. Many OSCE participating States have significant



30 *National Referral Mechanisms - Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook*, ODIHR, 2004.

experience in developing and implementing protocols and Memoranda of Understanding establishing co-operation mechanisms between police and NGOs in the identification and referral of victims. The OSCE Office of Democratic Institutions and Human Rights (ODIHR) has worked extensively with the development of National Referral mechanisms and on promoting a multidisciplinary approach to victim identification.<sup>30</sup> While the SR has highlighted the need for NGOs to be included as equal counterparts, she has also raised concerns about the trend in some countries to limit the role of civil society in the identification process, making this the competence of law enforcement alone, and setting a high threshold for a victim to be identified as such and therefore to be eligible for assistance and support. The importance of State-NGO co-operation was underlined in many events, such as various high-level seminars on preventing and combating trafficking in human beings and the UN.GIFT Final Conference on the Expert Group Initiative Project implemented by IOM on *“Guiding Principles on Memoranda of Understanding between Key Stakeholders and Law Enforcement Agencies on Counter-Trafficking Co-operation”*.

Many countries in the OSCE region are also facing increasing numbers of internal trafficking cases, such as trafficking for agricultural and construction labour, domestic servitude, as well as adult and child sex trafficking, organized begging and petty crime. Unfortunately, many national anti-trafficking laws do not recognize the crime of internal trafficking, as the transnational element of the crime is missing. The laws also often do not encompass victims who have been trafficked by individual criminals, who are not part of organized crime groups. This means that victims of internal trafficking and victims trafficked by criminals who are not part of an organized crime groups may not be entitled to specialized assistance and protection. The SR has continuously raised the need for victims to receive unconditional assistance, regardless of their status or the type of exploitation they have experienced.

The Alliance Conference in 2008 on *“Successful Prosecution of Human Trafficking – Challenges and Good Practices”* showcased many examples of how governments have tried to improve victims’ access to justice. One such best practice is that of *Vasa Prava*, the only NGO providing free legal aid to trafficking victims in Bosnia and Herzegovina. Legal advocates from *Vasa Prava* are available to domestic victims from their arrival at a shelter, and they arrange all residency permits and asylum applications for foreign victims. If a victim chooses to testify, *Vasa Prava* represents the individual from the start to the end of a trial.

Some countries have established specific victim and witness protection measures. One such example is that of Romania with the creation of a network of Victim Witness Co-ordinators who work closely with victims, explaining to them what a court process entails, what their rights are, what protections they can receive, and who also accompany the victim to the trials and follow up with them after criminal proceedings.

31 SR address at the Alliance against Trafficking in Persons Conference, *Prevention of Modern Slavery: “An Ounce of Prevention is Worth a Pound of Cure”*, Vienna, 14-15 September 2009.

*“The enormous profits drive organized crime. Asset forfeiture would deal a major economic blow to the traffickers and would best prevent them from continuing their business. We need to put more serious efforts into making trafficking less lucrative for the criminals using all the tools at our disposal, including improved co-operation between participating States in fighting this transnational crime.”<sup>31</sup>*

Tracing the money and assets of traffickers is an integral part of any investigation into organized crime. However, it is both time and resource consuming, and requires specialization as well as adequate structures for the collection of intelligence. It is imperative to strengthen efforts to combat money laundering, and to put special efforts into investigating the specificities of trafficking networks and how they engage in money laundering. The joint Regional Meeting on Combating Human Trafficking and Money Laundering in the Mediterranean Rim Region in September 2008, organized by the Office of the SR, the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), UNODC and the Government of the Republic of Cyprus, discussed regional and interagency co-operation and best practices in order to strengthen the fight against trafficking in human beings and money laundering.

Some countries demonstrate promising practices in having established such structures. Despite ongoing discussion about the need to ensure that confiscated assets are also used to compensate victims of trafficking, turning the theory into practice has proved challenging in most

participating States. The ODIHR report on *Compensation for Trafficked and Exploited Persons in the OSCE Region* (2008) analyses the right to compensation and the mechanisms for compensating victims of trafficking in eight OSCE participating States (Albania, France, Moldova, Romania, the Russian Federation, Ukraine, the United Kingdom and the United States of America). The report highlights that, despite attempts by victims to pursue enforcement against their traffickers, compensation payments remain rare.





## 4. MAIN ACTIVITIES IN 2009

### 4.1 RAISING THE PUBLIC AND POLITICAL PROFILE OF COMBATING TRAFFICKING IN HUMAN BEINGS

The Special Representative is tasked by the Ministerial mandate to “*raise the public and political profile of combating trafficking in human beings*”<sup>32</sup>. During 2009, this has been achieved through developing further bilateral dialogues with participating States, organizing high-level conferences and seminars, and through implementing substantive country assessments in co-operation and agreement with individual participating States. There has also been significant co-operation with the media, including addressing audiences through media interviews and press conferences, and transparency of all activities has been achieved through daily updates of the SR’s website.

32 MC.DEC/03/06 on *Combating Trafficking in Human Beings*, Paragraph 1(d).

This section provides an overview of the specific activities that the SR has undertaken to raise the public and political profile of the fight against human trafficking in the course of 2009.

#### 4.1.1 Dialogue with OSCE Participating States

The OSCE Action Plan to Combat Trafficking in Human Beings urges “*the pursuit of close interaction between the OSCE Secretariat, its institutions and its field operations, to assist participating States, where appropriate in implementing the ... action plan*”<sup>33</sup>. The Ministerial Mandate also specifically tasks the SR with assisting the participating States in the implementation of commitments and recommendations of the OSCE Action Plan.<sup>34</sup>

33 OSCE Action Plan to Combat Trafficking in Human Beings, VI.6.

34 MC.DEC/03/06 on *Combating Trafficking in Human Beings*, Paragraph 1(a).

Throughout 2009, the SR maintained and enhanced the dialogue with high-level representatives of the participating States, both in Vienna and in the capitals (with over 120 participants from the capitals alone attending events organized by the SR during the year). This has taken place through country visits and through working with the Permanent Council and the Human Dimension Committee.

##### *a. Bilateral Action: Working Together with National Authorities*

Country visits provide the SR with the opportunity to work together with individual participating States to assess the reality of anti-trafficking actions in individual countries and to identify areas in which countries may require further assistance in implementing the OSCE Action Plan. In 2009, the SR had meetings with Ministers and Government officials in the following countries: Armenia (5-9 May), United Kingdom (16-18 June), Turkmenistan (24-26 August), Finland (6 October and a hearing in the Finnish Parliament on the Government’s Human Rights Report on 26 November), Iceland (30 October) and the Russian Federation (19-20 November).

During her visit to Armenia, the SR emphasized the importance of enhanced victim identification and assistance, strengthened co-operation between law enforcement and civil society, and the need to investigate cases of internal trafficking. The SR also participated in the opening ceremony of the Anti-Trafficking Support and Resource Unit, established by the OSCE Office in Yerevan under the Ministry of Labour and Social Issues.

In London, the SR had the opportunity to explore the UK’s new Action Plan to combat trafficking, as well as the country’s recent ratification of the Council of Europe’s Convention on Action against Trafficking in Human Beings. She also participated in a conference on identifying and supporting trafficked children.

In Turkmenistan, the SR opened a one-day high-level seminar on human trafficking, organized by the OSCE Centre in Ashgabat in co-operation with Turkmenistan’s Foreign Ministry. In meetings with Government representatives, the SR highlighted the need for the criminalisation of trafficking, as well as the importance of awareness-raising and victim support.

In Finland, the SR discussed the structure and status of the National Rapporteur, as well as the challenges in identifying and investigating trafficking in human beings. The SR also focused upon the importance of prevention, specifically through comprehensive child protection measures and through promoting equality and acting against exploitation.

The Office of the SR addressed a national seminar on human trafficking in Iceland on 30 October, commending the Government for their efforts to combat trafficking. In discussions with Government representatives, the Office of the SR focused on discussing the implementation of the Icelandic Action Plan against trafficking, especially in regard to victim assistance and protection, as well as national referral mechanisms.

In Russia, the Special Representative had a series of meetings with the representatives of several Government ministries, as well as representatives of Parliament, journalists and civil society. The meetings facilitated the exchange of views on how to increase co-operation and strengthen efforts to combat human trafficking.

In addition to these visits, the Special Representative took the opportunity to meet with Government representatives when attending events in the capitals of participating States. During her visit to Slovenia in February for an OSCE conference on gender-based violence, the SR held bilateral meetings with relevant Ministers, NGOs and the Slovenian Human Rights Ombudsman. The SR was also invited to Paris by the French Ministry of Justice to address the fifth anniversary of the creation of the Specialised Interregional Courts in France. Such visits to the participating States play an important role in strengthening the anti-trafficking work between the Special Representative and participating States themselves.

#### *b. Supporting the Work of the Participating States' Delegations to the OSCE*

The SR has placed great importance upon maintaining excellent contacts with the delegations of the OSCE participating States in Vienna, as well as with the governments in the capitals. This continuous contact is important both in terms of guiding the work of the Office of the SR and in terms of ensuring that this work is informed by the current realities of the fight against human trafficking in the participating States.

The Human Dimension Committee is the main forum for the SR in terms of dialogue with participating State delegations on the implementation of OSCE anti-trafficking commitments. At the request of the Chairman-in-Office, the SR provided technical assistance to the participating States in the development of new commitments to improve the prevention of human trafficking.

The opportunity to speak to the Permanent Council allows the SR to address the participating State delegations at the highest level. At the Permanent Council on 9 July, the SR outlined the recent and ongoing activities of her Office. The SR also places great importance on ongoing dialogue with the OSCE Partners for Co-operation. For example, at a Meeting of the Mediterranean Contact Points held in Vienna on 4 April 2009, the SR spoke about her work and highlighted the present and future challenges in combating human trafficking. The SR considerably contributed to the efforts of Mongolia and supported its initiative to prepare the concept and agenda for a 2010 OSCE Chairman-in-Office (CiO) international expert workshop on "*Combating Modern Slavery: National, Regional, International Dimensions*", which the delegations of Kazakhstan and Mongolia proposed to be held in Ulaanbaatar on 9 and 10 February 2010.

Bilateral discussions with the delegations of participating States and Partners for Co-operation have also played an important role in ensuring that there is a continuous flow of information between the SR and the participating States. These discussions help to advance the implementation of OSCE commitments and to engender the political will to ensure that new challenges in the fight against human trafficking are addressed quickly and effectively.

#### 4.1.2 Country Assessments

In 2007, the SR initiated the preparation of a series of country assessments based upon the Platform for Action, which the SR established in 2007 at the beginning of her mandate. The aim of the country assessments is to ensure that greater priority is given to combating trafficking in human beings at the

national level and to initiate political processes for the further implementation of commitments and best practices by participating States. The assessments are also intended to systematically build and enrich the OSCE knowledge base on national implementation of commitments and best practices, and on the scope of national responses to human trafficking. Moreover, the assessments can catalyse political will, and can recommend pragmatic, progressive and actionable measures that would support and assist participating States in advancing their anti-trafficking work.

The first country assessment began in 2008 in Spain, and the SR and her Office continued to work on this in 2009. Country assessments were also initiated in 2008 in Romania and in 2009 in Kazakhstan. These assessments are carried out in agreement with the country concerned, which provides strong support in ensuring that meetings and consultations are held with relevant officials at all levels. The SR aims to achieve a geographical balance between carrying out assessments in countries of origin, transit and destination, thus strengthening co-operation and dialogue between countries connected by trafficking flows.

#### *a. Spain*

During the Spanish Chairmanship of the OSCE in 2007, the SR met with the Chairman-in-Office (CiO) of the time, Minister of Foreign Affairs Miguel Angel Moratinos, and offered to support the Spanish Government in its efforts to combat human trafficking, as well as to contribute to the strengthening of comprehensive bilateral co-operation and dialogue in combating trafficking between Spain and Romania, which are closely connected as countries of destination and origin respectively.<sup>35</sup> The Spanish Chairmanship of the OSCE included the fight against human trafficking as one of its thematic priorities of work with the Organization, and the positive response of the CiO to the SR's proposal gave an additional high-level signal of the priority attached by the Spanish Government to the problem of combating human trafficking. The Spanish Chairmanship stood ready to provide an example to other participating States by engaging with the SR in this co-operative assessment effort of its national human trafficking situation, and indicated a strong political will to share good practices and to identify challenging areas where reform is needed to advance the country's efforts against this human rights violation.

<sup>35</sup> SR meeting with the OSCE Chairman-in-Office Minister of Foreign Affairs of Spain, Miguel Angel Moratinos, Bucharest, 7 June 2007.

The assessment process of the Spanish response to human trafficking began in the spring of 2008 and continued until the autumn of 2009; the whole process lasted longer than expected due to both the complexity of the work, being the first report of this kind carried out by the SR, as well as to internal human resource constraints.

During the assessment process, a number of important initiatives and concrete and substantial steps were taken to tackle human trafficking in compliance with the recommendations discussed during the SR visit and presented in the assessment report. These included the adoption of the National Plan to Combat Sexual Exploitation with a substantial budgetary allocation, the establishment of a broad multi-disciplinary consultation forum with civil society, and the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, which entered into force in Spain in August 2009.

#### *b. Romania*

On 22-24 September 2009, the Special Representative made an official visit to Romania, during which she engaged in direct consultations with Government Ministers, Secretaries of States, Members of Parliament and NGOs, amongst others. The visit provided a significant opportunity for the SR to discuss the country's main policy priorities with regard to combating human trafficking. The SR welcomed Romania's efforts in reforming legislation to comply with European standards and OSCE commitments on human trafficking, as well as the measures adopted to set up a complex institutional framework to prevent and combat trafficking, including an Inter-ministerial Working Group on Trafficking in Human Beings and a National Agency against Trafficking in Persons within the Ministry of Interior. The meetings provided significant input and valuable documentation for the SR's report, and also contributed to the identification of a number of recommendations. Among these, the SR strongly advocated for the authorities to seize the momentum to review and improve the existing anti-trafficking database, developing a National Rapporteur or equivalent national reporting mechanism that is not involved in any operational tasks and operates in a transparent and systematic way, providing valuable support for anti-trafficking policy and decision making.

### c. Kazakhstan

On 10-14 October, the Office of the SR, together with a consultant, undertook a series of meetings in Kazakhstan, designed to prepare an assessment of the country's anti-trafficking activities. The timing of this assessment is particularly significant as Kazakhstan will assume the role of OSCE Chairman-in-Office for 2010, thus obtaining additional opportunities to set high-level standards for countering modern slavery in the OSCE area and to engage in constructive collaboration with the SR.

The Office of the SR held meetings at expert level with representatives of the structures which are relevant for anti-trafficking measures, be it prevention, protection or prosecution. These included key Ministries, local authorities and NGOs. The assessment team also met with international organizations and updated them on the OSCE anti-trafficking policy.

These meetings gave the SR the opportunity to assess the implementation of human trafficking legislation, identify good practices, and focus upon any remaining challenges in the identification of cases, adequacy of protection and assistance to the needs of the victims.

### 4.1.3 Promoting the Implementation of OSCE Commitments

In the course of 2009, a high-level conference on the prevention of trafficking and a technical seminar on trafficking for forced labour in the agricultural sector were held in Vienna within the framework of the Alliance against Trafficking in Persons. These meetings were extremely valuable in terms of promoting OSCE commitments with the participating States. They allowed the participating States to exchange knowledge and experiences with the international organizations and NGOs represented in the Alliance. The meetings were organized in the spirit of Decision No. 3/06 on *Combating Trafficking in Human Beings*, which tasks the Office of the SR under the auspices of the Special Representative to "assume responsibility within the OSCE for hosting and facilitating meetings for the exchange of information and experiences between national co-ordinators, representatives designated by the participating States and experts on combating THB".<sup>36</sup>

#### a. 9<sup>th</sup> Alliance against Trafficking in Persons Conference

On 14-15 September 2009, the SR organized the 9<sup>th</sup> Alliance against Trafficking in Persons Conference, *Prevention of Modern Slavery: "An Ounce of Prevention is Worth a Pound of Cure"*, which concentrated upon the prevention of modern-day slavery. Prevention is one of the three key focuses – alongside protection and prosecution – of the OSCE Action Plan on Combating Trafficking in Human Beings. In Ministerial Council Decision 10/02, participating States commit to strive to take:

*"adequate measures to prevent trafficking in human beings in our countries..."*<sup>37</sup>

In her opening statement at the conference, the SR noted that:

*"Prevention efforts are challenging and cover a broad range of activities. We must engage in prevention of the root causes and factors in trafficking, before trafficking occurs, but also during each stage of the process: at the point of transit, in the exploitation phase and finally, to prevent re-trafficking..."*<sup>38</sup>

The 9<sup>th</sup> Alliance Conference brought together more than 300 experts from governments, international organizations and civil society, as well as investigative journalists, documentary filmmakers, photographers and students. The conference opened with a keynote video address from U.S. Secretary of State Hillary Rodham Clinton, who urged OSCE participating States to redouble prevention efforts and to initiate national reporting functions.<sup>39</sup> The three UN Special Rapporteurs also gave keynote speeches during the first panel. They focused upon the role of the UN Special Procedures in promoting a victim-centred approach to combating human trafficking, child prostitution, child pornography and new forms of slavery. The second panel focused upon prevention by undermining the trafficking business model, going after the money trails and decreasing vulnerability. This explored the models used by organized crime gangs and individual traffickers, and showcased ways of accessing and seizing the assets of traffickers. The third panel looked at the impact of the global financial crisis on trafficking in human beings

<sup>36</sup> MC.DEC/3/06 on *Combating Trafficking in Human Beings*, section 1(h).

<sup>37</sup> MC.DEC/10/02 – section II, paragraph 5.

<sup>38</sup> SR address at the Alliance against Trafficking in Persons Conference, *Prevention of Modern Slavery: "An Ounce of Prevention is Worth a Pound of Cure"*, Vienna, 14-15 September 2009.

<sup>39</sup> To view US Secretary of State, visit the conference website at [http://www.osce.org/conferences/prevention\\_09.html](http://www.osce.org/conferences/prevention_09.html).

and the prevention of its consequences. It provided an insight into the actual and potential implications of the crisis on vulnerabilities of populations in participating States, such as a considerable decrease in job opportunities for both nationals and migrant workers in the countries of origin and destination. The following panel provided participating States with an overview of best practices in existing approaches and programmes aimed at preventing trafficking in human beings. The final panel looked at the media's role in the prevention of trafficking in human beings, exploring the role of media reporting in shaping attitudes and informing people about trafficking issues. Speakers represented international organizations, NGOs and the media. Alongside the event, there was a photo exhibition showing the plight of trafficking victims, as well as an Emmy award-winning documentary film about women trafficked for sexual exploitation. For the first time, an evaluation survey was sent out to all participants and speakers after the event, in order to collect impressions and feedback on the conference, its structure and content. The participants were asked to evaluate various aspects of the conference such as the relevance of the material presented, the networking opportunities and the opportunity to contribute personal views; all aspects were rated well above average. Participants indicated that the conference had been highly useful in terms of making new contacts and increasing their knowledge about the topic of prevention; however, they highlighted the need for greater co-ordination and co-operation between international organizations, participating States, law enforcement bodies and other stakeholders in the prevention of human trafficking. Participants also highlighted the fact that the conference led them to realize the importance of the media in combating trafficking in human beings.

#### *b. Technical Seminar on Trafficking for Labour Exploitation in the Agricultural Sector*

The OSCE Action Plan addresses *all* forms of trafficking in human beings, including trafficking for labour exploitation, and Decision No. 8/07 focuses specifically upon Combating Trafficking in Human Beings for Labour Exploitation. In 2005 and 2006, the OSCE organized high-level conferences aimed at mobilizing greater political will to eradicate human trafficking for forced labour, and produced two occasional papers on this topic. Building on this platform, on 27-28 April 2009, the SR organized a *Technical Seminar on Trafficking for Labour Exploitation, Focusing on the Agricultural Sector*. According to the International Labour Organization (ILO), agriculture employs over one billion people throughout the world, making it the second largest employment sector. This was the first event of its kind, looking into a specific sector of the economy where trafficking and exploitation occur.

The event brought together expertise, enhanced dialogue and facilitated the exchange of information between national authorities dealing with this issue, increasing governments' understanding of the factors that increase people's vulnerability to exploitation. It also provided a thorough analysis of current challenges within the agricultural sector and assisted participating States, policymakers and non-governmental organizations (NGOs) in identifying the structural issues and deficits of this sector which cause or exacerbate a worker's vulnerability, so as to better address them in a systemic way.

The seminar was attended by more than 100 representatives from participating States, 86 of whom came from capitals, as well as leading international organizations (ILO, IOM, UNHCR, Council of Europe and Europol), and key international NGOs working in the field of trafficking for labour exploitation. Participants included representatives from Ministries of Labour, Justice and Internal Affairs, labour inspection agencies, law enforcement, social services, immigration agencies and prosecution services.

A background paper commissioned for the event was distributed to participants prior to the seminar and, after including relevant input from the seminar, was published as an Occasional Paper. The report is the first of its kind to address human trafficking for labour exploitation in the agricultural sector throughout the OSCE region. Many international organizations and NGOs have commended this publication and it has been referred to in national media in a number of countries.<sup>40</sup>

40 Alessandro Leograndeuti, *L'epidemia dei migranti-schiavi*, L'Unità (Italy), 14 October 2009 (amongst others).

#### 4.1.4 Technical Assistance

The SR provides technical assistance to OSCE participating States in order to assist them in implementing their commitments both within the OSCE Action Plan and within the individual Ministerial Council Decisions on trafficking in human beings. The Ministerial Mandate highlights this important role of the SR.<sup>41</sup> This technical assistance is provided during field visits and on the request of individual participating States.

41 MC.DEC/03/06 on *Combating Trafficking in Human Beings*, Paragraph 1(a).



For example, during 2008 and 2009, the Office of the SR has been involved in the elaboration and the delivery of a training course for law enforcement and migration officers from the Commonwealth of Independent States (CIS) and other areas. The training was delivered in June 2009 in the CIS International Training Centre for Migration and Combating Trafficking in Human Beings in Minsk, within the Academy of the Ministry of Interior of the Republic of Belarus. At the request of the host country, it focused upon trafficking for labour exploitation, and the Office of the SR was commended by the Vice-Minister of Interior for its expert contribution to the regional training course on anti-trafficking.

The Office of the SR supervised the implementation of an Extra-Budgetary Project, funded by the Principality of Monaco, entitled “*Prevention and assistance to the children victims of commercial sexual exploitation in Russia*”. This is being implemented by the Saint Petersburg NGO *Stellit* in co-operation with municipal institutions of the city and regional authorities in the North-West of Russia (see section 3.5 for further details).

As a follow-up to the SR’s visit to Iceland, the Icelandic Government requested that the SR provide training to airport officials, border guards and law enforcement officials on trafficking in human beings, as their first major trafficking case was underway.

Finally, an important area of technical assistance is the support provided to the OSCE Chairman-in-Office, by way of background analysis and advice. Training on human trafficking as a cross-dimensional issue was also provided by the Office of the SR to Kazakh and Lithuanian diplomats, who will be responsible for the OSCE portfolio in the context of the forthcoming Chairmanships (2010 and 2011).

## 4.2 RAISING THE VISIBILITY OF OSCE ACTION ON COMBATING TRAFFICKING IN HUMAN BEINGS

One of the activities at the core of the Special Representative’s work is raising the visibility of OSCE action on combating human trafficking. This is achieved through participation of the SR in public events throughout the OSCE region, as well as through engaging with the media.

### 4.2.1 Participation in Conferences and Public Events

The SR and her Office actively participated in more than 40 events during 2009, including conferences, seminars and expert meetings convened by governments, international organizations and non-governmental organizations (see Annex 1 for a full list). These events provided the SR with a useful platform to present the work of the Office to a wide audience, including youth and student NGOs, women’s groups and local authorities. This section gives a brief overview of some of the key events attended by the SR and her Office.

#### *Children, Youth and Students*

- *One World Week, Warwick, UK* – the Special Representative spoke at a large student-led international event, during which she presented the work of the office.
- *Vienna Webster Symposium, Austria* – the Office of the SR actively participated in the first Webster University symposium on human trafficking. The event examined ways in which victims of trafficking can be identified and protected. The Office of the SR presented the role played by the media, analysing examples of media reportages on the topic in the OSCE region.
- *Speech at United World College of the Adriatic, Trieste, Italy* – the SR was invited as a guest speaker to the International Affairs programme of the United World College of the Adriatic in Trieste, Italy. In her speech, the SR gave an outline of different forms of trafficking, and also spoke about the violence and trauma that victim’s experience, highlighting the need for countries to protect people, not borders.
- *The Future of Childhood Conference, Helsinki, Finland* – the SR spoke at an NGO conference in Helsinki on the future of childhood, which served as the Finnish launch for the *Status of the World’s Girls 2009* report. The SR gave an overview of current examples and trends in child trafficking and good practices in assisting victimized children. She specifically highlighted the need for best interest determination, empowerment and comprehensive, multiagency support measures.

- *Discussion on the possible ways of development of infrastructure of assistance to children who are victims of commercial sexual exploitation and sexual violence, St. Petersburg, Russia* – the Office of the SR participated in a round-table discussion organized by the non-governmental organization *Stellit*, spoke about the importance of protecting children from trafficking, and also addressed the promotion of national structures to fight trafficking.

### *Women and Families*

- *Presentation to Svenska Kvinnoforbundet, Finland* – the SR met with representatives of the Women's Organization of the Swedish People's Party in Finland. The meeting included a presentation of the work of the Office of the SR.
- *Marthaforbundet, Finland* – the SR was invited to speak at a conference of the Swedish Martha Association, a non-political, non-governmental organization that provides adult education and extends advisory service in matters related to home, family and society.

### *Local Government*

- *Presentation at 'Side Effects of Free Mobility' conference, Helsinki, Finland* – the City of Helsinki, in co-operation with the Helsinki Police Department, the Association of Finnish Local and Regional Authorities and the Ministry of Justice, organized the first Europe-wide seminar on the side effects of free movement, as seen from the angle of urban actors. In her presentation, the SR explained how internal trafficking within individual member states but also within the EU requires special attention and concerted actions as it cannot be stopped at any border.

This demonstrates the wide range of events in which the SR participated throughout the OSCE region. These meetings also often provided the opportunity for the office to hold bilateral meetings with national and local authorities and to meet with local NGOs.

## 4.2.2 Working with the Media

During the last three years, the most significant consequence of increased media coverage of human trafficking is that there is no longer a need to prove the existence of the problem in most OSCE participating States. As Mr. Miguel d'Escoto Brockmann, President of the 63<sup>rd</sup> Session of the United Nations General Assembly, pointed out this year: *"The world is waking up to the scope of the problem of human trafficking. We see it in movies, novels and talk shows"*.<sup>42</sup> Recognizing the problem is the first step to wisdom; however, there is still a long way to go to translate awareness of the problem into concerted and systematic action to eradicate it.

<sup>42</sup> Opening address by Miguel d'Escoto Brockmann, President of the General Assembly, at the General Assembly's Thematic Dialogue on Human Trafficking, New York, 13 May 2009: <http://www.un.org/News/Press/docs/2009/ga10827.doc.htm>

In 2009, the SR strengthened and further developed her Public Information Action Plan. In February 2009, the Media Strategy, a fundamental part of the Action Plan, was presented and discussed with the OSCE anti-trafficking focal points, the main sources of information for journalists on the OSCE field missions' work on trafficking issues.

### *Internal Media Strategy*

The internal media strategy aims to improve co-ordination and co-operation with other OSCE units, institutions and field operations. In line with this strategy, the Office of the SR produces 'Weekly Press Clippings', a compilation of news reports from the OSCE region in all the official OSCE languages, including a summary in English. The report is distributed to all OSCE personnel and delegations, to the Alliance focal points and to experts directly involved in anti-trafficking work.

In order to promote the work of the OSCE field operations, the Office of the SR publishes their latest press releases online and distributes their research and reports to a vast network of knowledge centres. The SR took the lead in providing guidance and support on the compilation of feature articles, both for the Internet and for the OSCE Magazine, which dedicated its December 2008 Ministerial edition to promoting the work of the SR and of field presences in combating human trafficking. The SR used this opportunity to present the anti-trafficking biannual survey, carried out for the 2008 Annual report,

focusing upon the co-ordination and reporting mechanisms implemented by all OSCE participating States. This report also highlighted the 2007 OSCE field operations survey and an analysis and overview by the ODIHR on its activities and achievements. All this information was made available online to increase transparency and communication within the OSCE. A specific webpage with latest publications and research was also launched to facilitate communication and increase knowledge exchange between the staff of the Secretariat, institutions and missions.

### *External Media Strategy*

The external media strategy aims to increase qualitative reporting of human trafficking across the OSCE region. In line with this goal, the Office of the SR holds regular informal meetings with Vienna-based correspondents from a wide range of media organizations<sup>43</sup>. These informal meetings help to maintain rapport and build confidence with the Vienna-based media representatives, proposing different story angles aimed at assisting the media in informing the public about the reality and severity of the problem, to shape attitudes and to influence behaviour surrounding human trafficking.

The SR's proactive approach to working with the media has positioned her Office as one of the main sources of information for journalists on this issue.<sup>44</sup>

### *The Web*

The Office of the SR continued investing a substantial amount of time in further developing the SR's website ([www.osce.org/cthb](http://www.osce.org/cthb)). The SR's website is considered a unique gateway to information about the entire organization's work in combating trafficking. The total number of visits to the website increased by more than 12% in 2009, building upon an increase of 10% in 2008. This is particularly notable in the light of the declining number of visits to the general OSCE website over the same period (mainly due to the closure of the missions in Croatia and Georgia).

The main part of the SR's website is dedicated to latest activities, publications and initiatives, with press releases and feature stories having a prevalent position. The website highlights the SR's goal of being informative and transparent by posting photos of events, meetings or field trips throughout the year. The photo database on human trafficking related events and issues has increased by 45% during the first ten months of 2009, amounting to an accumulated increase of more than 200% over the last three years. The use of photographs and images is a complementary media strategy aimed to reach a younger audience, usually less willing than adults to spend time on websites with useful content but poor presentation. This strategy follows the general Press and Public Information Section (PPIS) Action Plan and supports our efforts to prevent trafficking, as most victims of trafficking are under 25 years old.

The SR's website continues to be the only OSCE webpage to include the latest news on human trafficking, reflecting 'best news reporting' in all official OSCE languages. A monthly archive of key news items since 2007 is also available online. Experts and journalists consistently request that their links be included on it, thereby confirming its usefulness. The archive, which is updated daily, is also an excellent resource for journalists writing on the topic of human trafficking.

### *Multimedia and Social Media*

The SR actively uses multimedia and social media to promote the work of the OSCE. Social networking sites (e.g., Facebook and Twitter), spaces for multimedia sharing (e.g., YouTube and Flickr) and social bookmarking (e.g., Delicious) are all part of the SR's strategy to reach more people. The SR actively updates her personal Facebook page, engages in Internet forums and publishes her work online, with the conviction that the use of word-of-mouth is important and that there are new meeting places and communities on the Internet. The intention is to reach web communities, increase awareness of the OSCE's work and trigger conversation and dialogue with experts, journalists and friends, building relationships through sharing activities. This approach supports the general OSCE strategy to increase its Internet presence.

The recent use of videos for the OSCE YouTube website is worth highlighting. The SR encouraged the use of videos to illustrate different events, and was the first OSCE representative to produce an

43 These included AFP, Reuters, AFP, DPA, BBC News, Afghan News, Efe, Kurier, Nikei, Kyodo News, ORF, Le Monde and El Pais.

44 In 2009, the SR provided research and background information to a large number of journalists from, among others, the International Herald Tribune, BBC News, Aberdeen Evening Express, El Pais, El Mundo, Le Monde, Vienna Review, BHT1, Helsingin Sanomat, Ulkopoliitikka, Cadena Ser Radio, BBC News Radio, YLE News, Deutsche Welle, The Guardian, Voice of America, Itogi and Ritzau Agency.



in-house video to promote a Hofburg-held conference, receiving 530 views within two months. Upon the launch of the OSCE YouTube channel, the SR produced three videos within the first ten months of the year. At the moment, two of the SR videos are within the 12 most viewed OSCE videos, at positions two and twelve respectively.

Lastly, the SR actively publishes material on a wide range of multimedia platforms, such as ISSUU, a free Internet site that publishes all types of documents across all digital platforms. The SR's publications are the first ones available in this form from an institution, unit or field mission.

### *Media Coverage*

In 2009, there was increased media coverage of the issue of human trafficking and of the OSCE's anti-trafficking work, including coverage by several important international agencies and newspapers<sup>45</sup>. The SR participated in press conferences and was interviewed by several media outlets<sup>46</sup>; she also held meetings with national media during her country visits, resulting in further coverage of human trafficking across the OSCE region.<sup>47</sup> The SR contributed to a monthly opinion column in the Finnair magazine "*Blue Wings*", as well as writing other opinion articles and giving in-depth interviews in specialized publications<sup>48</sup>. The SR appeared on the front cover of several other publications (see Annex 3). This work serves to catalyse public opinion with the goal of engendering government action, as well to increase public awareness of human trafficking and of the wider work of the OSCE.

## 4.3 JOINING EFFORTS TO TACKLE TRAFFICKING IN HUMAN BEINGS: CO-ORDINATION AND CO-OPERATION

The fight against trafficking in human beings can only be successful if the key actors work in a spirit of co-operation, undertaking complimentary activities. This is true both within the OSCE itself, and of co-operation with the other international organizations and non-governmental organizations active within the OSCE region and beyond. Successful co-operation and co-ordination helps to maximize the impact of the work of all key stakeholders and prevents unnecessary overlap or neglect of certain areas of work. Such co-operation must be based upon a sound knowledge of each other's mandates and an acknowledgement of the differences, as well as the similarities, between the organizations.

### 4.3.1 Internal Co-ordination and Co-operation

The unique selling point of the OSCE as an organization engaged in combating human trafficking is its ability to work across all three dimensions of the security agenda: politico-military, economic and human. In order to successfully address this wide agenda, the SR works closely with other parts of the Organization which also support the fight against human trafficking. In particular, the Office for Democratic Institutions and Human Rights (ODIHR) has a mandate to assist participating States in protecting trafficked persons and preventing trafficking, particularly through promoting the development and implementation of National Referral Mechanisms, supporting the mandate of multi-agency anti-trafficking structures, improving the identification and assistance of trafficked persons and strengthening access to remedies and rights.

The OSCE field missions also play a key in-country role in co-operating with national governmental and non-governmental actors engaged in combating trafficking. They are involved in implementing concrete projects in a range of areas, from providing training on anti-trafficking to NGOs to launching trafficking awareness campaigns. Co-ordination is ensured through anti-trafficking focal point meetings and Heads of Mission meetings, during which the SR updates the field presences on the Office's approach, priorities and activities highlighting the relevant regional and national aspects which have to be taken into consideration in the elaboration of future anti-trafficking programs and projects. The SR, in close collaboration with the OSCE field missions, provides advice, expertise and assistance to the host countries where the OSCE has a presence in the review of legislation and National Action Plans and in the creation of anti-trafficking structures.

45 E.g., Associated Press, Reuters, Hufvudstadsbladet (HBL), Helsingin Sanomat, Efe, AFP, The Prague Post, Vjesnik-Naklada, Deutsche Welle, The Washington Post, FOX News Channel, USA Today, DPA and Vienna Review.

46 These included: Information, ORF, YLE News, Der Standard and Wiener Zeitung.

47 Amongst others, the SR was interviewed by Armenian television Channel 4 (during the programme 'Right to Speak'), Turkmenistan's TV Watan and Finnish Broadcasting Company YLE TV. The SR also held several radio interviews, including with BBC Radio, Hessischer Rundfunk, Deski, Radio FM4 and Sveriges Radio.

48 These included: Voces contra la Trata, Ulkopoliitikka, the European Union Magazine or Rochier.

Within the OSCE Secretariat, other units engaged in the fight against trafficking include the Strategic Police Matters Unit (SPMU), the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) and the Gender Issues section. These offices work together with the Special Representative in a coherent and complementary manner, tackling trafficking in human beings within their own specific mandates. Co-ordination is achieved through regular meetings, both between the SR and her counterparts, as well as at the working level.

The following section sets out the key activities of these OSCE structures, field missions and units in the Secretariat in the field of combating trafficking in human beings, and explains how they complement the work of the Special Representative.

*a. Office for Democratic Institutions and Human Rights (ODIHR)*

The mandate of the Office for Democratic Institutions and Human Rights (ODIHR) on anti-trafficking stems from its general mandate to monitor and provide technical assistance to participating States in the implementation of their human dimension commitments and specific tasks under OSCE Ministerial commitments. In particular, its anti-trafficking programme focuses on strengthening respect for trafficked persons' rights and preventing trafficking through a variety of activities with both state and civil society actors.

The 2008 Annual Report of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings included a detailed overview of ODIHR's work in promoting the establishment of National Referral Mechanisms in participating States as part of a rights-based approach to trafficking. Some of the challenges highlighted in the report have continued into 2009, including the fact that trafficking is still primarily addressed by governments as a problem for law enforcement and immigration control, rather than as a human rights issue.

In order to address these challenges, ODIHR has continued to implement projects to prevent trafficking and support trafficked persons' access to justice and rights. Addressing the issue of labour trafficking in Kazakhstan and Azerbaijan, ODIHR has supported civil society actors in conducting outreach work with vulnerable migrants to inform them of their rights, providing guidance on avoiding trafficking and giving legal advice and support in cases of exploitation. ODIHR also implemented projects in Moldova and Poland to provide social and legal assistance to victims of trafficking, including support for claims for compensation and unpaid wages. In Albania and Uzbekistan, ODIHR conducted a series of training events for legal professionals including lawyers, law enforcement personnel, prosecutors and judges, in order to raise awareness of the rights of victims of trafficking, including rights to compensation.

In Turkey and the United Kingdom, ODIHR organized two workshops to present the findings from its National Referral Mechanism assessments and to debate the continuing challenges of supporting rights-based approaches to trafficking and assisting victims of trafficking. Following research in a number of OSCE participating States on the return of trafficking victims to countries of origin, ODIHR organized an expert seminar to identify the gaps in human rights protection and to recommend ways forward.

ODIHR further continued to raise awareness amongst participating States of the progress and challenges in combating human trafficking through its side events organized during the Human Dimension Implementation Meeting, which dealt with the return of trafficking victims to their countries of origin, compensation to trafficking victims and migrants' rights protection. It also continued to seek partnerships with a wide variety of stakeholders relevant to anti-trafficking activities, including organizations and state actors specialized in migration, labour rights, victim support, asylum and refugee issues and criminal justice.

Finally, in order to share expertise with and build the capacity of the OSCE anti-trafficking focal points, ODIHR organized a training event on migrants' rights, compensation of trafficking victims and human rights issues in the return of trafficking victims to their countries of origin.

## *b. Field Missions*

### *i. South-Eastern Europe*

The OSCE Presence in Albania supported the implementation of the National Anti-Trafficking Strategy and its Action Plan, and provided capacity-building support to the Regional Anti-Trafficking Committees, in order to improve the identification, protection and assistance of trafficked persons. The Presence provided legal training to judges and prosecutors on the investigation and trial of trafficking-related crimes. The improvement of cross-border co-operation on anti-trafficking matters continued to be a core activity, with the Presence assisting the National Anti-Trafficking Co-ordinator in organizing a meeting with Greek counterparts on improving cross-border support for the protection of child victims of trafficking. A child protection unit will be established in Vlora as a result of co-operation with the NGO Terre des Hommes and local authorities. The OSCE Presence in Albania has been working with ODIHR to increase access to the justice system for victims of trafficking, strengthen the capacities of the judiciary on the rights of victims and improve the capacities of Roma Peer Educators in handling street children cases.

The OSCE Mission to Bosnia and Herzegovina released a report entitled *“Trafficking in Human Beings and Responses of the Domestic Criminal Justice System: A Critical Review of Law and Emerging Practice in Bosnia and Herzegovina in the Light of Core International Standards”*. The Mission has also worked closely with the country’s expert legal advisory mechanism, established under the auspices of the Ministry of Justice, to prepare amendments to the Criminal Code of Bosnia and Herzegovina and to review its definition of the offence of Trafficking in Human Beings. Support to authorities in developing the State Action Plan for 2008-2012 was extended. As part of the ongoing trial monitoring programme, the Mission monitored both cases against suspected human traffickers, and the provision of assistance from governmental and non-governmental sources to victims of trafficking as part of the referral mechanism. It has also contributed to the development of minimum shelter standards for victims of human trafficking. Moreover, training was provided to Ministry of Defence staff and military forces deployed to UN and NATO Peace Support Operations on root causes of human trafficking and the role of the military in combating the phenomenon in conflict and post-conflict societies. The Mission has provided funding for the production of a documentary film examining the increase of internal trafficking which will be used to raise awareness of this endemic problem within the general public and among law enforcement, judicial and social welfare professionals.

The OSCE Mission in Kosovo has provided advice on the implementation of the 2008–2011 Kosovo Strategy and the Action Plan against Trafficking in Human Beings and has contributed to the drafting of *“Minimum Standards of Care for Victims of Trafficking”*. The Mission increased the border police’s capacity to identify, refer and establish effective operating procedures for victims of trafficking by organizing training for 120 border police officers. Additionally, the Mission produced leaflets entitled *“How to identify and treat victims of trafficking – Victims Rights”*, which have been distributed to all border and boundary police stations. The Mission organized and delivered four two-day training sessions on human trafficking for school teachers and provided them with information leaflets for distribution to pupils.

The OSCE Mission to Montenegro assisted local stakeholders in establishing an effective National Referral Mechanism. The Mission is also represented within the Working Group for the Implementation of the National Strategy for the Fight against Trafficking in Human Beings and has assisted in the implementation the Strategy. It also worked with the National Co-ordinator’s Office on the preparation of the 2010-2011 Action Plan and the promotion of an SOS hotline for victims of human trafficking. Finally, the Mission organized a five-day course on human trafficking and the identification of victims for border police and customs officers.

The OSCE Mission to Serbia supported the Serbian National Co-ordinator for Combating Human Trafficking in drafting the National Action Plan. In order to strengthen the National Referral Mechanism, the Mission has worked together with the Judges Association of Serbia to organize ten local multi-stakeholder workshops for police officers, prosecutors and judges on legal issues in investigating, prosecuting and trying human trafficking cases. The Mission, in co-operation with the Child Rights Centre, is providing specialist courses on combating child trafficking to local police officers and social workers. Finally, the Mission is running a joint project with ASTRA, a leading anti-trafficking NGO in Serbia, to prepare a manual for hotline organizations, which is expected to come out in early 2010.

The OSCE Spillover Mission to Skopje supported the Government of the former Yugoslav Republic of Macedonia in the revision of the 2009 National Action Plan and Strategy to Combat Trafficking in Human Beings and Illegal Migration. Specifically, the Mission led an evaluation of achievements to date and organized a National Workshop on the revision process aimed at gathering input from all anti-trafficking stakeholders in the country. The OSCE supported the country's ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, sponsoring a pre-ratification analysis of national legislation and undertaking lobbying activities. Finally, the OSCE Mission has continued to support the Ministry of Labour and Social Policy in the establishment of a National Referral Mechanism Coordination Office.

## *ii. Eastern Europe*

The key anti-trafficking project for the OSCE Office in Minsk in 2009, entitled "*Direct Assistance to Victims of Trafficking*", focused upon reintegration assistance for trafficking victims and developing NGO support for victims. The project was implemented in co-operation with the Government, the International Organization for Migration (IOM) and Belarusian NGOs. Throughout the year, the Office took part in talks with the Government on establishing a National Referral Mechanism for victims. The Office also supported Government officials and NGO representatives participating in various OSCE and other international conferences on combating human trafficking.

The OSCE Mission to Moldova has continued to play a leading role in organizing monthly co-ordination meetings on trafficking and gender issues among donors, state authorities and NGOs, in co-operation with the Ministry of Labour and Social Protection. The Mission organized a three-day training seminar for law enforcement representatives from the General Prosecutor's Office and Ministry of the Interior's Centre to Combat Trafficking in Persons in Chisinau. The discussions focussed on identification, assistance and protection of trafficked persons within the National Referral System. The Mission provided a training programme for judges and prosecutors on how to better prosecute trafficking cases and assisted the National Institute of Justice in drafting the curriculum and training manual for the course. The Mission supported the Ministry of the Interior to improve interviewing techniques for child victims of trafficking with the assistance of a specialized psychologist. The Mission organized interactive theatre performances for more than 6,000 students which raised the public awareness of the dangers of trafficking, especially among youth at risk. As trafficking victims have often been previous victims of domestic violence in Moldova, support was provided to hotlines for victims and potential victims of violence and trafficking, including children, as well as legal assistance to bring domestic legislation in line with newly enforced legislation on family violence. Other activities included television programmes, a summer school, press conferences and a special website ([www.atnet.md](http://www.atnet.md)) which publishes updated information on anti-trafficking developments and activities implemented by different actors in Moldova.

In 2009, the OSCE Project Co-ordinator in Ukraine (PCU) supported the Ministry of Ukraine for Family, Youth and Sports in creating an Interagency Working Group responsible for drafting a comprehensive anti-trafficking law; this is currently being reviewed by the relevant national actors and ODIHR. The OSCE Project Co-ordinator has also provided support to Ukrainian authorities and civil society in the establishment of a National Referral Mechanism, with a National Conference being organized in June 2009. The OSCE Project Co-ordinator, in co-operation with the Academy of Judges of Ukraine, organized a Judges Conference on Combating Trafficking in Human Beings, attended by approximately 150 representatives of the Ukrainian judiciary. The Project Co-ordinator trained about 900 police officers in combating human trafficking, emphasizing their potential role in the identification and referral of trafficking survivors. The OSCE PCU also facilitated the translation of criminal files obtained within the mutual legal assistance procedure and facilitated English language courses for key anti-trafficking staff of the Ministry of Interior. Trafficking can only be tackled successfully if the root causes of poverty and social exclusion are also addressed. In order to prevent trafficking in children, the OSCE PCU endeavors to increase economic opportunities for Ukrainian orphans. In September 2009, the PCU trained 76 social and employment service providers and psychologists from vocational schools from five project regions on support mechanisms for orphan graduates of vocational training institutions. In October and November 2009, the training participants provided training in employability promotion and social guidance to up to 150 orphan graduates. The training programme was delivered to representatives of business associations from the project regions in order to encourage them to provide employment opportunities for children from vulnerable backgrounds. The PCU strives to achieve sustainability

within its anti-trafficking efforts, thus supporting Ukrainian authorities in the establishment of national anti-trafficking co-ordination and reporting mechanisms as well as encouraging allocation of relevant state budget funding for national anti-trafficking response.

### *iii. South Caucasus*

The OSCE Office in Baku worked together with the International Labour Organization (ILO) and the International Centre for Migration Policy Development (ICMPD) to implement a regional project on institutional capacity-building to combat trafficking in human beings. This included a workshop on drafting National Action Plans and a one-day seminar for judges. The Office also organized a Round Table and elaborated recommendations for the establishment of a new National Action Plan and National Referral Mechanism (NRM). Together with the ILO, the Office facilitated a study visit to Serbia for NRM members, to allow the participants to learn from the experiences of a well-established NRM model. In May 2009, the OSCE, in co-operation with the Judicial Legal Council of Azerbaijan, organized a one-day training session for judges and prosecutors in Azerbaijan.

The OSCE Office in Yerevan supported the Armenian government and non-governmental actors in developing and implementing a victim-oriented anti-trafficking policy. This is being achieved through strengthening the capacity of the actors involved in the national referral mechanism (NRM), and through improving the anti-trafficking training curricula for Armenia's law enforcement bodies. The OSCE Office, in co-operation with the Ministry of Labour and Social Issues, has established an Anti-Trafficking Support and Resource Unit (ATSRU) to strengthen co-ordination and institutionalize the operational infrastructure. The OSCE Office in Yerevan, in cooperation with the ILO and UNDP offices in Armenia, has also drafted a Law Enforcement Training Manual on trafficking.

### *iv. Central Asia*

In August 2009, the OSCE Centre in Ashgabat, in co-operation with the Ministry of Foreign Affairs of Turkmenistan, organized a high-level seminar on preventing and combating trafficking in human beings, which was opened by the SR. The Centre also organized a three-day study trip to Ukraine, which aimed to familiarize the four-member Turkmenistan delegation with best practices and lessons learnt in preventing and combating trafficking in persons. In addition, the Centre, in co-operation with the National Red Crescent Society of Turkmenistan, launched a project aimed at raising awareness about trafficking in persons amongst citizens and state officials, organizing a 'train the trainers' seminar, facilitating regional seminars and publishing brochures on the topic of trafficking. Moreover, in November 2009, the Centre organized a one-day seminar aimed at raising awareness among law enforcement bodies about human trafficking. The seminar focused upon international standards, the role of law enforcement bodies in combating human trafficking, concrete cases of trafficking for labour and sexual exploitation, current trends, specific means and methods used by organized criminal groups as well as practices applied by law enforcement bodies to combat the crime. The human trafficking situation in Romania and Ukraine was also presented. Lastly, the Centre provided relevant Turkmenistan authorities with extensive literature on trafficking.

In January, the OSCE Centre in Astana held an Anti-Trafficking Donor Co-ordination Meeting, in co-operation with the US Embassy, gathering together representatives of diplomatic missions, as well as international and non-governmental organizations engaged in fighting human trafficking in Kazakhstan and Central Asia. In August, the Centre launched a pilot project entitled "*Monitoring and Reporting on Women's Rights in Kazakhstan*", which will monitor the trafficking of women and girls and their access to justice, alongside other areas of concern highlighted by the 2007 Convention on the Elimination of all Forms of Violence against Women (CEDAW) Committee recommendations to Kazakhstan. In October, the Centre facilitated a visit to Kazakhstan for the SR's Deputy Co-ordinator, Senior Advisor and a consultant, as part of the country assessment process being carried out by the SR. Moreover, in October, the Centre conducted a two-day training seminar for judges from courts across Kazakhstan, as well as from the Supreme Court, to discuss human trafficking from a judicial perspective.

The OSCE Centre in Bishkek assisted in the drafting process and implementation of a new National Action Plan on Combating Trafficking in Human Beings. In order to support the implementation of this new Action Plan, the Centre assisted the Kyrgyz State Committee on Migration and Employment in the establishment of a Working Group, which is responsible for elaborating proposals on the alignment



of national legislation with international standards. The OSCE Centre in Bishkek also implemented a project funded by the French Government, aimed at enhancing regional mechanisms for the prevention of trafficking in Osh province and developing the capacities of law enforcement bodies in combating trafficking. This included regular meetings for NGOs and local authorities on trafficking trends, dissemination and awareness-raising campaigns and media initiatives.

The OSCE Office in Tajikistan, with the co-operation of the Ministry of Interior and the OSCE Strategic Police Matters Unit (SPMU), organized a five-day pilot training programme in Dushanbe for law enforcement personnel, which included a legal and situational review of human trafficking in Tajikistan, training on victim identification and Tajik case studies. The OSCE Office, with funding from the Finnish Government, is helping to introduce a training curriculum into the programme of the Police Academy and, together with the SPMU, conducted a 'train the trainers' session, involving international experts. The Office has also provided substantial support to the Inter-Agency Commission to combat human trafficking, organizing a study visit to Belgrade and Skopje, aimed at providing the delegates with the opportunity to learn about best practices in combating human trafficking. The findings were presented to relevant government representatives, and a three-day training programme on how to establish a well-functioning national referral mechanism was organized.

The OSCE Project Co-ordinator in Uzbekistan is providing assistance in the establishment of a functional, victim-centred identification and referral mechanism and in the development of a longer term strategy for social inclusion of victims. The Project Co-ordinator worked together with the OSCE Mission to Moldova, the Italian Ministry of Foreign Affairs and the French Ministry of Interior to organize a study tour to Moldova, Italy and France for Uzbek anti-trafficking agencies. The Project Co-ordinator supports the Training Centre for Prosecutors through the provision of learning aids, information materials and technical equipment, as well as the development of an anti-trafficking educational database. In November, the Project Co-ordinator worked together with ODIHR to organize a training session for lawyers entitled "*Compensation and Other Fundamental Victims' Rights in Law and Practice*". The Project Co-ordinator has supported the creation of a legal aid unit within *Istiqbolli Avlod*, an anti-trafficking NGO. Over a two month period, the legal aid unit provided 95 consultations for the citizens of Uzbekistan on issues of safe migration and identified 16 cases of human trafficking. It followed up these cases with the provision of legal aid, including protection of the victim's rights during the investigation process and court hearings, the preparation of documents for claiming compensation and assistance in housing and employment.

### **c. OSCE Secretariat**

The SR has worked closely with the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) and the Gender Section on the issue of gender-sensitive migration policies. This work was undertaken in the context of the OCEEA 17<sup>th</sup> Economic and Environmental Forum (held in two parts, in Vienna in January and Athens in May) which focused upon "*Migration management and its linkages with economic, social and environmental policies to the benefit of stability and security in the OSCE region*". The SR spoke at both parts of the Forum, highlighting the relationships between migration management and the fight against trafficking.

The OSCE Secretariat and the Foreign Ministry of Slovenia, with the support of the Greek OSCE Chairmanship and Finland, organized a seminar on gender-sensitive migration policies in Ljubljana, Slovenia, on 16-17 February 2009. The SR had the opportunity to address over 65 senior officials and experts from across the OSCE region and from international organizations. The aim of the seminar was to engage in a dialogue and enhance the exchange of experiences and good practices, with the aim of better responding to the increasing feminization of labour migration in the OSCE region.

The outcomes of the seminar were used for the finalization of the *OSCE Guide on Gender-Sensitive Labour Migration Policies*, published by the OSCE Gender Section in conjunction with the OCEEA and the Office of the Special Representative. The Guide is intended to assist governments in their efforts to create new gender-sensitive migration policies and to address and foster a conducive environment in which the rights of female migrant workers are respected.

The Guide was launched in the second part of the 17<sup>th</sup> OSCE Economic and Environmental Forum. The Forum provided an excellent venue for raising the visibility of the joint work of the SR, the OCEEA and

the Gender Section on gender-sensitive labour migration. This project demonstrated how successful collaboration between different units of the OSCE Secretariat can deliver concrete results and can serve as a good example for future co-operation.

The Gender Section also addressed the issue of human trafficking through other aspects of its work, for example by conducting a multi-part programme to compile good practices and innovative approaches to addressing various forms of violence against women, including trafficking. The Gender Section also prepared an extensive technical reference, entitled *“Bringing Security Home: Combating Violence against Women in the OSCE Region – a Compilation of Good Practices”*, which was published in June 2009. The compilation includes good practices to prevent, combat and prosecute different forms of violence, including the trafficking of women. The reference material contains more than 95 examples of tested practices implemented by various organizations, including the OSCE. This publication is being distributed in English and Russian throughout the OSCE region and is facilitating the work of a number of field operations on combating violence against women.

The Strategic Police Matters Unit (SPMU) is also active in the field of combating trafficking in human beings. The Unit provided support to a number of OSCE field missions in organizing anti-trafficking training programmes for police forces. This included assisting in the drafting of a project for training at the Police Academy of Tajikistan and carrying out a needs assessment for a police training programme in the former Yugoslav Republic of Macedonia. In March, the SPMU participated in a training session on *“Increasing Operational Awareness to Detect Forged Documents”* organized by the Action against Terrorism Unit (ATU), the Borders team and the OSCE Centre in Ashgabad. In May 2009, the SPMU gave a presentation on trafficking in human beings for forced labour at a training course for CIS countries held at the International Training Centre on Migration and Combating Trafficking in Human Beings in Minsk.

The SR worked with the OSCE’s Action against Terrorism Unit to contribute to the IOM-OSCE Travel Document Security Conference entitled *“Biometric Applications in Electronic Machine Readable Travel Documents & Issuance Systems”*. This event, which was held in Minsk (31 March–1 April), was a follow-up to the seminar entitled *“A Comprehensive Approach to Border Security and Management in the OSCE Area”*, which focused upon challenges of identifying trafficking cases at borders and ways to enhance the efficiency of border officials in combating human trafficking. The SR stressed the problem of identification, which is crucial for the provision of assistance to the victims of trafficking and for prosecution of offenders.

The fight against trafficking is an issue which is of concern to a wide range of departments, institutions and field missions within the OSCE. For example, the new Border Management Staff College in Dushanbe is planning to include training on trafficking issues in its future curriculum for border officials. As an issue which is cross-dimensional, concerning all three dimensions of the OSCE’s work, the fight against human trafficking is at the heart of the organization’s activities.

#### 4.3.2 External Co-operation

The SR works closely with a full range of international organizations in order to implement her mandate and ensure co-ordinated efforts throughout the OSCE region in combating trafficking in human beings. These efforts also act to raise the profile of the OSCE’s work in this field.

The main platform through which the OSCE co-operates with key external stakeholders engaged in combating trafficking in the OSCE region is the Alliance against Trafficking in Persons. The work that the SR undertakes through the Alliance is complemented by the formation of bilateral and multilateral relations with key International Organizations involved in combating trafficking in human beings. In particular, the SR works closely with the UN Office on Drugs and Crime (UNODC), the UN Office for the High Commissioner for Human Rights, the International Organization for Migration (IOM), the International Labour Organization (ILO) and others. The SR also co-operates with regional organizations such as the European Commission, NATO, the Council of Europe, the Commonwealth of Independent States (CIS) Executive Committee and the Baltic Sea Parliamentary Conference. This section sets out the key activities that were undertaken in co-operation with these organizations in 2009.

### a. *The Alliance against Trafficking in Persons*

49 Members include: ABA CEELI (American Bar Association, Europe and Eurasia Division), Amnesty International, Anti-Slavery International, Caritas, Council of Europe (CoE), Dutch National Rapporteur, European Commission expert group, European Police Office (EUROPOL), ECPAT International (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), International Centre for Migration Policy Development (ICMPD), International Criminal Police Organization (INTERPOL), International Federation of Red Cross and Red Crescent Societies, International Organization for Migration (IOM), International Labour Organization (ILO), La Strada International, Save the Children, Terre des Hommes, United Nations Children's Fund (UNICEF), United Nations High Commissioner for Human Rights (OHCHR), United Nations High Commissioner for Refugees (UNHCR), United Nations Development Program (UNDP), UNICEF Innocenti Research Center (UNICEF – IRC), United Nations Development Fund for Women (UNIFEM) and United Nations Office on Drugs and Crime (UNODC).

The Alliance against Trafficking in Persons is an international forum that brings together the key interlocutors engaged in preventing and combating human trafficking. Since its creation in 2004, the Alliance has acted as a platform for co-operation and dialogue between OSCE participating States, International Organizations and civil society. The platform is supported by the Alliance Expert Co-ordination Team (AECT), which consists of experts from leading International Organizations and NGOs.<sup>49</sup> The meetings of the AECT are hosted by the Office of the SR in line with the Ministerial Decisions tasking the SR to develop further co-operation with international organizations and NGOs. The Expert Team aims to develop strategic networking and partnerships among active players, facilitating exchanges of experience, best practices and lessons learnt, as well as joint actions across the OSCE region. The partners in the Alliance provide an important expert forum not just for co-ordination of anti-trafficking activities, but also a peer group for exchange of views and discussion on good practices and how to best tackle human trafficking.

In April 2009, the SR hosted a regular meeting of the Alliance Expert Co-ordination Team which provided an excellent opportunity for experts to update each other on ongoing projects, activities and current trends, including those necessitated by the global financial crisis, to present recent research and publications, to share existing challenges and to explore ways to identify solutions. The SR underlined that in the present situation, a decrease of funding from the governments and from private donors could be expected in all areas, which may create a domino effect and reduce the political focus on anti-trafficking issues.

The meeting was attended by new members of the AECT, including a representative of the Council of Baltic Sea States. It was also the first AECT meeting to be attended by a NATO representative, reflecting a new level of co-operation between the two organizations and highlighting the intention of NATO to contribute to the activities of the Alliance.

### b. *Working with Other Multilateral Groups and Intergovernmental Organizations*

#### i. *United Nations*

The SR works closely with United Nations bodies engaged in the fight against human trafficking. The United Nations Office on Drugs and Crime (UNODC) is the key partner for the SR in terms of promoting the implementation of the *UN Convention against Transnational Organized Crime* and the associated *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. The OSCE is also an active partner within the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), and works within the IGO Contact Group, which brings together international organizations engaged in combating trafficking. The *Commission on the Status of Women* (CSW) within the UN Economic and Social Council is also a natural ally in terms of combating the exploitation of women through trafficking. The SR has also worked closely with the three UN Special Rapporteurs, within the framework of the Alliance against Trafficking in Persons Conference on the Prevention of Trafficking.

#### *United Nations Office on Drugs and Crime (UNODC)*

The OSCE has consistently urged participating States to become parties to the above mentioned treaties in its Ministerial Council Decisions taken between 2001 and 2008, and has incorporated Palermo provisions into its own anti-trafficking documents, such as the OSCE Action Plan to Combat Trafficking in Human Beings. For quite a number of participating States, the adoption of political commitments in this area in 2003 facilitated the process of ratification of the UN Convention and the Protocol. As of 2 November 2009, 49 of the 56 OSCE participating States had become parties to the Convention and the associated Protocol, supplementing the UN Convention against Transnational Organized Crime.<sup>50</sup> With Kazakhstan's accession to and Uzbekistan's ratification of the Protocol and the Convention in summer 2008, all countries with OSCE field missions are now Parties to the Convention.

In 2009, the SR contributed to the elaboration of the "Framework for Action for an Effective Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children". The Office of the SR provided recommendations and contributed to the editing process, alongside other key international organizations.

50 According to the UNODC website ([http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&lang=en) as of 12 November 2009), Andorra, Czech Republic, Greece, Holy See, Iceland, Ireland and San-Marino have yet to ratify the Protocol. The fact that these seven participating States have not yet finalized their ratification procedures does not automatically mean that they refrain from taking relevant and active measures in combating human trafficking, or in reforming national legislation in compliance with international standards. At the same time, this naturally does not diminish the legal and political significance of ratification of the Convention and the Protocol. The daily updated lists of ratifications can be found on the website above.



In April 2009, the OSCE Secretary General, the Special Representative and other high-level OSCE officials attended a Co-ordination Meeting with the Executive Director of the UN Office on Drugs and Crime, during which one of the key issues for discussion was the fight against trafficking in human beings and against transnational organized crime. The will was expressed to strengthen OSCE-UNODC co-operation in these areas, maximizing the synergy and complementarities of the respective activities of the two organizations, both on the programmatic level and in the field.

#### *United Nations Global Initiative to Fight Human Trafficking (UN.GIFT)*

The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) was conceived to promote the global fight against human trafficking, on the basis of international agreements reached at the UN. UN.GIFT was launched in March 2007 by the UN Office on Drugs and Crime (UNODC) with a sizeable grant made on behalf of the United Arab Emirates. UN.GIFT is managed in co-operation with the OSCE, the International Labour Organization (ILO), the International Organization for Migration (IOM), the UN Children's Fund (UNICEF) and the Office of the High Commissioner for Human Rights (OHCHR). The SR is the only member of the Steering Committee representing a regional organization. She participated in a number of events under the UN.GIFT, providing her expertise and promoting the OSCE approach to combating modern slavery. For example, the SR was invited to collaborate in the UN.GIFT Expert Group Initiative Project on *"Stakeholder Co-operation with Law Enforcement"*. Implemented by the IOM, this project developed recommended principles and guidelines on co-operation between law enforcement agencies and key stakeholders. The SR contributed to the drafting process at all stages and gave a presentation on *"Preventing and Combating THB through Formalized Co-operation – Existing Regional Practices"* at the final conference entitled *"Guiding Principles on Memoranda of Understanding between Key Stakeholders and Law Enforcement Agencies on Counter-Trafficking Co-operation"*, which was held on 30 March 2009 in Vienna.

The SR is currently directing a research project under the UN.GIFT Expert Group Initiative, entitled *"Analyzing the Business Organization and Socio-Economic Context of Human Trafficking in order to Better Prevent the Crime"*. This project consists of research into the economic crime of trafficking of human beings and explores the factors that make the business of human trafficking so attractive and lucrative, in order to identify strategic intervention points to disrupt and prevent the crime. The research will address aspects such as the typology of trafficking (including solo traffickers, small networks and large-scale organized criminal groups), the modus operandi used by different criminal groups, human trafficking as a 'business model', and the trafficking process (including recruitment, transportation, routes, exploitation, different markets and the type of violence or manipulation used). The research will highlight the social, political, economic and other structural factors in the source and destination countries which promote human trafficking, and will provide recommendations to policymakers and relevant stakeholders on ways to enhance the prevention of trafficking in human beings.

#### *UN General Assembly*

The Special Representative participated in the 53<sup>rd</sup> Session of the Commission on the Status of Women (CSW) in New York in March 2009. Invited by the UN, she took part in a panel discussion organized by the UN Secretariat's Division for the Advancement of Women entitled *"Addressing Violence against Women through Legal Reform"*. The SR spoke on the topic of *"Developments in law to address trafficking in women and girls in the OSCE region – promising practices and challenges ahead"*. The SR also gave the keynote address at the Fourth International Helvi Sipilä Seminar, organized as a side event to the CSW. The International Helvi Sipilä Seminar Series was started in 2006 to honour Ms. Sipilä's work and the work of women within the UN and its bodies as well as in other international and national women's organizations. In her speech, the SR stressed the need to create the political will to fight human trafficking and the need to reduce the demand for cheap labour and sexual services that fosters modern-day slavery.

#### *UN Office of High Commissioner for Human Rights (UNOHCHR)*

The SR co-operated closely with the UNOHCHR and contributed to the meeting of the IGO-Contact Group on Human Trafficking and Migrant Smuggling initiated by the Office of the High Commissioner in March 2009. This is an informal group of international organizations and NGOs, mainly Geneva-based, working on trafficking. The group includes the OHCHR, UNHCR, ILO and IOM, as well as NGO repre-

sentatives, and aims to strengthen co-operation on trafficking issues. The participants in the meeting agreed that they would support the work of the UN Special Rapporteur on Trafficking in Persons during her country visits by sharing information and contacts of relevant organizations and by briefing her about the country's specific concerns on trafficking. Priority areas for future co-operation include placing human rights at the centre of all anti-trafficking laws and policies, prevention of trafficking, compensation of victims, addressing the lack of data and strengthening co-operation and partnership. The Office of the SR used this opportunity to raise the visibility of OSCE efforts and develop further co-operation with UN-based organizations and NGOs.

#### *UN Special Procedures*

UN special procedures form an important part of the UN framework; they include special rapporteurs, representatives, independent experts and working groups of the Human Rights Council that monitor, advise and report on thematic mandates or on the human rights situation in specific countries. There are three mandates within the special procedures which are of particular relevance to the SR's work: the UN Special Rapporteur on Trafficking in Persons, especially Women and Children; the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, and the UN Special Rapporteur on Contemporary Forms of Slavery, its Causes and Consequences.

In preparation for the Alliance Conference on Prevention, the SR extended an invitation to the UN Special Rapporteurs to address the participating States at a Special Panel. The aim of this Panel was to provide a broad overview of UN activities in promoting the human rights and victim-centred approach in the fight against human trafficking, child prostitution, child pornography and new forms of slavery. It was the first OSCE anti-trafficking event at which the UN Special Rapporteurs highlighted the significance and effectiveness of the Special Procedures under the UN Human Rights Council (which includes regular reporting to the Human Rights Council) in mobilizing national efforts to prevent and combat all forms of human trafficking, in better co-ordinating anti-trafficking activities, and in ensuring the reintegration of victims and the prevention of re-victimization. The session gave a new impetus for developing further co-operation between the OSCE SR and UN Special Rapporteurs.

#### *ii. International Labour Organization (ILO)*

The fight against trafficking for the purposes of forced labour has been one of the issues at the forefront of the SR's work in 2009, particularly in terms of the *Alliance Technical Seminar on Trafficking for Forced Labour in the Agricultural Sector* and the subsequent Occasional Paper on the same issue. The International Labour Organization (ILO) is a valuable partner in the SR's work on combating trafficking for forced labour. The ILO also spoke and participated in the Alliance Conference on Prevention of Trafficking, focusing on the impact of the global financial crisis on human trafficking.

The SR participated in the Tri-partite Regional Conference in Tbilisi to address all forms of trafficking in human beings in the Caucasus and related destination countries, co-organized by ICMPD, the ILO and the OSCE. The SR addressed the theme of *National Action Plans and institutional frameworks for combating trafficking in countries of origin and destination: making them more effective*. The seminar focused on this and other thematic areas such as the forced labour dimension of human trafficking – the role of social partners and the recruitment industry; ways and means of forging better co-operation on combating all forms of human trafficking between law enforcement authorities in the three countries of the Caucasus and with the countries of destination; and Rights Protection-Victim assistance – reviewing progress and sharing good practices and innovative approaches.

#### *iii. International Organization for Migration (IOM)*

The International Organization for Migration (IOM) is a partner in the Alliance against Trafficking in Persons. The SR and her Office have participated in a number of events organized by the IOM, and equally, have involved IOM representatives in OSCE and Alliance conferences and seminars.

The SR and her Office worked with the IOM and the Austrian Federal Ministry of the Interior on a project to develop guidelines for the collection of data on trafficking in human beings. The Office of the SR participated in an interorganizational team of experts which designed the guidelines and provided the Ministry with examples of how to best implement the guidelines, emphasizing the importance of the

National Rapporteurs as the most established mechanism for achieving better reporting, reviewing and measuring of progress at the national level. The SR spoke at the Ministerial Conference in Vienna in February, at which the guidelines were presented. In her speech, the SR highlighted the importance of reporting, reviewing and measuring progress made at the national level, as well as making recommendations in order to address the knowledge gap. However, she also pointed out that the best solution to the problem of trafficking is not data alone, but a concerted effort to co-ordinate our actions, combined with commitment both at the local level and in the highest, international arena.

The SR and her Office also contributed to a number of other IOM-led events. These included a regional networking event in Vienna in January 2009, which was part of the project on *“Preventing and Combating Trafficking in Human Beings and Enhancing Victims Protection through Operational Networking and Cooperation and Joint Multi-Disciplinary Trainings for Counter-Trafficking Specialists in EU Member States, Candidate and Neighbouring Countries”*. The project is a co-operative effort between the Belgian Police, the Ministry of the Interior of Italy and the International Organization for Migration. The SR stressed the importance of proactive victim identification and emphasized that the granting of a residence permit, regardless of the individual’s willingness or ability to co-operate, offers victims a clear legal status and a perspective of social inclusion that, in the long run, has proven to be a contributing factor in the fight against organized crime.

Lastly, the Office of the SR delivered a presentation on international legislation and aspects of international co-operation at the *Round Table for Diplomats on Prevention of Human Trafficking*, held in St Petersburg on 9 October, and a panel discussion to mark the EU anti-trafficking day, organized by the Austrian Federal Ministry for International Affairs and the International Organization for Migration, within the framework of the Vienna Migration Group.

#### **iv. Regional Organizations**

##### *1. European Union*

The Special Representative has developed effective synergies in anti-trafficking work with both the Czech and Swedish Presidencies of the EU, as well as with the European Commission, and in particular with the Directorate General for Justice, Freedom and Security. Both the Czech and Swedish Presidencies of the European Union made the fight against trafficking in human beings a political priority for 2009, building upon the advocacy and leadership of the SR. The Czech Presidency also focused specifically upon strengthening the National Rapporteur or equivalent mechanism within EU Member States, whilst the Swedish Presidency has emphasized the importance of tackling human trafficking within the EU’s external relations policies.

The SR significantly contributed to the jointly organized event of the Czech EU Presidency and the European Commission on *“Joint Analysis, Joint Action: EU National Rapporteurs on Trafficking in Human Beings”*. This event, which took place in Prague on 30-31 March, brought together more than 80 government officials and other experts to discuss the role of national monitoring and reporting mechanisms. The aim was to increase co-operation and information exchange between EU countries, and with other states beyond the EU borders, in order to develop a comprehensive response to human trafficking. In her contribution, the SR emphasized that, in times of crisis, evidence-based policy making is critical in building public confidence in the effectiveness, efficiency and impact of efforts undertaken by all stakeholders. Concrete outcomes of the event included the establishment by the Czech EU Presidency of a website containing details of existing National Rapporteur mechanisms.<sup>51</sup> The event also contributed to the Council of Ministers’ decision to establish an informal EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings.

51 <http://www.national-rapporteurs.eu>

The SR was invited by the Swedish EU Presidency to speak at the Ministerial Conference entitled *“Towards Global Action against Trafficking in Human Beings”*, which took place in Brussels in October 2009. The SR, speaking in the panel on *“Partnerships to Protect and Assist Victims of Trafficking in Human Beings”*, highlighted the need for comprehensive and holistic support to victims and urged States to provide assistance to victims regardless of their status. She also raised the need for victim assistance measures to recognize and deal with the effects of trauma on victims. The SR welcomed the EU’s commitment to the establishment of National Rapporteurs and urged States to show continued, strong political will to combat trafficking. The meeting was attended by several ministers and other

dignitaries, including the Queens of Sweden and Belgium. The SR also contributed to a background paper produced by the Swedish EU Presidency in conjunction with this conference. A joint statement by the SR and the head of ODIHR and a press release were issued on the occasion of the Third EU anti-trafficking day in October 2009. This highlighted the value the OSCE places on co-operation with the European Union in combating human trafficking, stressing that the OSCE provides an excellent platform for co-operation, facilitating dialogue between countries of origin, transit and destination, and therefore complementing the EU's action in combating human trafficking.

Amongst other examples of such good co-operation, it is worth mentioning OSCE participation in the EU Expert Group on Trafficking in Human Beings, which, *inter alia*, advised the European Commission in its work on a Proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims. It also advised the European Commission on a possible revision of Council Directive 2004/81/EC of 29 April 2004 on *the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities*.

## 2. Council of Europe

The *Joint Declaration on Co-operation between the OSCE and the Council of Europe* identified the fight against trafficking in human beings as one of the priority areas in which co-operation between the two organizations should be strengthened. The two organizations have shared values and strongly advocate for a human rights approach to combating human trafficking. The Council of Europe remains one of the main partners for the SR, not only on the bilateral level, but also within the framework of the Alliance, through which it has contributed to high-level events and played an integral role within the Alliance Expert Co-ordination Team.

The Co-ordination Group between the OSCE and the Council of Europe, which has met twice a year since 2007, provides an excellent forum for discussing the priorities of the two organizations, exchanging experience and addressing issues which may require further clarification or expert discussion. For example, both the Council of Europe Convention on Action against Trafficking in Human Beings (2005) and the OSCE Action Plan to Combat Trafficking in Human Beings (2003) call upon the participating States *"to consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements"*. In the course of this last decade, several participating States have established these mechanisms, which are crucial for evidence-based assessment of the efficiency of anti-trafficking measures at the national level and for the elaboration of recommendations to decision-making bodies. Still, according to information provided by the participating States, these mechanisms differ considerably from one another. For example, some are independent, whilst others are attached to government bodies, and some combine the functions of co-ordination and monitoring, whilst others focus just on one aspect. Participating States often reiterate their interest in receiving a more detailed description and explanation of the structure and tasks of this crucial instrument, commentaries and interpretation. This can be achieved through expert consultations, which will further develop the concept of the National Rapporteur and lead to a vision shared by both organizations.

The SR and CoE anti-trafficking focal point, taking into account the enactment of the Convention and the activities of its monitoring mechanism GRETA established in 2009, have paid due attention to better co-ordination in reviewing the anti-trafficking efforts of the participating States, trying to avoid unnecessary duplication. These issues have been put in the centre of discussions at the two meetings of the Co-ordination group, and need regular expert level contacts and broad exchange of information in the future. The mandates of the SR and GRETA do not overlap, and both are contributing, each in its own way as well as together, to the continued development of a strong and adequate response to the tremendous ongoing challenge of eradicating human trafficking.

## 3. NATO

During 2009, NATO has placed great effort into raising the awareness of its troops of trafficking issues and ensuring a zero tolerance policy in relation to trafficking in human beings. Co-operation between NATO and the SR has been enhanced as a result. In February, the SR attended the Euro-Atlantic Partnership Council Ambassadorial Meeting in Brussels, contributing to the discussion of the first

Report on the implementation of NATO's Policy on Combating Trafficking in Human Beings. The OSCE was welcomed by the NATO Secretary General, H.E. Jaap de Hoop Scheffer, as "one of the most important partners in the field of anti-trafficking and in promoting the policy of zero tolerance to the modern slavery".

The SR has also established an excellent relationship with the Partnership-for-Peace Training Centre in Ankara, with regular training sessions on human trafficking being provided for the military personnel of the NATO member States and NATO Partners. In February 2009, a training session was organized in co-operation with IOM, Europol, NATO School and UNHCR for the representatives of Afghanistan, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Croatia, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the former Yugoslav Republic of Macedonia, Oman, Pakistan, Russia, Serbia, Turkey, Turkmenistan and Ukraine. The second training course was delivered in November and focused upon the OSCE's role and approach to combating human trafficking.

On the initiative of the NATO Senior Co-ordinator for Combating Trafficking in Human Beings and at the request of the host country, a joint OSCE-NATO-IOM-UNHCR pre-deployment course was organized for the Armenian military contingent in Yerevan from 29 June-2 July. The Office of the SR supported the development and implementation of the training course, provided the curricula and presented the training material to the OSCE Mission in Yerevan for a follow-up. The Senior Co-ordinator highly commended the SR's contribution to the success of the course.

#### 4. Commonwealth of Independent States (CIS) Executive Committee

The SR continued to strengthen co-operation with the CIS Executive Committee, and was appreciative of the efforts of its structures to facilitate the implementation of the *2007-2010 CIS Programme of Co-operation on Combating Trafficking in Human Beings* (this includes the adoption of a *Model Law on Countering Trafficking in Human Beings* and a *Model Law on the Status of the Victims and Recommendations on Harmonization of National Legislation by the CIS Parliamentary Assembly*). These legal instruments were developed in line with recommendations of international organizations, based upon a human rights-based, comprehensive approach.

Upon the invitation of the CIS Executive Committee, the SR contributed to the IOM-CIS Conference in Moscow (29-30 September 2009) on "Enhancing International Co-operation in Counteracting Human Trafficking". The Office of the SR provided a welcome address, shared the OSCE approach and experience of combating human trafficking, and presented proposals and recommendations for the elaboration of a draft CIS Programme of Co-operation for 2011-2014 (together with IOM, EC, UNODC). The Office of the SR also contributed to the concluding recommendations of the conference. The conference (which is organized on an annual basis by the CIS Council of Prosecutors General as part of the Programme of Co-operation) demonstrated strong political will and a high-level awareness of the complex nature of the challenges related to combating human trafficking. It also demonstrated a willingness to step up joint efforts in the fight against all forms of human trafficking, through a co-ordinated and coherent response. The draft Agreement on Co-operation between the CIS Prosecutor General's Offices in the *Fight against Trafficking in Human Beings, Organs and Human Tissues* is just one example of such a co-ordinated response.

#### 5. Baltic Sea Parliamentary Conference

The Baltic Sea Parliamentary Conference (BSPC) is a forum for political dialogue between Parliamentarians from the Baltic Sea Region. The SR was invited by the Nordic Council to speak at the 18<sup>th</sup> BSPC, held in Nyborg, Denmark, from 31 August-1 September 2009. The BSPC consists of members of national and regional parliaments from 11 Baltic Sea States, the Baltic Assembly, the European Parliament, the Parliamentary Assembly of the Council of Europe (PACE) and the Nordic Council and provides an annual forum for political debate and opinion building in the Baltic Sea Region. The 2009 conference dealt with new security challenges, and the SR spoke about the current trends of human trafficking, urging the BSPC to support the creation of systematic structures against trafficking, such as the National Rapporteur or equivalent mechanisms. She called for more co-operation between the participating States and urged their governments to place the fight against trafficking, especially its prevention, at the top of their political agendas.

*6. Council of Baltic Sea States*

In 2009, the CBSS became a member of the Alliance against Trafficking in Persons, as well as of the AECT, and contributed to its events. Besides, the SR spoke at a training seminar on human trafficking for diplomatic and consular personnel, organized by the Task Force against Trafficking in Human Beings of the Council of Baltic Sea States, the Ministry of the Interior of Finland and the Ministry for Foreign Affairs of Finland. The seminar focused on providing information on how to best counteract human trafficking and to support victims. Participants came from around 25 embassies and consulates in Finland, representing countries of origin, transit and destination.



# 5. ACHIEVEMENTS, CHALLENGES AND REFLECTIONS

## 5.1 INTRODUCTION

During her three years in office, the SR has seen increased and more strategic efforts by participating States, international organizations and civil society actors to combat trafficking in human beings. However, trafficking is still a serious – and perhaps even a growing – global problem. Many questions remain: why is it that exploitation of women, men and children, at its worst in the form of human trafficking, is still widespread despite the efforts to combat it? Could it be because anti-trafficking efforts are still too often carried out in ad hoc efforts or projects without actually becoming part of the core priorities of authorities and stakeholders? We do know that many actions, particularly those aiming at preventing trafficking, have not been properly targeted, let alone evaluated. Could it be that trafficking is not – despite the relatively strong international instruments and active international dialogue – prioritized adequately on the national level and not implemented locally? Or, could it be that trafficking, even though it attracts some political attention, is not receiving adequate resources, especially when compared to the severity of the threat on human life and on our societies? Or are there other, more prioritized interests, such as the need to manage migratory movements by keeping up – without discretion – the strict climate towards all migrants, which overshadow and sometimes seem to contradict and prevent us from taking more decisive actions to protect victims of trafficking or vulnerable persons at risk? The answer to these questions can only be found when participating States will introduce, in a transparent way, more systematic self-evaluation and analysis on their particular situation and on their responses and when they start working together. The work of the OSCE and the SR will then provide a dynamic and an even more fruitful platform for action – sharing lessons learnt and co-operating on common actions – resulting in eroding the basis for human trafficking in our region.

In this section of the Annual Report, the SR reflects on both the achievements and the remaining challenges in eradicating the modern-day slavery of human trafficking. The work of the SR has benefited from the constant exchange of views and experiences from experts both within and outside the organization. This section has thus also benefited from ideas and issues raised by the OSCE field missions and structures, as well as external co-operation partners.

## 5.2 ACHIEVEMENTS

The OSCE has been a frontrunner in the battle against trafficking in human beings. The OSCE has helped to place many issues onto the international agenda, including:

- Advancing human rights-based responses to human trafficking;
- Promoting the rights of trafficked persons and the establishment of National Referral Mechanisms to secure the protection of those rights;
- Raising the visibility of child trafficking, the gender aspects of trafficking, and of trafficking for labour exploitation, including in agricultural labour and domestic work;
- Encouraging participating States to develop evidence-based policies and to establish National Rapporteurs or equivalent mechanisms.

The OSCE's approach to trafficking is characterized by the Organization's comprehensive security approach where the security of an individual is intertwined and indivisible from State security. Trafficking threatens both State and individuals. Yet, from a victim's perspective, this threat exists and is very concrete even in situations when the authorities fail to identify the victim as a victim of trafficking, or in situations where the number of identified victims is low. The failure to identify substantive numbers of victims is a pull factor for traffickers and increases the risks they are willing to take. The



52 Opening address by Hon. Dr. Helen Bamber OBE, Co-founding Director, The Helen Bamber Foundation at the 8<sup>th</sup> Alliance against Trafficking in Persons Conference: *Child Trafficking: Responses and Challenges at Local Level*, Vienna, 26-27 May 2008.

failure to identify victims consequently also means a failure to protect and assist victims. Most importantly, trafficking is a grave violation of human rights and human dignity. It is violence and restriction of freedom: threats, abuse, humiliation and “it is torture”, as Dr. Helen Bamber put it at an Alliance High-Level Conference.<sup>52</sup> The OSCE’s anti-trafficking work has always strived to incorporate an approach that is human rights-based, specifically gender- and child-sensitive as well as non-discriminatory.

From a State point of view, trafficking in human beings erodes social cohesion from within. It thrives on discrimination and corruption and it enhances the dark economy and organized crime. It raises the tolerance for violence, abuse and exploitation of vulnerable persons. It creates people that have lost their hope and their trust in other people and for society. The result is less security for all.

The OSCE’s strength is its consensus approach among participating States. However, this is also one of its main challenges when further commitments could be helpful. The key to stepping up OSCE’s anti-trafficking efforts at the national and international levels is hence first to work towards ensuring that all participating States address the implementation of international obligations and recommendations and reach the best possible level using best available knowledge and experience in developing anti-trafficking legislation, national structures and bilateral co-operation.

The position of the SR is unique in that it is an international, high-level position dedicated solely to fighting human trafficking. It provides an instrument through which dialogue can be promoted with decision makers and policymakers in important roles in OSCE participating States, as well as facilitating concrete co-operation and sharing of information. The SR has been well received in all OSCE participating States and the fact that she has been able to meet ministers, parliamentarians, government officials and representatives of civil society has given voice not only to anti-trafficking efforts, but to the work of the OSCE in many connecting areas too.

The co-operation with the OSCE field missions continues to be crucial. There is a strong link and a mutual exchange of information between the SR and the field missions.

The cross dimensional co-operation within the structures of the organization has clearly increased, particularly if one looks at OSCE activities in the area of economic factors, such as, *inter alia*, migration and money laundering, rule of law and strengthening of the judicial system, border management, police and anti-terrorism training, and fighting organized crime. To further improve its effectiveness, the Organization could consider how to strengthen in-house co-operation, ideally already at the early planning stage. The synergies of the diverse work of the three OSCE dimensions per se are obvious and strongly support one another. By demonstrating this through common efforts, the OSCE’s voice can become stronger.

The fact that the SR is asked to provide advice on National Action Plans, on draft legislation and on further steps in implementing commitments shows an appreciation of the OSCE work in this field. It is also evidence of the expertise of the Office of the Special Representative and of the wish to benefit from this know-how. The constructive but also critical approach of the anti-trafficking work is clearly attractive to the OSCE capitals.

The OSCE has become a clearing house for knowledge-sharing and the sharing of best practice and achievements between participating States, international organizations and NGOs. It also provides a forum for national actors and experts from participating States to discuss future challenges and responses. The attendance at the yearly high-level Alliance Conferences, counted in hundreds, is rewarding and also testimony to the importance of the OSCE as a platform.

## 5.3 CHALLENGES AND REFLECTIONS

### 5.3.1 Protecting Children from Exploitation and Trafficking is our First Priority

It is unfathomable that so many children are falling victim to trafficking. Every trafficked child is a future destroyed. It is unacceptable that children can go missing in our region without any action taken. To respond effectively to this deplorable situation, local authorities need to be better prepared to enhance and co-ordinate their efforts. Local actors in countries of origin, transit and destination need

more training to be able to identify children at risk, as well as children who are victims of trafficking. All authorities must have the obligation to protect any child who is identified as a child in need, an exploited child or a victim of trafficking, regardless of the child's immigration status, gender or ethnicity. The process of best interest determination is a beneficial tool in ensuring that all aspects of the child's situation are considered when assessing how to help him or her.<sup>53</sup> This process must especially be made a prerequisite before a child is returned or repatriated.

53 For a comprehensive explanation of the process of best interest determination, see the UNHCR *Guidelines on Determining the Best Interests of the Child*, <http://www.unhcr.org/refworld/pdfid/48480c342.pdf>.

A strong child protection framework is also key to preventing trafficking. Among other things, it means investing in social structures through which families in need are supported, structures through which children can also receive help on their own initiative and which provide a basic education which in reality is all inclusive. All actors at the local and regional levels must strive to strengthen the protective environment for children. Migration management programmes also need to include the well-being and safety of the children of migrants, whether accompanying parents or left behind.

In order to address child trafficking more effectively, cross-border co-operation between different stakeholders is to be enhanced. Regional co-operation, for instance between OSCE Missions, could help improve the response to child labour and to trafficking for begging. The work already under way by the OSCE Presence in Albania to support the National Anti-Trafficking Co-ordinator in her work with Greek counterparts and Albanian, international and Greek NGOs on child trafficking provides a good example of this.

The priority, however, in countries of origin, transit or destination, is to take urgent action to stop child trafficking. Children who are repeatedly 'returned' from one country to another as unaccompanied asylum seekers have a heightened risk of falling victim to traffickers. The current Dublin procedure practice of the European Union should therefore be seriously reconsidered in the case of children, so as to prevent children from falling prey to traffickers, and to prevent them from being re-trafficked during their return process. In any case, the optimal, most safe and sustainable solution is always the one that best serves the interest of the child. This is critical when protecting and considering the future of a child and therefore, the Dublin procedures and similar administrative regulations for the purpose of 'burden sharing' must be secondary.

Finally, the prevailing culture of disbelief, even among professionals specialized in assisting presumed victims, is an obstacle that much too often excludes victims from protection. It is important that practitioners and authorities are aware of their inclination to distrust the victims' stories just because they sound so extremely cruel, and that they learn to believe what victims say. Child victims do not need cynicism; they deserve the strongest assistance and support. From the victim's point of view, and from a human rights point of view, it is more risky not to provide protection than to provide it. In protecting a presumed victim, one has to separate this decision from the criminal proceedings concerning the presumed trafficking case. If the protection is linked to the ability to prove the criminal act, the protection may come too late.

### 5.3.2 Better Identification of Victims will Require a More Humane Attitude

The identification of victims of trafficking is always the biggest challenge – anywhere in the world. Experience has shown that allocating more resources to investigating and identifying trafficking leads to improved identification of victims. The more one looks, the more one will see. Evidence also shows that providing security and sustainable safety for victims in fact enhances their co-operation with law enforcement authorities. Victims naturally wish that perpetrators will be held responsible for their deeds and that the crime against them will be adequately acknowledged. The fact that perpetrators are punished and the crime is recognized can help victims deal with their trauma and feeling of shame, and can thus be seen as one important step in their rehabilitation. Often victims will withhold the provision of information to the authorities in criminal proceedings, unless they know that they are safe and see an alternative future for themselves. The period of reflection delay, granted to presumed victims, is important for the victim to be able to start his or her recovery from the trauma and to regain the ability to make decisions about his or her life, including regarding co-operation with criminal investigation. Victims need to receive both low-threshold, immediate help, including healthcare, as well as long-term, comprehensive assistance and rehabilitation. All assistance, however, needs to be safe and sustainable and must be delivered in a compassionate

way, respecting the needs and dignity of the person. This approach is not always obvious in criminal investigations and in court proceedings where victims may still face stigmatisation and may be forced to encounter their perpetrators again. Much could be improved in this respect if courts and judicial systems would engage more actively in knowledge-sharing with more experienced peers from other participating States. The training of judges continues to be a challenge in many OSCE countries.

National Referral Mechanisms and adequate victim assistance systems ensure that all victims, regardless of their needs, have access to support services tailored to the individual victim's needs, right from the point of identification up until that of re-integration in society, and that high standards of care are established. It is important that victim services are integrated into broader social protection systems to diminish stigma and lower thresholds for victims to actively seek help. Planning of services and building of safe houses, shelters or support housing could be more innovative and better take into account the needs of integrity, empowerment and ownership of the victim, so as to enhance the recovery process.

Furthermore, the return is to be preceded by access to judicial remedies and to information on rights, as well as an individual risk assessment, preferably conducted in co-operation with NGOs, especially at the local level, aimed at establishing whether the return of a victim of trafficking to a country of origin is in fact safe. This assessment aims to determine whether there is a risk that return to the country of origin could lead to the victim's loss of life and torture or inhumane and degrading treatment.

The SR has strongly supported the critical role of civil society organizations in both identifying victims and providing assistance. Further measures to enhance co-operation between civil society, law enforcement agencies and other authorities are basic requirements if we want to be more successful in our efforts. To include the important experiences and knowledge of NGOs in a systematic response means that ongoing funding for NGO programmes is critical. Evidence shows that law enforcement agencies and the criminal justice system in fact gain more from close co-operation with civil society; this is highlighted in the OSCE/ODIHR practical handbook on National Referral Mechanisms, which states that *"the rate of successful criminal prosecution of perpetrators rises in countries where comprehensive NRMs have been set up in co-operation with NGOs"*.<sup>54</sup> The Ministerial Council Decision of 2008 (MC.DEC/5/08) takes a strong position regarding a human rights-based approach towards victims of trafficking. In it, participating States recognize *"that providing victims of human trafficking with adequate protection and assistance and enhancing victim identification are among the prerequisites for an effective criminal justice response, including the prosecution of traffickers and their accomplices, to human trafficking"*.<sup>55</sup>

Civil society plays an important role not only in identification and assistance, but also in the prevention of trafficking, in contributing to designing policies, in researching the problem of trafficking, as well as in assessing the impact of efforts to fight trafficking.

The challenge is that all presumed victims of trafficking, regardless of their legal status or of the modus operandi of the traffickers, must have access to victim assistance and support before there is a conviction on human trafficking in court. It is well known that victims are threatened and even killed when alleged traffickers are exposed before or during criminal investigations and trials. Most importantly, assistance must be given to presumed victims, even without knowing whether the victim is capable of or willing to assist in criminal proceedings. Resources invested in investigating and in assisting victims, will be rewarded through increased victim co-operation with law enforcement bodies and through the prevention of re-trafficking.

Victim compensation still remains a challenge. Countries should adopt legislative measures to establish funds for victim compensation or to establish specialized victim assistance co-ordinators to ensure the protection and due compensation of victims, including the confiscation of assets related to the crime and provision to the victim.

All victim assistance must also empower the victims. Trafficking is such a traumatic experience that the trauma will probably stay with the victims throughout their lives. With the right help and support, victims may hopefully be able to deal with their trauma and regain control over their life. By regaining a sense of self esteem, victims are able to use their own agency and make their own, informed choices.

54 *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons. A Practical Handbook*, OSCE/ODIHR, 2004.

55 MC.DEC/5/08 on *Enhancing Criminal Justice Responses to Trafficking in Human Beings Through a Comprehensive Approach*.

### 5.3.3 Trafficking is a Crime That Takes Many Forms

It has become more the rule than the exception that all governments and other actors alike acknowledge that, unfortunately, no country is immune to trafficking in human beings. Very few countries are purely transit countries, or purely countries of origin or destination. Moreover, trafficking situations and scenarios often change rapidly. No trafficking situation is static and governments and other actors need to be equally flexible in addressing these changing circumstances. Furthermore, the perspective of being 'solely' a transit country can result in a failure to see the exploitation and crime that inevitably also takes place at the transit stage. Exploitation of victims of trafficking happens at every stage of the crime and all violations must be addressed, regardless of the stage of the trafficking process at which they take place. Many transit countries are also countries of origin or destination, or will become so as the crime assumes new forms and takes new routes. Trafficking often entails a long chain of events, maybe taking place over a long period of time, and governments need to prepare for a variety of responses to tackle this crime.

One of the major challenges is to ensure that both governments and the international community will be able to adapt and to become more up to date with the ever-changing modalities of trafficking. International co-operation and exchange of expertise, not only in law enforcement and in sharing of intelligence, but also in victim assistance and prevention, can, at best, give all participating States the possibility to follow new developments and benefit from lessons learnt. It goes without saying that this also means that increased efforts and funds will need to be put into comprehensive prevention efforts, victim identification, assistance and protection, as well as enhanced investigation and prosecution. This should be combined with improved, more systematic co-operation between all actors inside and outside the government and across multiple sectors at the national level, in order to improve the capacity to work also in the international context in a speedy and flexible manner, so as to provide the best possible protection to the victims. Through working together on the basis of sound knowledge of the phenomenon of human trafficking and through a shared understanding of its causes and effects, the effectiveness of anti-trafficking action can improve.

### 5.3.4 Are Traffickers Always a Step Ahead?

It is important to recognize that trafficking operations are indeed often highly organized, but also very flexible, specialized and segmented. Contrary to government organizations, criminal organizations do not face budgetary, regulatory or geographical restrictions in their operations. They are able to work across borders in a swift manner. This flexibility ensures that traffickers are always one step ahead of the criminal justice system. This also means that greater efforts and resources have to be put into fighting trafficking.

Organized trafficking is a business and, like any business, it relies on changing markets and changing circumstances. In the same way that criminals adapt to changes, there also needs to be adaptive change in governments' counter-trafficking actions, in terms of crime prevention, identification and investigation. More proactive efforts also need to be made to find out more about criminal structures and the methods used by criminals, as well as to ensure operational cross-border co-operation in this field. Moreover, it is crucial to target the highest levels of the organized criminal groups. In organized criminal networks, the lower end of the criminal chain is the easiest to replace. Often the lower end consists of women, who may themselves once have been victims of trafficking but have become traffickers as a means of survival or in order to gain power and control over their lives. It is therefore a concern that so many of those convicted for the crime of trafficking are women.<sup>56</sup> This indicates that the criminal justice system is able to only tackle the lower end of the criminal network; the network will just substitute these lower levels and continue their business. To truly tackle organized criminal groups, more efforts must be put into tackling the enormous profits. Asset forfeiture is one of the most effective means of preventing organized criminal groups from continuing their business.

Many important actions aim at combating organized crime and criminal networks as such. Sometimes the same networks change the 'goods' they sell depending on what is most profitable at that moment. In responding, however, there is an important distinction between human trafficking and other organized crimes such as trafficking in drugs or weapons. The expedient identification of the presumed victim, who may be incriminated with some other lesser crime, is important so as to be able to provide

<sup>56</sup> *Global Report on Trafficking in Persons*. UN.GIFT, UNODC, 2009, pp. 45-47 and 52-57.

immediate minimum protection and not to leave the victim at the hands of the traffickers, putting her or him in higher danger. Without this, the rights to assistance and protection may often fail and consequently identification is not able to take place. Hence, there is a need for specialized responses to organized crime in order to address the human trafficking situation most effectively.

### 5.3.5 Prevention is Complex but Fundamental

The prevention of exploitation and trafficking in the first place is the best way of protecting and upholding human rights.

Migration and the movement of people is part of human history. When legal migration channels are strengthened, less vulnerable persons will be less at risk of falling into the hands of unscrupulous traffickers. Better management of migration should not mean failing to provide adequate protection to potential victims of trafficking. It is time to take a serious look at what drives exploitation. The slave trade was abolished through targeting demand as well as exploitation. Similarly, it should be possible to target trafficking by targeting exploitation and the demand that fosters that exploitation.

Demand can be discouraged, *inter alia*, through legislation, awareness raising, codes of conduct and the media. Demand cannot be erased through standalone measures or quick, simple fixes. It needs a comprehensive strategy that includes awareness raising through dialogue and strong signals from leaders condemning exploitation, and through their example whether in the military or in the business sector. All efforts can contribute towards a general deeper change in attitudes and behaviour, proactive investigation as well as comprehensive support and assistance to all victims. It is important also to continue targeting potential and actual clients or so-called employers, who make the choice to use the services of exploited and trafficked persons.

The role of the local authorities should not be underestimated. They have a key task in addressing the root causes of human trafficking through providing avenues for economic empowerment, for instance through support for small and medium-sized enterprises, creating financial services that facilitate remittances being invested at home, or services for irregular migrants to create micro-loans and other means for self-help and improved social mobility.

National governments and international actors also need to focus the implementation of commitments to become part of development and economic strategies. It is time to move away from short-term projects. Trafficking is a complex issue and can only be tackled through a systematic approach and with a comprehensive strategy. There is clear evidence on the usefulness of suitable (yet nationally-adapted) national structures, including adequately funded National Action Plans, National Referral Mechanisms, National Co-ordinators or Co-ordinating Bodies, as well as National Rapporteurs. It is time to move towards a stricter implementation of existing commitments, i.e., the establishment of agreed national structures that are provided with resources and capacities to fulfil their proper functions.

Many participating States have already established a National Rapporteur or equivalent mechanism, or are in the process of considering the establishment of one. The OSCE has during these years collected information on good practice with regard to the functions of the National Rapporteur, including their need to access data, their independence and the requirement of annual, public reporting to decision makers.

Lessons learned from participating States show that these National Rapporteurs or other equivalent mechanisms need to be authorized to gather and analyse data and information on trafficking and anti-trafficking efforts at both the national and local levels, with due regard for the protection of privacy. The National Rapporteur should also be in a position to make recommendations on how to strengthen and target the national anti-trafficking efforts of diverse stakeholders. In this regard, it is useful if the National Rapporteur can report regularly to Parliament, so as to provide material for political discourse and also make its reports public for awareness raising and dialogue with civil society. To ensure that the National Rapporteur can do all of this, it is important that he or she is able to work in an independent way. The structure of the National Rapporteur function can differ between countries. However, the key to its mandate is to report, review and measure progress made at the national level, based on assessment and evaluation, as well as make recommendations in order to address the gaps. It is only



by putting into place a National Rapporteur or equivalent mechanism in all OSCE participating States that the next level of improved effectiveness in the fight against trafficking can be achieved.

### 5.3.6 Fighting Human Trafficking is the Cheapest Option for Governments

The reality today is that a zero scenario of ‘business as usual’ does not exist in relation to this crime that threatens security and undermines human values. If the responses are not effective enough, the criminal activity, which is already one of the most profitable illicit trades in the world today, will keep on infecting our societies and the consequences will be costly. To find more effective solutions to combating trafficking, our actions must first of all be seen as beneficial to society at large. All individuals are equally worthy and each individual’s rights must be equally respected so that they can live in peace and security. Secondly, it is necessary to ensure that the funds and efforts invested into fighting human trafficking are proportionate to the funds and efforts invested into fighting other serious crimes or other serious threats to security. Investing in more effective responses, resulting in eradicating trafficking, is the cheapest way out.

*“Governments and law enforcement agencies in Europe are waking up to the fact that trafficking in human beings is a growing problem and one which suffers from insufficient political and operational attention. As a priority in the EU it is the poor cousin to other forms of serious crime, such as drug trafficking and terrorism. Although taking tough decisions on competing priorities is never an easy task for Ministers and Police Chiefs, many are now considering the merits of doing relatively more to combat trafficking in human beings.”<sup>57</sup>*

57 Statement by Rob Wainwright, Director of EUROPOL, at the EU Ministerial Conference: Towards Global EU Action against Trafficking in Human Beings, Brussels, 19-20 October 2009.

The OSCE work has aimed to raise the political visibility of this serious problem, which is present in all our OSCE countries, whether countries of origin, transit, destination or all of these at the same time. The work has focused on sharing experiences of both the crime and its causes and consequences as well as on responses taken in participating States. Aware of the fact that the solutions and responses to human trafficking cannot be outsourced to intergovernmental structures, and that national ownership of the strategies in response to this problem is essential, the OSCE work has developed tools and mechanisms based on shared experiences to support the participating States in this process. Concrete examples and work of civil society actors presented in OSCE conferences together with valuable work of other important international global and regional organizations, through the Alliance Expert team and the high-level Alliance Conferences have placed the OSCE in the centre of the discussions and equipped with best available information.

Roger Plant, from the ILO, thanked the OSCE efforts with the following words: “The Special Representative has made an extraordinary contribution to our common fight on human trafficking. She has chosen the themes well, first in focusing on labour exploitation, then focusing on economic dimensions, focusing on specific sectors like agriculture. We are getting more real, more direct and we are more likely to have practical results and outcomes after this conference”.

Combating trafficking in human beings be it for sexual exploitation, child trafficking or other forms of exploitation must continue to be made even more visible through a search of ever more targeted and effective responses, always preserving the protection of the victim in the centre of our focus. The OSCE is a good platform for this work to continue and grow stronger.

It is not the time to give in, despite the fact we have not seen the scope of this modern-day slavery diminish globally. Every rescued person counts. Every prevented crime means that the human rights and freedom of girls, boys, men and women are protected.

Eradicating trafficking may seem like an impossible goal. The task may indeed seem daunting, but as the old Chinese proverb says, “a journey of a thousand miles must begin with a single step”.





# ANNEX 1:

## List of Keynote Addresses and Interventions in Conferences, Seminars and Other Events by the SR and her Office

- *The 17<sup>th</sup> OSCE Economic and Environmental Forum, Part I*, OSCE/EEF and IOM (19-20 January 2009, Vienna)
- *Regional Networking Seminar: “Preventing and Combating Trafficking in Human Beings and Enhancing Victim Protection through Operational Networking and Cooperation and Joint Multi-disciplinary Trainings for Counter-trafficking Specialists in EU Member States, Candidate and Neighbouring Countries”*, EU, IOM, Belgian Federal Judicial Police and the Ministry of Interior of Italy (21-22 January 2009, Vienna)
- *One World Forum 2009: “A Brave New World”*, University of Warwick (23 – 31 January 2009, Warwick)
- *Seminar on Gender-Sensitive Labour Migration Policies*, OSCE and the Slovenian Ministry of Foreign Affairs (16-17 February 2009, Brdo)
- *Tri-partite Regional Conference to address all forms of THB in the Caucasus and related destination countries*, OSCE, EU, ILO and ICMPD (18-20 February 2009, Tbilisi)
- *Final Ministerial Conference on “Guidelines for the Collection of Data on Trafficking in Human Beings, Including Comparable Indicators”*, Austrian Ministry of the Interior, EU and IOM (23-24 February 2009, Vienna)
- *Partnership for Peace training course in Combating Trafficking in Human Beings*, Turkish General Staff – Partnership for Peace Training Centre (24-26 February 2009, Ankara)
- *Presentation to law students from Finland and Slovakia*, (6 March 2009, Vienna)
- *53<sup>rd</sup> Session of the Commission on the Status of Women*, UN ECOSOC (2-13 March 2009, New York)
- *IGO Contact Group*, (10-12 March 2009, Geneva)
- *Conference on the “Side Effects of Free Mobility”*, City of Helsinki (25-27 March 2009, Helsinki)
- *Conference of EU National Rapporteurs on Trafficking in Human Beings*, OSCE, European Commission, and Ministry of the Interior of the Czech Republic. (30-31 March 2009, Prague)
- *Travel Document Security Conference for Belarus: “Biometric Applications in Electronic Machine-Readable Travel Documents and Issuance Systems”*, OSCE and IOM (31 March – 1 April 2009, Minsk)
- *Speech at the United World College of the Adriatic*, (2-3 April 2009, Trieste)
- *Presentation to the Swedish Women’s Association – Svenska Kvinnoforbundet*, (24 April 2009, Vienna)

- *Presentation to the Finnish Bar Association – Suomen Asianajajaliitto*, (24 April 2009, Vienna)
- *Speech at meeting of the OSCE Mediterranean Contact Points*, (24 April 2009, Vienna)
- *Alliance against Trafficking in Persons: “Technical Seminar on Trafficking in Labour Exploitation Focusing on the Agricultural Sector”*, OSCE/OSR CTHB (27-28 April 2009, Vienna)
- *OSCE Central Asian Regional Heads of Mission Meeting*, (27-29 April 2009, Dushanbe)
- *Presentation to the Martha Foundation – Marthaförbundet*, (15-17 May 2009, Helsinki)
- *17<sup>th</sup> OSCE Economic and Environmental Forum, Part II: “Migration Management and its linkages with economic, social and environmental policies to the benefit of stability and security in the OSCE region.”* OSCE/EEF (17-20 May 2009, Athens)
- *First National Network Meeting Towards Global EU-action against Trafficking in Human Beings*, Swedish Ministry of Justice and IOM (28 May 2009, Stockholm)
- *Briefing for the Geneva Centre for Security Policy*, (29 May 2009, Vienna)
- *Symposium on Violence against Women*, OSCE Gender Section (8 June 2009, Vienna)
- *Training course for the Armenian pre-deployment of the military*, OSCE, NATO, IOM and UNHCR (29 June – 2 July 2009, Yerevan)
- *768<sup>th</sup> Permanent Council of the OSCE*, (9 July 2009, Vienna)
- *18<sup>th</sup> Baltic Sea Parliamentary Conference, on “New Security Challenges”*, Danish Parliament (30 August – 1 September 2009, Nyborg)
- *10<sup>th</sup> Meeting of the Co-ordination Group between the Council of Europe and the OSCE*, (11 September 2009, Strasbourg)
- *Alliance against Trafficking in Persons: “Prevention of Modern Slavery: an Ounce of Prevention is Worth a Pound of Cure”*, OSCE/OSR CTHB (14-15 September 2009, Vienna)
- *Improvement of International Cooperation in Countering Human Trafficking*, CIS Executive Committee and IOM (29-30 September 2009, Moscow)
- *2009 Human Dimension Implementation Meeting*, OSCE/ODIHR (28 September – 9 October 2009, Warsaw)
- *Symposium on Human Trafficking*, Webster University Vienna, (1 October 2009, Vienna)
- *Round Table for Consular Services on “Raising awareness of the Embassies’ Consular Departments to Prevent and Counter-act Trafficking in Human Beings”*, IOM Moscow and the St. Petersburg Centre for International Cooperation of the Red Cross. (9 October 2009, St. Petersburg)
- *Believe in Children – the Future of Childhood*, Plan Finland (14 October 2009, Helsinki)
- *Panel Discussion on “A Comprehensive Multidisciplinary Approach towards Trafficking in Human Beings”*, IOM Vienna in cooperation with the Austrian Federal Ministry for European and International Affairs (16 October 2009, Vienna)
- *EU Ministerial Conference on the occasion of the third EU Anti-Trafficking Day – “Towards global EU Action against Trafficking in Human Beings”*, EU, FRA and IOM (19-20 October 2009, Brussels)

- *Collision between Wishes and Reality – Human Rights, Victim-Centred Approach and the Fight against Trafficking in Human Beings*, Vot-Pro Project (22-23 October 2009, Helsinki)
- *Conference on the Fifth Anniversary of the Specialised Inter-Regional Jurisdictions*, Ministry of Justice of the Republic of France (26 October 2009, Saint Denis)
- *Training Seminar on Human Trafficking for Diplomatic and Consular Personnel in the CBSS Region*, Ministry of the Interior of Finland, Ministry for Foreign Affairs of Finland, Council of the Baltic Sea States and IOM (11 November 2009, Helsinki)
- *Partnership for Peace training course in Combating Trafficking in Human Beings*, Turkish General Staff – Partnership for Peace Training Centre (17 November 2009, Ankara)
- *Discussion on the possible ways of development of infrastructure of assistance to children who are victims of commercial sexual exploitation and sexual violence*, non-governmental organisation *Stellit* (24 November 2009, St. Petersburg)
- *Hearing on the Government's report to the Parliament on the human rights policy of Finland 2009*, Legal Affairs Committee, the Parliament of Finland (26 November 2009, Helsinki).



# ANNEX 2:

## List of Ministerial Council Decisions concerning Trafficking in Human Beings and related issues

*DECISION No. 1, ENHANCING THE OSCE'S EFFORTS TO COMBAT TRAFFICKING IN HUMAN BEINGS (MC(8).DEC/1; 28 November 2000,Vienna)*

*DECISION No. 6 BY THE MINISTERIAL COUNCIL (MC(9).DEC/64 December 2001, Bucharest)*

*DECLARATION ON TRAFFICKING IN HUMAN BEINGS (MC(10).Jour/2, 7 December 2002, Porto)*

*DECISION No. 2/03 COMBATING TRAFFICKING IN HUMAN BEINGS (MC.Dec/2/03, 2 December, Maastricht)*

*DECISION No. 13/04 THE SPECIAL NEEDS FOR CHILD VICTIMS OF TRAFFICKING FOR PROTECTION AND ASSISTANCE (MC.DEC/13/04, 7 December 2004, Sofia)*

*DECISION No. 13/05 COMBATING TRAFFICKING IN HUMAN BEINGS (MC.DEC/13/05, 6 December 2005, Ljubljana)*

*DECISION No. 15/05 PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN (MC.DEC/15/05, 6 December, Ljubljana)*

*DECISION No. 16/05 ENSURING THE HIGHEST STANDARDS OF CONDUCT AND ACCOUNTABILITY OF PERSONS SERVING ON INTERNATIONAL FORCES AND MISSIONS (MC.DEC/16/05, 6 December 2005)*

*DECISION No. 3/06 COMBATING TRAFFICKING IN HUMAN BEINGS (MC.DEC/3/06, 21 June 2006)*

*DECISION No. 5/06 ORGANIZED CRIME (MC.DEC/5/06, December 2006, Brussels)*

*DECISION No. 14/06 ENHANCING EFFORTS TO COMBAT TRAFFICKING IN HUMAN BEINGS, INCLUDING FOR LABOUR EXPLOITATION, THROUGH A COMPREHENSIVE AND PROACTIVE APPROACH (MC.DEC/14/06, December 2006, Brussels)*

*DECISION No. 15/06 COMBATING SEXUAL EXPLOITATION OF CHILDREN (MC.DEC/15/06, 5 December 2006, Brussels)*

*DECISION No. 8/07 COMBATING TRAFFICKING IN HUMAN BEINGS FOR LABOUR EXPLOITATION (MC.DEC/8/07, 30 November 2007, Madrid)*

*DECISION No. 9/07 COMBATING SEXUAL EXPLOITATION OF CHILDREN ON THE INTERNET (MC.DEC/9/07, 30 November 2007, Madrid)*

*DECISION No. 5/08 ENHANCING CRIMINAL JUSTICE RESPONSES TO TRAFFICKING IN HUMAN BEINGS THROUGH A COMPREHENSIVE APPROACH (MC.DEC/5/08, 5 December 2008, Helsinki)*



# ANNEX 3:

## Key Press Clippings

# Trafficking – a multibillion dollar industry of misery



## Biaudet: Ihmiskauppa imee myös EU:hun päin

Kari Viiperi (KP)

Euroopan unionin laajentumisen itään ja Baltiaan on jo muuttanut ihmiskaupan virtoja yhteisössä. Näin arvelee Etyjin erityislähettiläs Eva Biaudet, joka esitelmöi aiheesta Kokkolassa maanantai-iltana.

Kansainvälisen siirtolaisuusjärjestön IOM:n raportin mukaan Venäjän Kaliningradista on tullut sekä merkittäviä välietappia että kohdamaa ihmiskaupassa. Useimmat uhrit ovat kotoisin

Ukrainasta, Valko-Venäjältä, Uzbekistanista ja Moldovasta. Jos heidän matkansa jatkuvat, päämäärinä ovat on usein Puola, Saksa ja Kreikka.

Biaudet'n mukaan myös monet lähtömaat Itäisessä EU:ssa näyttävät muuttuneen vastaanottajiksi, ja uhrit houkuttelevat pakotetaan niihin yhä kauempaa ja kurjemmissa oloissa.

– Alan rikollisuus hakee kaiken aikaa uusia muotoja ja markkinoita, Biaudet tiivistää.



Etyj-erityislähettiläs Eva Biaudet pelkää ihmiskaupan EU:ssa. KUVA: ESKO KEKKI-VÄHÄ

Sivu 3

6 **Događaji** Dnevni list Četvrtak, 23. listopada 2008

## INTERVJU | Eva Biaudet

OESS-ova specijalna predstavnica i koordinatorica za borbu protiv trgovine ljudima

## Trafficking unutar BiH je u porastu



Vrlo je važno uočiti da je unutarja trgovina ljudima u BiH, kao i u mnogim drugim zemljama, nažalost u porastu, kaže Biaudet.

8 Home News CYPRUS

## We need action on human trafficking, and not just words

Cyprus to pass new laws next month

By Jean Christou

CYPRUS hopes to pass new legislation next month to combat human trafficking, but the Council of Europe (CoE) has warned that action, not words, is the key.

Human trafficking was the subject of a two-day conference that opened in Nicosia yesterday with the participation of Cyprus and European officials.

The conference was addressed by Deputy Secretary General of the Council of Europe Mandel de Boer (Burgicchio) and the Special Representative on Combating Trafficking at the Organization for Security and Co-operation in Europe (OSCE) Eva Biaudet.

De Boer Burgicchio said the problem of trafficking had become a political issue in Cyprus. The legislation would be a major step forward, she said.

“It is a signal that the issue will be high on the agenda of the Cypriot authorities. This signal is very important. Interior Minister Neoklis Sykiotis opened the conference by announcing that new legislation on trafficking would be presented to the House next month at the same time as a the CoE’s Convention on Action against Trafficking in Human Beings.



Human trafficking is a huge problem across Europe

like other EU countries,” he said. “We need to make the law stricter.”

Asked if the OSCE was satisfied with Cyprus’ progress on trafficking, Biaudet said: “Of course we are not satisfied.” But she added that neither was the OSCE satisfied with the situation in other EU countries.

“Cyprus has a problem part of any plan. “We will be following the situation in Cyprus, and supporting the efforts by the government,” she said.

“It is absolutely necessary for the government to show its commitment to prosecutions, otherwise no amount of awareness-raising will work.”

## KAMPEN MOT MÄNNISKOHA

– EU direktivet och Europarådets konvention om bekämpning av människohandel förpliktigar myndigheter att ge offren för människohandel tillfälligt uppehållstillstånd och tid att återhämta sig, upplyser Eva Biaudet vid OSSE i Wien.

Finland som skrivit under konventionen, har också en ny reviderad verksamhetsplan men ännu mycket att lära sig om hur människohandeln fungerar.

Text Susanna Ekborn Foto Petri Krook/OSCE

Säkerhets- och samarbetsorganisationen i Europa OSSE:s handlingsplan för att bekämpa

risk föredrats och mist sin tilltro till rättsväsendet. De misstror oft myndighetspersoner och är ovilliga att

1889 2007

## HELSINGIN SANOMAT

SUNNUNTAINA 25. ELokuuta 2007

KOLUMNI Ministerin sana noteeraan, koska se on myös teko. Urho Hämmäläinen A | MIELIPIDE Alkon Suomeen ei voi kelpuuttaa vain parhaat puolia. Otto Auranen C 2

KOLUMNI Kansallinen projekti päättyi. Tekon MM-isoissa 1997. Jaakko Lyytinen D 3 | DEBATTI Alennusyritys alia hooloalla on ohj. Jaana Laikinen-Pesala D 7

Biaudet: Euroopan liittomat siirtolaiset







Radio Belarus News 23-01-2008

Trata de blancas: la moderna es...

Belarus and the United Nations Office on Drugs and Crime (UNODC) signed the memorandum of understanding in drug control and crime prevention in Vienna on January 22. The document was signed by Interior Minister of Belarus Vladimir Naumov and Antonio Maria Costa, the UN Under-Secretary-General - Executive Director of the United Nations Office on Drugs and Crime.

Antonio Costa highly praised the efforts of Belarus in fight against human trafficking. According to him, this country is among leaders in this field.

On January 22, Interior Minister of Belarus Vladimir Naumov met with OSCE Special Representative on Combating Trafficking in Human Beings Eva Biaudet. The sides discussed the national measures of the Belarusian government on combating human trafficking.

http://www.belarus.by/eng/news.asp?id=33905&date=23-01-2008/0212-4900



FLOTT MÖTESLOKAL. I palatset Hofburg samlas de 56 OSSE-ländernas ambassadörer regelbundet. Det är dem Eva Biaudet ska övertya om vikten av kraftåtgärder mot människohandel.

"Jag vill lyckas"

Biaudet brinner för sitt nya arbete mot människohandel

- Vi måste lära oss att upptäcka offren för människohandel. Det måste bli lättare för offren att vända sig till myndigheter. Det anser Eva Biaudet som nu börjat sitt nya arbete som koordinator av OSSE-ländernas kamp mot människohandel.

Fincka museer besitter konst som misstänks vara...



OSBE mban një forum tri-ditor

Zëri i Amerikës 14-02-2008

Një eksperte e njohur evropiane për trafikun njerëz, një krim, që sipas fjalëve të saj, "na turp...

Përfaqësuesja e Organizatës për Sigurimin dhe Bashkëpunimin Evropian, Eva Biaudet, i bëri këto komente sot në Vienë, në Këshillin Evropian kundër trafikut. Kjo ngjarje u organizua në kuadrin e...

Walopti infö...

Med tre v dagsvalet tor och t sina anhä att rösta. Går det mycket v ser ut s ten till i Wallins s mati och SIDAN 4



OVANTAL Olli övver: silver i stor

Harri Olli nerande i silver i st Japan.

Af þrælahaldi nútímans



Þetta hefur verið meira en á íslandi á undanföngu. Þetta er ástæðan fyrir því að...

Latest news list from APA: 09 Nov 2009 20:12 Swine flu death toll reaches 30 in Turkey; 09 Nov 2009 19:57 Georgian Foreign Minister: 'US, Czech Republic, Japan and Baltic states will become GUAM partners soon'; 09 Nov 2009 19:05 Gold sets new record; 09 Nov 2009 18:53 Azerbaijan and Slovenia officials and businessmen meet in Baku; 09 Nov 2009 18:52 Gazprom sees profits halved; 09 Nov 2009 18:41 New President of Azerbaijan Export and Investment Promotion Foundation appointed; 09 Nov 2009 18:38 Armenian Foreign Minister to pay official visit to Switzerland tomorrow; 09 Nov 2009 18:35

OSCE Representative Eva Biaudet: Special mechanisms should be created in Azerbaijan to determine channels and victims of trafficking in human beings. [18 Jun 2008 19:33] Baku. Tamara Grigoryeva-APA. OSCE Special Representative on Combating Trafficking in Human Beings Eva Biaudet held a press conference on the results of her visit to Azerbaijan. APA reports that OSCE Representative praised Azerbaijani government for adopting laws regulating combating trafficking and cooperating with nongovernmental organizations in this field. 'I am pleased to hear that the Interior Ministry soon open four regional rehabilitation facilities for the victims of trafficking. But unlike other OSCE members very few victims of trafficking have determined thanks to the nongovernmental organizations in Azerbaijan. From my personal experience I can say that very rarely the victim human trafficking give information about themselves to the law-enforcement bodies. Why special mechanisms should be created to determine channels and victims of trafficking. Azerbaijani colleagues should continue active political dialogue with OSCE', she said.

La infanzilla genera en el mundo 23.500 millones de euros al año, según la OMC



Por continentes África. Sin descans...

Según Save the children, 200.000 niños son víctimas de tráfico humano en África Occidental. Su jornada de trabajo es de 10 a 20 horas cada día de la semana, sin tiempo para descansar, jugar o estudiar.

Le Monde newspaper cover: Un dossier spécial du Monde Economie: peut-on se passer du dollar? Le duel Chine - Etats-Unis: Pékin prépare la conversion du yuan. L'OSCE s'inquiète de la progression du trafic d'êtres humains dans le monde. Et après? Editorial

Rechazo. Pakistán aprobó...

Se considera que al menos 11 millones de musulmanes. En la imagen, ni...

Tráfico de personas: l'Europa de l'Est, la UE i l'antiga URSS

Escenaris del tràfic: coordinació i cooperació subregionals

Eva Biaudet Representant especial i coordinadora del combat contra el tràfic d'éssers humans de l'Organització per a la Seguretat i la Cooperació a Europa (OSCE)

estats nbarre au de rmaris a UE i abast quins misos recies far els nifica a UE, reco-bautes causa es en l. Per ha de trafikun njerëzor, Eva qseve Gra për luftën shtjen e trafikut.













#### ANNUAL REPORTS:

- 2009: An Agenda for Change: Implementing the Platform for Action against Human Trafficking
- 2008: Efforts to Combat Trafficking in Human Beings in the OSCE Area: Co-ordination and Reporting Mechanisms
- 2007: A Platform for Action



#### OCCASIONAL PAPER SERIES:

- 2009: A Summary of Challenges on Addressing Human Trafficking for Labour Exploitation in the Agricultural Sector in the OSCE Region
- 2008: Human Trafficking for Labour Exploitation/Forced and Bonded Labour
- 2007: A Summary of Challenges Facing Legal Responses to Human Trafficking for Labour Exploitation in the OSCE Region

All publications are available online at <http://www.osce.org/cthb>



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