

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

# COMBATING TRAFFICKING AND EXPLOITATION: HUMAN RIGHTS, SOCIAL JUSTICE AND THE RULE OF LAW

**2013 Annual Report** of the  
Special Representative and Co-ordinator  
for Combating Trafficking in Human Beings

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**presented to the Permanent Council, 19 December 2013**





# Foreword

2013 was an important year in the fight against human trafficking for the OSCE. It marked the 10<sup>th</sup> Anniversary of the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings. Commemorating this event allowed my Office to assess where we stand, what we have achieved, and what we need to do to enhance our efforts in the future.

This year was also an important one from my perspective as Special Representative and Co-ordinator for Combating Trafficking in Human Beings. It marked the fourth and final year of my mandate and therefore provided a good opportunity to look back and, at the same time, look forward and ascertain where our work has had the most impact in recent years and where we must increase our efforts in order to achieve our goals.

2013 has been an extremely busy and fruitful year. My Office has published four major reports: the *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*, the Occasional Paper *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-Treatment*, the Occasional Paper *Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings* and the report on *Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region*. All these publications are the result of co-operation with experts from governments and civil society in participating States as well as the Partners for Co-operation. I am particularly proud of the fact that our publications have already given impetus to numerous discussions and follow-up activities across and beyond the OSCE region.

My Office has also, in co-operation with participating States, continued its pioneering work on preventing domestic servitude in diplomatic households. We have organized two workshops for staff of the Protocol Departments of Ministries of Foreign Affairs this year, one in Kyiv and one in The Hague, with a strong turnout from the participating States. I would like to thank all participating States for the interest and commitment they have shown in moving this sensitive yet important topic forward. My Office will continue to work on this topic – a handbook will be published in 2014 - ensuring that the OSCE is in the vanguard of organizations working to ensure that diplomatic immunity is not abused for the purpose of exploiting domestic workers.

I would also like to use this opportunity to highlight some issues that I have personally tried to drive in my four years as OSCE Special Representative. I have made significant progress on some topics, while in other areas there is a need for renewed attention and action. Also, we must ask, what are, ten years after the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings by participating States, the important lessons learned in the OSCE region in the fight against human trafficking?

In my experience, country visits are a highly valuable tool in our work with participating States to enhance the implementation of OSCE commitments. They allow for an in-depth dialogue with governments and civil society over how the commitments have been implemented in practice, which particular challenges have been encountered and how these have been overcome, taking into account the national context relevant to the specific country visited. All country visits I conducted provided impetus for follow-up at the national level and, importantly, also enhanced co-operation with my Office, feeding into new policy priorities and activities relevant for the whole OSCE region. I have paid enhanced attention to country visits since taking up office. During my mandate, I have conducted 11 country visits across the OSCE region, travelling to the UK, Canada, Moldova, Ireland, Bosnia and Herzegovina, Azerbaijan, Portugal, Italy, Kazakhstan, Romania and Uzbekistan.

The fight against human trafficking is part of our common effort to ensure security in the OSCE region. People need to feel secure from fear of violence, slavery and exploitation, even in times of economic constraints. And if they end up exploited, they need to be given the tools to reclaim their rights. Protection of human rights and promotion of the rule of law are most effective strategies to prevent and combat human trafficking and exploitation.

In recent years, we have learned that prevention is a crucial component of a long-term strategy against human trafficking. Prevention does not mean telling people not to migrate. Moreover, prevention goes far beyond awareness-raising activities. Sustainable and human rights-based prevention strategies must target systemic factors that create vulnerabilities and protect the rights of those who are vulnerable to exploitation.

Prevention needs to be built into our societies and systems in all spheres - social, health and legal. In the end, it means ensuring human rights protection for all and prioritizing decent opportunities, the rule of law and actively working towards social justice. It also means understanding that justice must not be limited to our own nationals, but must be applied to all and viewed from a global perspective. We will only be able to prevent human trafficking if we address the continuum of exploitation and empower all people trapped along this continuum to claim their rights as well as hold all those who exploit them accountable. Only if we create such a deeper awareness and consciousness within society, state actors, civil society and the private sector, will we succeed. In this context, it is very important to engage with the private sector so ensure the supply chain is free from exploitation, forced labour and trafficking.


The non-punishment of victims of trafficking for offences linked to them while they were trafficked is still ineffective throughout the OSCE region – one of the issues that for me as a judge has been a leading concern during my mandate. Currently, victims are put in the front-line by traffickers and obliged to commit crimes and other offences to bring them profit. As a result, the victims are often those who ultimately are punished for an unlawful act they have not committed voluntarily. We have to punish the traffickers and exploiters, not the victims. Victims of crime, including victims of human trafficking, are entitled to assistance and rights protection – without discrimination. Unfortunately this has not yet become the norm throughout the OSCE region. The application of the non-punishment provision to victims of trafficking is key to identification and assistance, and I am glad that my *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* published this year are now enabling awareness-raising among, and guidance to, national stakeholders throughout the OSCE region.

An area of anti-trafficking policy that I believe needs a review and revision of laws is trafficked persons' access to assistance. We need to ensure victims have access to assistance, support and remedies, regardless of whether they are able or willing to co-operate with law enforcement and the prosecution and regardless of whether investigations are initiated or charges pressed against their traffickers and exploiters. A person is a victim and deserves access to justice and fair treatment, restitution, compensation and assistance without discrimination and regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted by the authorities.

Access to justice is key to combating trafficking in human beings. Criminal justice responses to human trafficking have improved in recent years. There are now prosecutions and convictions in cases of trafficking for labour exploitation. We are also starting to see compensation claims awarded to victims of human trafficking in the context of criminal proceedings against their traffickers. But this is still a drop in the bucket if we look at estimates of victim numbers and the amount of money made from the exploitation of victims. We need to reinforce criminal justice responses and we need to complement criminal justice with responses in other areas of justice - be it labour, civil or administrative. When States use all the tools they have at their disposal to serve justice, hold exploiters accountable and ensure victims' rights, vulnerability to exploitation will be limited and the rule of law re-affirmed.

The OSCE Action Plan to Combat Trafficking in Human Beings of 2003 remains a comprehensive and strategic document that has been guiding practitioners in their fight against modern-day slavery over the past ten years. Nevertheless, taking into account the experience gained by participating States, international organizations and civil society, the Ukrainian Chairmanship encouraged the participating States to update the OSCE Action Plan, valid as ever, to ensure that its recommended measures meet current and emerging challenges posed by trafficking networks and trends. I am delighted that my Office was provided with an opportunity to support the CiO and offer its technical support for the elaboration of the "Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later" that was adopted by the Permanent Council in its Decision PC.DEC/1107 and endorsed by the Kyiv Ministerial Council in its Decision MC.DEC/07/13 on 6 December 2013. This consensus Decision reiterated the OSCE's pioneering role in the prevention of and fight against all forms of trafficking in human beings.

Fostering such a proactive and innovative role, including by bringing together all the relevant partners especially in the context of the *Alliance against Trafficking in Persons*, has been my constant aim during the four years of my mandate. I wish to thank Ambassadors, members of delegations, colleagues and partners for the enriching and inspiring work we have done together.



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

# Acknowledgements

I wish to express my gratitude to the Ukrainian OSCE Chairmanship and to the previous Chairmanship of Ireland, as well as the incoming Swiss Chair, which also carried out the 2013 Chairmanship of the Contact Group of the Mediterranean Partners, the incoming Serbian Chair, which was also the 2013 Chair of the Human Dimension Committee, as well as to all participating States and Partners for Co-operation for their support and co-operation during 2013.

My sincere thanks also go to Secretary General Lamberto Zannier, and each and every one of our colleagues working on anti-trafficking in the OSCE structures at the Secretariat, the other institutions and the field presences, without which the OSCE anti-trafficking mechanism, headed by the SR/CTHB and her Office, would not function. I would like to thank in particular my colleagues from the OCEEA, the TNTD/SPMU and the TNTD/Borders Unit, from the Gender Section, from ODIHR and the field operations. This report is testimony to the excellent co-operation and co-ordination we have established together and been able to mainstream into all our activities over the years. As in previous years, this report contains contributions from other OSCE structures, institutions and field operations engaged in the fight against trafficking in human beings, providing a substantial record of how extensive this co-operation has become.

I also wish to thank the international organizations, NGOs and other expert practitioners who partnered with us especially in the *Alliance against Trafficking in Persons*. I look forward to continuing to work closely with governments, parliaments, judiciary, civil society and international organizations in the OSCE region to prevent and combat trafficking in human beings.

My warmest thanks go to each and every colleague in my talented and dedicated Office, who have worked tirelessly and diligently to support my work throughout this year in Office and to prepare this Annual Report: Teresa Albano, Alberto Andreani, Aimée Comrie, Muriel Ethvignot, Vera Gracheva, Claire Jessel, Alfred Kueppers, Cristina Mukhtashova, Szilvia Okolicsanyi, Ruth Pojman, Georgina Vaz Cabral, as well as our interns, temporary staff and JPOs who worked with us in different periods during 2013: Rosalia Bollen, Nathalie Haefele, Daliborka Jankovic, Mélodie Sahraie and Maryana Sukhorukova. I wish to thank in particular my former adviser, Astrid Ganterer, the main drafter of the report.

On this occasion, I wish to especially thank my Co-ordination Adviser Vera Gracheva, who is leaving the OSCE after many years of service, for her outstanding contributions to my Office. Her work was instrumental in the founding of our unit, and she served with great distinction under all three Special Representatives.

And last but not least, I wish to extend my thanks to the following donors that have supported the work of my Office with their generous extra-budgetary contributions, including secondments: Andorra, Austria, the Czech Republic, France, Germany, Iceland, Italy, Luxembourg, Monaco, the Netherlands, Norway, Switzerland, the United Kingdom and the United States of America.

## **Maria Grazia Giammarinaro**

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

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# Acronyms

<b>AECT</b>	<i>Alliance</i> Expert Co-ordination Team	<b>IPA</b>	Inter-Parliamentary Assembly
<b>AML/CFT</b>	Anti-Money Laundering / Countering Financing of Terrorism	<b>ITUC</b>	International Trade Union Congress
<b>BiH</b>	Bosnia and Herzegovina	<b>MC</b>	Ministerial Council
<b>BiH/EUSR</b>	European Union Special Representative in Bosnia and Herzegovina	<b>MPCs</b>	Mediterranean Partners Countries
<b>BMSC</b>	Border Management Staff College	<b>MS</b>	Member States
<b>CAHTEH</b>	Ad Hoc Committee on Action against Trafficking in Human Beings	<b>NAP</b>	National Action Plan
<b>CBSS</b>	Council of the Baltic Sea States	<b>NATO</b>	North Atlantic Treaty Organization
<b>CCME</b>	Churches' Commission for Migrants in Europe	<b>NFP</b>	National Focal Points
<b>CiO</b>	OSCE Chairperson in Office	<b>NGO</b>	Non-Governmental Organization
<b>CIS</b>	Commonwealth of Independent States	<b>NRM</b>	National Referral Mechanism
<b>CIS EC</b>	CIS Executive Committee	<b>OCEEA</b>	OSCE Office of the Co-ordinator for Economic and Environmental Activities
<b>CIS IPA</b>	CIS Inter-Parliamentary Assembly	<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>CoE</b>	Council of Europe	<b>OiT</b>	OSCE Office in Tajikistan
<b>Comp.Act</b>	European Action for Compensation for Trafficked Persons	<b>OSG</b>	Office of the Secretary General
<b>CPC</b>	OSCE Confliction Prevention Centre	<b>OSR/CTHB</b>	Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings
<b>CRC</b>	UN Convention on the Rights of the Child	<b>PA</b>	Parliamentary Assembly
<b>CRIC</b>	Child Rights Information Centre	<b>PC</b>	Permanent Council
<b>CSCE</b>	Conference for Security and Co-operation in Europe	<b>PCU</b>	OSCE Project Co-ordinator in Ukraine
<b>CSDP</b>	Common Security and Defense Policy	<b>PCUz</b>	OSCE Project Co-ordinator in Uzbekistan
<b>CSR</b>	Corporate Social Responsibility	<b>PICUM</b>	Platform for International Cooperation on Undocumented Migrants
<b>CSTO</b>	Collective Security Treaty Organization	<b>PfP</b>	Partnership for Peace
<b>CTHB</b>	Combating Trafficking in Human Beings	<b>RUJ</b>	Russian Union of Journalists
<b>DC/CTHB</b>	OSCE Deputy Co-ordinator for Combating Trafficking in Human Beings	<b>SEE</b>	South-Eastern Europe
<b>ECPAT</b>	End Child Prostitution, Child Pornography and the Trafficking of Children	<b>SOCA</b>	United Kingdom Serious Organized Crime Agency
<b>EC</b>	European Commission	<b>SOPs</b>	Standard Operating Procedures
<b>EC3</b>	Europol Cyber Crime Centre	<b>SR</b>	Special Representative and Co-ordinator for Combating Trafficking in Human Beings
<b>EEAS</b>	European Union External Action Service	<b>SR/CTHB</b>	Special Representative and Co-ordinator for Combating Trafficking in Human Beings
<b>EEC</b>	Economic and Environmental Committee	<b>THB</b>	Trafficking in Human Beings
<b>EU</b>	European Union	<b>THB/OR</b>	Trafficking in Human Beings for the purpose of organ removal
<b>EurAsEC</b>	Eurasian Economic Community	<b>TIP</b>	Trafficking in Persons
<b>Eurojust</b>	European Union's Judicial Cooperation Unit	<b>TNTD</b>	OSCE Transnational Threats Department
<b>Europol</b>	European Police Office	<b>TNTD/BU</b>	OSCE Transnational Threats Department / Borders Unit
<b>ExB</b>	Extra Budgetary	<b>TNTD/SPMU</b>	OSCE Transnational Threats Department / Strategic Police Matters Unit
<b>FBiH</b>	Federation of Bosnia and Herzegovina	<b>ToT</b>	Training of Trainers
<b>FIU</b>	Financial Intelligence Unit	<b>UK</b>	United Kingdom
<b>FRA</b>	Fundamental Rights Agency	<b>UN</b>	United Nations
<b>Frontex</b>	EU Agency for Integrated Border Management	<b>UNDP</b>	United Nations Development Programme
<b>GRETA</b>	Group of Experts on Action against Trafficking in Human Beings	<b>UN.GIFT</b>	United Nations Global Initiative to Fight Human Trafficking
<b>HBF</b>	Helen Bamber Foundation	<b>UNFPA</b>	UN Population Fund
<b>HDC</b>	Human Dimension Committee	<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>HDIM</b>	Human Dimension Implementation Meeting	<b>UNICEF</b>	United Nations Children's Fund
<b>ICMEC</b>	International Centre of Missing & Exploited Children	<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>ICMPD</b>	International Centre for Migration Policy Development	<b>UN OHCHR</b>	United Nations Office of the High Commissioner for Human Rights
<b>ILO</b>	International Labour Organization	<b>US</b>	United States of America
<b>Interpol</b>	International Criminal Police Organization	<b>USAID</b>	United States Agency for International Development
<b>IO</b>	International Organization		
<b>IOE</b>	International Organisation of Employers		
<b>IOM</b>	International Organization for Migration		

# 10<sup>th</sup> Anniversary

## of the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings and the creation of a Special Representative

“What can we do? We must learn from our experience and review policies and measures that have not worked or have indeed caused further damage. [...] We need a second wave of commitments aimed at ensuring that the globalization process is built on respect for human rights, labour standards, accountability and justice – nationally and globally.”

Special Representative Maria Grazia Giammarinaro at the opening of the 13<sup>th</sup> *Alliance Against Trafficking in Persons* conference, 25 June 2013.

The year 2013 marks the tenth anniversary of the adoption of the Action Plan to Combat Trafficking in Human Beings by the OSCE. The OSCE was one of the first regional multilateral organizations to adopt an Action Plan on Combating Trafficking in Human Beings (Action Plan).<sup>1</sup>

On 24 July 2003, the OSCE Permanent Council adopted the OSCE Action Plan to Combat Trafficking in Human Beings, which was later endorsed by the Ministerial Council on 2 December 2003.<sup>2</sup> On 7 July 2005, the Permanent Council adopted an Addendum to the Action Plan addressing the special needs of child victims of trafficking for protection and assistance.<sup>3</sup>

The 2003 Action Plan's comprehensive, multidimensional, human rights-based and victim-centred approach to combating THB was particularly innovative and of added value to the fight against human trafficking at the regional level.<sup>4</sup> It highlighted that the fight against human trafficking required attention and action in and across the OSCE's three dimensions, the politico-military, the economic and environmental as well as the human dimension. Importantly, the Action Plan addressed the three Ps – protection, prevention, prosecution – on an equal footing,

emphasizing that a comprehensive approach required “a focus on bringing to justice those responsible for this crime, and on carrying out effective measures to prevent it, while maintaining a humanitarian and compassionate approach in rendering assistance to its victims”<sup>5</sup>. Remarkably, already a decade ago, participating States recognized the need for both countries of destination and origin to take action, reflected in several recommendations to both respectively.

The process of developing and adopting the OSCE Action Plan also went hand in hand with broadening and reinforcing the OSCE's institutional response to human trafficking. The Action Plan targeted recommendations from stakeholders at the national level, the participating States, as well as OSCE institutions and bodies. In its decision of 2 December 2003, which endorsed the Action Plan, the Ministerial Council established the OSCE mechanism to provide assistance to participating States to combat THB, which importantly created the function of Special Representative. This ensured that the fight against human trafficking remained high on the political agenda of the OSCE and a priority for the relevant OSCE institutions and bodies. It also helped all stakeholders to join efforts in implementing the Action Plan and other commitments related to combating THB. In 2006, the OSR/CTHB became an integral part of the OSCE Secretariat, headed by the SR/CTHB.<sup>6</sup>

Since 2003, the OSCE has adopted numerous Ministerial Council decisions and declarations on human trafficking that reinforce the Action Plan and update OSCE commitments in this area in line with lessons learned and new developments, in particular with a view to tackling trafficking for labour exploitation and enhancing the criminal justice response to human trafficking<sup>7</sup>.

In 2013, importantly, the Ukrainian OSCE Chairmanship initiated the development of an Addendum to the OSCE Action Plan which would complement the existing commitments and recommendations of the Action Plan adopted in 2003 and supplemented in 2005 and provide participating States with an updated toolkit to combat all forms of THB. To set the ground for the adoption of an Addendum to the Action Plan, one decade after its adoption, the Ukrainian OSCE Chairmanship in

1 Other early regional anti-trafficking initiatives and Action Plans include the Multiyear Anti-Trafficking Action Plan for South Eastern Europe by the Stability Pact for South-Eastern Europe and the Initial Plan of Action against Trafficking in Persons by the Economic Community Of West African States (ECOWAS), both adopted in 2001, as well as the European Union Council Framework Decision on Combating Trafficking in Human Beings of 2002/629/JHA of 19 July 2002. For more information on the initiatives of the Stability Pact for South-Eastern Europe see <<http://www.stabilitypact.org/trafficking/>>, accessed 23 November 2013. For an overview of regional anti-trafficking policy initiatives, see <[http://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296\\_tool\\_2-9.pdf](http://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_2-9.pdf)>, accessed 23 November 2013.

2 OSCE Ministerial Council, *Decision No. 2/03 Combating Trafficking in Human Beings* (Maastricht, 2 December 2003).

3 For the Addendum, see: OSCE Permanent Council, *Decision No. 685 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* (Vienna, 7 July 2005). For the revised Action Plan including addendum, see: OSCE Permanent Council, *Decision No.557/Rev. 1 OSCE Action Plan to Combat Trafficking in Human Beings* (Vienna, 7 July 2005).

For the addendum to the Action Plan, see: OSCE Ministerial Council, *Decision No. 7/13 Combating Trafficking in Human Beings*, MC.DEC/7/13 (6 December 2013), <<http://www.osce.org/mc/109341>>, accessed 12 December 2013, and OSCE Permanent Council, *Decision No. 1107 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later*, PC.DEC/1107 (6 December 2013).

4 At the international level, in 2002 the UN Office of the High Commissioner for Human Rights (OHCHR) developed the *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, which were presented by the High Commissioner for Human Rights, Mary Robinson, to the Economic and Social Council (ECOSOC) in her report to the ECOSOC on 20 May 2002. See: UN Office of the High Commissioner for Human Rights (OHCHR), *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, E/2002/68/Add.1 (2002).

5 OSCE Permanent Council, *Decision No.557/Rev. 1 OSCE Action Plan to Combat Trafficking in Human Beings* (Vienna, 7 July 2005), para. 1. 3.

6 OSCE Ministerial Council, *Decision No. 3/06 Combating Trafficking in Human Beings* (21 June 2006).

7 See all references in Annex 3 of this Report.



co-operation with the OSR/CTHB, organized the High-level Conference “Strengthening the OSCE Response to Trafficking in Human Beings” on 10-11 June 2013 in Kyiv.<sup>8</sup> Also, the 2013 OSCE Human Dimension Implementation Meeting (HDIM) in Warsaw, organized by ODIHR, dedicated its working session on CTHB on 30 September 2013 to taking stock of the implementation of the Action Plan and was, at the same time, an opportunity to discuss the outcome of the High-Level Conference in Kyiv.<sup>9</sup> The session, which had all three OSCE Special Representatives on Combating Trafficking in Human Beings to date – Helga Konrad, Eva Biaudet and the current SR Maria Grazia Giammarinaro - provided an opportunity to reflect on the beginnings and development of the OSCE’s response to human trafficking and areas that require a review of laws, policies and measures. On the occasion of the HDIM working session on human trafficking, the SR/CTHB organized and chaired a side event with legal experts from OSCE participating States, ranging from lawyers to judges, to reflect on “Ten years after the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings: Victims’ rights’ protection – Where do we stand?”, an issue that has been key to the OSCE’s anti-trafficking approach which has, from the beginning, aimed to be victim-centred and human rights-based.<sup>10</sup>

In the months following the Kyiv Conference, participating States, led by the Ukrainian Chairmanship and, upon request, assisted by the OSR/CTHB, intensified the work on the Addendum. Finally, on 6 December 2013, the Permanent Council adopted the *Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade later* and, later on the same day, the Ministerial Council endorsed this adoption.<sup>11</sup> The Addendum will help the OSCE address current and emerging trends and developments in human trafficking as well as challenges related to the prosecution and prevention of human trafficking, as well as to the protection of trafficked persons. It re-affirms the OSCE’s leading role in the fight against human trafficking and paves the way to a more effective response. The Addendum, which is considered to be an integral part of the OSCE Action Plan, builds on the prosecution – prevention – protection structure of the Action Plan and adds a fourth ‘P’, a chapter on partnerships, highlighting the need for enhanced international co-operation including law enforcement co-operation, co-operation between origin and destination countries, co-operation between NRMs, and co-operation between public institutions and the private sector.



**On 6 December 2013, the OSCE Ministerial Council in Kyiv endorsed the adoption of the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later.**

8 For more details, see <<http://www.osce.org/cio/101883>>, accessed 24 November 2013.

9 For the consolidated summary of HDIM, including on working session 10 on trafficking in human beings, see <<http://www.osce.org/odihr/elections/107773>>, accessed 23 November 2013.

10 For more information, see OSCE press release: <<http://www.osce.org/cthb/106271>>, accessed 23 November 2013.

11 OSCE Ministerial Council, *Decision No. 7/13 Combating Trafficking in Human Beings*, MC.DEC/7/13 (6 December 2013), <<http://www.osce.org/mc/109341>>, accessed 12 December 2013; OSCE Permanent Council, *Decision No. 1107 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later*, PC.DEC/1107 (6 December 2013). For the full text of the Addendum, see Annex 2 of this Report.

# Executive Summary

This is the eighth Annual Report produced by the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (SR/CTHB) according to the requirements of OSCE Ministerial Council Decision No. 13/05 on Combating Trafficking in Human Beings. This 2005 Decision tasks the SR/CTHB to report annually on the progress achieved over the preceding year's anti-trafficking work carried out throughout the OSCE region.<sup>12</sup> This report covers the period from January to early December 2013, which corresponds roughly to the fourth and final year of the term of Maria Grazia Giammarinaro. This report will be updated and printed in February 2014 when the SR/CTHB will formally end her mandate as the third OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings.

Part I of the Annual Report presents the work carried out by the SR/CTHB and her Office. It consists of a first chapter providing a general overview of the OSR/CTHB's work in support of the Ukrainian Chairperson-in-Office, participating States and Partners for Co-operation. Part I then offers nine chapters which report in more depth on key areas of the work of the OSR/CTHB in 2013. These include chapters on: country visits, the 13<sup>th</sup> *Alliance Against Trafficking in Persons* conference, ensuring the non-punishment of victims of trafficking, preventing domestic servitude in diplomatic households, trafficking in human beings for the purpose of organ removal in the OSCE region, trafficking in human beings amounting to torture and other forms of ill-treatment, working with participating States and the Mediterranean Partners for Co-operation to prevent human trafficking, human rights and business; and working with the media to raise public awareness.

Part II provides an overview of the anti-trafficking work of the OSCE institutions, structures and field operations, as well as more details on our co-operation. This includes the Office of the Co-ordinator of Economic and Environmental Activities (OCEEA), the Gender Section, and the Transnational Threats Department (TNTD) at the OSCE Secretariat; the Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw; and the OSCE field operations in South Eastern Europe, Eastern Europe, the South Caucasus and Central Asia.

Part III provides an overview of the external co-operation efforts that the OSR/CTHB has been engaged in throughout 2013. It includes chapters on co-operation with international organizations, co-operation with civil society, trade unions, and other non-state partners and, finally, on the *Alliance against Trafficking in Persons*.


The Annual Report also includes three annexes. Annex I provides two tables of events, with weblinks to the event agenda, list of participants and reports whenever available: the first one is a table with OSCE events organized or attended by the SR/CTHB in 2013, the second one is a table with events at which the OSR/CTHB participated with its expertise throughout 2013. Annex II includes the *"Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later"*. Annex III provides a list of references for THB-related documents and publications issued by the OSCE and other leading international organizations, academics and national stakeholders.

The Annual Report also includes a foreword by the OSCE SR/CTHB and a special section on the 10<sup>th</sup> Anniversary of the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings.



**The Office of the Special Representative and Co-ordinator to Combat Trafficking in Human Beings, Vienna**

<sup>12</sup> OSCE Ministerial Council, *Decision No. 13/05 Combating Trafficking in Human Beings*, MC.DEC/13/05 (Ljubljana, 6 December 2005).



**PART I:  
OSR/CTHB  
ACTIVITIES:  
OVERVIEW AND  
FOCUS AREAS**

# 1 Supporting the work of the Ukrainian Chairperson-in-Office, participating States and Partners for Co-operation

## Working with the Chairperson-in-Office

Close co-operation with the OSCE Chairperson-in-Office (CiO) is crucial for the effective implementation of the OSR/CTHB's work throughout the year. From the beginning of its tenure, the Ukrainian Chairmanship included the fight against human trafficking in its "Priorities for Action". The Chairmanship recognized that the time had come, 10 years after the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings in 2003, to review developments and good practices and embark on discussions on how to supplement the existing anti-trafficking commitments and recommendations.<sup>13</sup> To this end, the Chairmanship, in co-operation with the OSR/CTHB, organized a High-Level Conference on "Strengthening the OSCE Response to Trafficking in Human Beings," which took place on 10-11 June 2013 in Kyiv. The OSR/CTHB provided support to the CiO with the organization, conduct and follow-up to the High-Level Conference, including the preparations of the Conference proceedings.<sup>14</sup>

The Kyiv High-Level Conference prepared the ground for an OSCE-wide discussion on the elaboration of an Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings. The OSR/CTHB has been providing technical assistance to the CiO and all participating States during the drafting process and discussions amongst participating States of a PC and MC decision on the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade later. This included participation at the specially formed, cross-dimensional informal working group on the draft Addendum in the run-up to the Ministerial Council meeting in Kyiv on 6-7 December. The Addendum was adopted by the Permanent Council Decision PC.DEC/1107 and endorsed by the Kyiv Ministerial Council Meeting in its Decision MC.DEC/07/13 on 6 December 2013.<sup>15</sup>

The OSR/CTHB also provided regular input to the CiO in relation to the OSCE Helsinki+40 Process, including to the Chairmanship food-for-thought paper for the Kyiv Ministerial Council "A Framework for Decisions". Importantly, throughout 2013, the CiO supported numerous initiatives on human trafficking organized by the OSR/CTHB. This included the opening of the Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region, held on 8 February in Rome and the hosting of a workshop on the prevention of domestic servitude in diplomatic households on 12-13 June in Kyiv.<sup>16</sup>

On the occasion of European Anti-Trafficking Day on 18 October 2013, OSCE Chairperson-in-Office, Ukrainian Foreign Minister Leonid Kozhara, underlined the urgency of strengthening co-operation within the OSCE, stepping up international efforts to

prevent human trafficking, adequately protect trafficked persons and prosecute traffickers.<sup>17</sup>

## Supporting the work of participating States

The SR/CTHB is tasked with raising the public and political profile of the fight against trafficking in human beings in the OSCE region; assisting participating States, in a spirit of co-operation, in the implementation of OSCE commitments; providing and facilitating advice and technical assistance in the field of legislation as well as policy development; and being ready to offer advice to senior level authorities representing the legislative, judicial, and executive branches in participating States and discuss with them the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings, including its 2005 Addendum, and commitments in the field of CTHB.<sup>18</sup>

Throughout 2013, the SR/CTHB and her Office engaged in a variety of activities with participating States in order to further her mandate. This included the organization of high-level conferences and expert meetings at the international level, participation at national anti-trafficking conferences and seminars; country visits; meetings with members of national parliaments; capacity building events for various state actors, including law enforcement, prosecutors and judges; providing support to national projects through funding and or partnership with local actors; research; and awareness-raising.<sup>19</sup> Throughout the year, the Special Representative maintained a constructive dialogue with the participating States through bilateral meetings with delegations and senior officials in the participating States and participation in, and presentations for, the three Committees (Security Committee, Economic and Environmental Committee, and Human Dimension Committee). She also continuously promoted the OSCE's anti-trafficking work and approach and kept the OSCE's anti-trafficking profile high across and beyond the OSCE region.<sup>20</sup>

The main areas of work of the OSR/CTHB throughout 2013 and related activities and achievements are detailed in the thematic sections of Part I of this Report: country visits; the 13<sup>th</sup> *Alliance against Trafficking in Persons* conference; the implementation of the non-punishment provision for victims of trafficking in human beings; the prevention of domestic servitude in diplomatic households; trafficking in human beings for the purpose of organ removal in the OSCE region; trafficking in human beings amounting to torture and other forms of ill-treatment; the prevention of trafficking for human beings in the Mediterranean Region; human rights and business; and work with the media to raise public awareness.

13 See Concept paper of the High-level Conference "Strengthening the OSCE Response to Trafficking in Human Beings" (Kyiv, 10 and 11 June 2013) organized by the 2013 Ukrainian OSCE Chairmanship, CIO.GAL/35/13/Rev.1 (26 April 2013).

14 For details on the conference, see: <<http://www.osce.org/cio/101883>>, accessed 20 November 2013.

15 OSCE Permanent Council, *Decision No. 1107 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later*, PC.DEC/1107 (6 December 2013)

16 For details on these two initiatives, see Part I, Chapter 5 (p. 22) and Part I, Chapter 8 (p. 28) of this Report.

17 The full text of the press release can be found here: <<http://www.osce.org/cio/107200>>, accessed 10 November 2013.

18 See OSCE Ministerial Council, *Decision No. 2/03 Combating Trafficking in Human Beings* (2 December 2003), para. 2; and OSCE Ministerial Council, *Decision No. 3/06 Combating Trafficking in Human Beings* (21 June 2006).

19 For a full list of OSCE events as well as non-OSCE national and international events organized and/or attended by the SR and her Office in 2013, see Annex 1 of this report.

20 Ibid.



Throughout 2013, the OSR/CTHB also worked with experts from law enforcement, prosecutors' offices and courts as well as practicing lawyers to underscore the importance of protecting trafficking victims' rights and enabling vulnerable groups, and exploited and trafficked persons to have effective access to information about their legal rights as well as legal assistance and representation to claim their rights, be it in administrative, civil or criminal proceedings.

Parliamentarians have always been an important partner for the SR/CTHB in enhancing the implementation of anti-trafficking commitments at the national level. In 2013, she provided testimony on the human trafficking situation and related recent developments in the OSCE region during a number of hearings and panel discussions at national parliaments: on 18 July in Rome, she spoke at a panel discussion on human trafficking at the Italian Parliament organized by the President of the Chamber of Deputies of Italy<sup>21</sup> and held a restricted hearing with the Committees for Equal Opportunities and Security at the Senate's Commission for Constitutional Affairs<sup>22</sup>; on 17 September she addressed the U.S. Helsinki Commission in Washington D.C.<sup>23</sup>; and, on 2 December spoke at the evidence session of the Modern Slavery Bill Evidence Review at the UK House of Commons in London, organized by the Home Secretary's Special Adviser on Modern Slavery, Anthony Steen, the Human Trafficking Foundation and the Centre for Social Justice.

### Working with Partners for Co-operation

The OSR/CTHB's work with the OSCE Partners for Co-operation is of fundamental importance in the context of the fight against human trafficking.<sup>24</sup> Human trafficking is often a transnational phenomenon with victims and groups vulnerable to exploitation, as well as perpetrators from or transiting through countries outside the OSCE region, including the countries of the Asian and Mediterranean Partners for Co-operation.

Throughout 2013, the OSR/CTHB participated regularly at the meetings of the Contact Groups of both the Mediterranean and the Asian Partners for Co-operation. Also, on 19 March, the SR/CTHB spoke at the 2013 OSCE-Australia Conference on Improving the Security of Women and Girls, held in Adelaide, Australia.<sup>25</sup> The 13<sup>th</sup> *Alliance against Trafficking in Persons* conference, held on 25-26 June in Vienna was entitled "Stolen Lives, Stolen Money: The Price of Modern-Day Slavery". Very relevant to both the Asian and Mediterranean Partners for Co-operation, participants at the Conference explored the nexus between human trafficking and inequalities in the time of globalization, with particular focus on inequalities linked with migration and the labour market.<sup>26</sup>

Trafficking in human beings has been identified as one of the areas for possible OSCE engagement in the process of consultations with the Delegations of the Mediterranean Partners for Co-operation initiated by OSCE Secretary General Lamberto Zannier in the implementation of Ministerial Council Decision 5/11.<sup>27</sup> Throughout 2013, the SR/CTHB and her Office developed numerous initiatives with the Mediterranean Partners for Co-operation, the OSCE participating States on the Northern rim of the Mediterranean and with the Swiss Chair of the Mediterranean Contact Group to enhance co-operation for the prevention of human trafficking in the Mediterranean region. This included the Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region, organized in co-operation with and hosted by the Italian Chamber of Deputies in Rome on 8 February; two expert meetings on the prevention of human trafficking in the Mediterranean held in Vienna on 10 May and 7 October respectively; and – as a follow-up to these events a session on "The Social and Economic Impact of Trafficking for Labour Exploitation, and the Role of the Business Sector" at the 2013 OSCE Mediterranean Conference held on 28-29 October in Monaco.<sup>28</sup> Following the Conference, the Swiss Chair of the Mediterranean Contact Group elaborated a perception paper which includes the outcomes of the discussions, including areas for enhanced co-operation for 2014.<sup>29</sup>

In close co-operation with Israel's Ministry of Justice and its Agency for International Development Cooperation (MASHAV), the UNODC and the IOM, the OSR/CTHB also organized an International Seminar for Judges on the Critical Role of the Judiciary in Combating Trafficking in Human Beings. The seminar was held on 5-8 August at the Golda Meir Mount Carmel International Training Center in Haifa, Israel. It allowed judges from across the globe, including from OSCE participating States such as Moldova, Montenegro, the Netherlands, Serbia and the United States to discuss new developments, challenges and good practices related to human trafficking and criminal justice responses.

Finally, on 30-31 October, in co-operation with the UNODC and the IOM, the OSCE - represented by the OSR/CTHB and TNTD (SPMU and Borders Unit), launched a joint project at the Hofburg in Vienna on the link between irregular migration and trafficking in human beings with a focus on migration routes through the Eastern Mediterranean region to Central and Western Europe. The launch seminar brought together migration and criminal justice experts from national authorities, civil society and international organizations from participating States and Partners for Co-operation. The project also aims to facilitate an informal network of experts between countries of origin, transit and destination.<sup>30</sup>

21 For the official video of the entire panel discussion in Italian, see: <<http://webtv.camera.it/archive>>, accessed 20 November 2013, and insert "Giammarinaro" in the search engine.

22 See the OSCE press release: <<http://www.osce.org/cthb/103751>>, accessed 20 November 2013.

23 For more details on the SR's testimony to the U.S. Helsinki Commission, see <<http://www.osce.org/cthb/105156>>, accessed 20 November 2013.

24 For details on the OSCE Partnership for Co-operation, see <<http://www.osce.org/ec/77951>>, accessed 11 November 2013.

25 For more information on the Conference, see: <<http://www.osce.org/ec/98417>>, accessed 20 November 2013.

26 For details on the 13<sup>th</sup> *Alliance* Conference, see the conference webpage at: <<http://www.osce.org/event/alliance13>>, accessed 20 November 2013.

27 See OSCE Ministerial Council, *Decision No. 5/11 Partners for Co-operation* (7 December 2011), <<http://www.osce.org/mc/86081>>, accessed 11 November 2013.

28 For details on the 2013 OSCE Mediterranean Conference, see: <<http://www.osce.org/ec/103342>>, accessed 20 November 2013.

29 See the consolidated summary of the 2013 OSCE Mediterranean Conference, SEC.GAL/189/13 (14 November 2013) and the Conference's concluding remarks by Ambassador Greminger, Chairperson of the Mediterranean Contact Group, PC.DEL/862/13 (30 October 2013). For more details see also this report's thematic chapter on working with pS and the Mediterranean Partners for Co-operation to prevent trafficking in human beings in the Mediterranean Region (Part I, Chapter 8, page 28).

30 For more details on the mapping seminar and project, see: <<http://www.osce.org/spmu/107660>>, accessed 20 November 2013.

# 2 | Country visits

Country visits are at the core of the work of the SR/CTHB. Country visits are an excellent tool to assist participating States, in a spirit of co-operation and consultations, in the implementation of OSCE commitments and to make full usage of the OSCE's Action Plan to Combat Trafficking in Human Beings and its recommendations; to discuss with authorities from all sectors of governance the implementation of anti-trafficking commitments and provide and facilitate advice and technical assistance in the field of legislation and policy development; to co-operate with National Rapporteurs or other mechanisms established by participating States to co-ordinate and monitor anti-trafficking action at the national level, and to put the fight against human trafficking high on the political agenda.<sup>31</sup>

Country visits serve to establish and strengthen a direct and constructive dialogue with participating States on anti-trafficking policy and measures and to share knowledge and good practices. The information collected during country visits and the related findings and recommendations developed by the SR/CTHB are first and foremost relevant for the country visited. The concise overview of policies and measures included in country reports, and in particular good practices can, however, be of added value also for state and civil society stakeholders in other countries within and beyond the OSCE region.

**“The country visits of the Special Representative are very important. They represent high-level technical expertise and support for a country's action in the fight against human trafficking.”**

**Manuel Albano, Portuguese National Rapporteur for Human Trafficking**

Importantly country visits are able to have an impact on all four Ps – prosecution, protection, prevention and partnership – and thus across all three dimensions of the OSCE. Country visits are also able to impact on the political and operational level of participating States. The fact that the SR/CTHB's country visits include high-level political meetings with key decision makers in the fight against human trafficking and related policy areas maximizes their possible impact. At the same time country visits allow for direct dialogue with civil society actors, including NGOs, active in the field. Country visits also help to promote and strengthen dialogue and exchange of information and expertise between government and civil society, including victim support NGOs and victim advocates. During her country visits, the SR/CTHB also meets, whenever possible, the key international organizations working in the country, in an effort to enhance co-operation and avoid duplication.

Country visits include meetings with Government and civil society stakeholders in the capital and whenever possible also in at least one region. Since the creation of the position of country visit officer with the OSR/CTHB in 2013, the SR/CTHB is generally accompanied during her country visits by the country visit officer and another member of her staff. Country visits are being conducted in an atmosphere of open and constructive dialogue and exchange of information and knowledge. Specific features are common to all country visits, such as a civil society meeting, meeting with high-level representatives of all lead ministries and institutions in the fight against human trafficking, meetings with parliamentarians as well as the judiciary, in particular prosecutors and judges. Whenever possible, the SR during country visits always tries to hold an event with university students and academics and journalists in order to maximize the awareness-raising effect during country visits and enhance national public attention to, and understanding of, human trafficking in the OSCE region.

In 2013, the SR/CTHB conducted country visits to four OSCE participating States: Italy, Kazakhstan, Romania and Uzbekistan.

### Italy, 17-18 June and 15-19 July 2013

During her country visit to Italy on 17-18 June and 15-19 July, the Special Representative met with Pietro Grasso, President of the Senate; Laura Boldrini, President of the Chamber of Deputies; Emma Bonino, Minister of Foreign Affairs; Anna Maria Cancellieri, Minister of Justice<sup>32</sup>; Enrico Giovannini, Minister of Labour and Social Policies; Cecilia Guerra, Vice Minister of Labour and Social Policies who is in charge of the co-ordination of anti-trafficking activities; Cécile Kyenge, Minister for Integration; the Acting National Anti-Mafia Prosecutor; and high-level representatives of the Italian Presidency, officials of the Ministry of Interior and municipal and provincial authorities from across Italy, including the Mayor of Rome. The SR/CTHB also held a joint meeting with district anti-mafia prosecutors and law enforcement agencies specialized in the fight against organized crime, labour inspections and economic crime. In addition, she held a meeting with civil society organizations and trade unions and paid a visit to a Centre for Identification and Expulsion (CIE). Finally, the SR/CTHB was also a panel speaker at a discussion on human trafficking organized by the President of the Chamber of Deputies and held a hearing with the Committees for Equal Opportunities and Security at the Senate's Commission for Constitutional Affairs.<sup>33</sup>

### Kazakhstan, 1-4 July 2013

During her country visit to Kazakhstan from 1-4 July, the SR/CTHB met with high-ranking Government officials, including Justice Minister Berik Imashev, Ambassador at-large at the Ministry of Foreign Affairs, Usen Suleimen, and representatives of the Prosecutor General's Office, the Criminal Police Committee at the Ministry of Internal Affairs, the Ministry of Labour and Social Protection, the Supreme Court, the National Human Rights Centre and the Academy of Public Administration. The SR/CTHB also visited a rehabilitation Centre run by the NGO Korgau-Astana.

31 OSCE Ministerial Council, *Decision No. 2/03 Combating Trafficking in Human Beings* (Maastricht, 2 December 2003), para. 2.

32 The meeting with the Minister of Justice originally scheduled in July was postponed and took place on 5 September 2013.

33 For more details on the SR/CTHB's country visit to Italy, see: <<http://www.osce.org/cthb/103751>>, accessed 14 November 2013.





The SR/CTHB also met the OSCE Centre in Astana and discussed the Centre's activities supporting Kazakhstan's stakeholders in implementing the OSCE commitments related to preventing and combating trafficking in human beings and addressing labour migration.<sup>34</sup>

### Romania, 9-12 September 2013

During her country visit to Romania from 9-12 September, the SR/CTHB met with high-level Government officials as well as representatives of leading NGOs including Terre des Hommes, and officials from UNICEF, the UNHCR and the IOM. As part of her country visit, the SR/CTHB also met with Valeriu Zgonea, President of the Chamber of Deputies, as well as State Secretary Florea Oprea of the Internal Affairs Ministry, State Secretary Simona Maya Teodoriu of the Justice Ministry, State Secretary Bogdan Lucian Aureescu of the Foreign Ministry and a range of officials at other institutions. The SR/CTHB also had the opportunity to visit the Governmental Center for Protection and assistance to victims of trafficking newly built in Bucharest.<sup>35</sup>

### Uzbekistan, 5-9 November 2013

During her country visit to Uzbekistan from 5-9 November, the SR/CTHB met with Prosecutor General Rashidjon Kadyrov as the Chair of Interagency Commission on Combating Trafficking in Human Beings, with First Deputy Minister of Labor and Social Protection, Batir Alimukhamedov, and Anvar Usmanov, Deputy Minister of Justice. She also held meetings with representatives of the Ministry of Foreign Affairs and the Ministry of Internal Affairs. Furthermore, the SR/CTHB met with the Chairperson of the Judicial Collegium on Criminal Cases of the Supreme Court, Gairat Khidoyatov, the Chair of the Committee on Legislation and Judicial-Legal Issues in the Senate (upper chamber) of the Oliy Majlis of the Republic of Uzbekistan, Svetlana Artykova, the Chair of the Committee on Defence and Security in the Legislative chamber (lower chamber) of the Oliy Majlis, Kodirjon Juraev, as well as the Chair of the Women's Committee, Elmira Basitkhanova. During her country visit, the SR/CTHB also visited the State Rehabilitation Center for Rendering Assistance and Protection to the Victims of Human Trafficking. The SR/CTHB also held a meeting with representatives of NGOs coming from various regions of Uzbekistan and met with the Federation of Trade Unions of Uzbekistan. Finally, she had the opportunity to meet local authorities in Samarkand, including Samarkand's Mayor and Head of the Samarkand Territorial Anti-trafficking Commission as well as the Oblast Prosecutor.<sup>36</sup>

### Country reports, follow-up and impact

The OSR/CTHB writes a country report on each country visit, which includes concrete recommendations and is shared with the Government of the country visited for comments. The report is subsequently published, and if the participating State so desires, its comments are included. The country reports underline promising

practices of the country as well as challenges discussed and contain concrete recommendations to support the country in enhancing the implementation of OSCE anti-trafficking commitments. Feedback from government and civil society stakeholders in countries that the SR/CTHB visited confirms the immediate positive impact country visits have by bringing all stakeholders together to focus on achievements and challenges and emphasize the importance of government and civil society partnerships in anti-trafficking action. For national and local stakeholders the country visit is also an excellent opportunity to get familiar with new developments, challenges and good practices across the OSCE region and an opportunity to share ideas and experiences. Country visits create momentum for all national stakeholders to take a step back, take stock and reinvigorate their anti-trafficking efforts. They also allow for the identification of new possible areas for co-operation between participating States and OSCE institutions, structures and field operations.

*"The OSCE Special Representative's country visit to Italy was essential in this challenging time. It allowed to reinvigorate national anti-trafficking efforts and to strengthen the link between the Italian government and non-governmental organizations."*

Vincenzo Castelli, President of the Italian NGO On the Road and Project Manager for the National Co-ordination of Reception Centers (CNCA)

In 2013, the OSR published three country visit reports, i.e., the country visit reports on Ireland, Bosnia and Herzegovina, and Portugal. Throughout 2013, the OSR/CTHB also worked with participating States on follow-up to earlier country visits, including the participation at national events and dialogue with national authorities and civil society on how to implement the recommendations of the country report. Follow-up to country visits includes amendments in law and policy; the development or review of national action plans and other policy guidance on anti-trafficking; invitations to participate at national anti-trafficking events and the active involvement of national actors in OSCE initiatives. Country visits also raise public awareness on human trafficking as they have regularly been reflected in the national media.<sup>37</sup>

34 For more details on the SR/CTHB's country visit to Kazakhstan, see: <<http://www.osce.org/cthb/103309>>, accessed 14 November 2013.

35 For more details on the SR/CTHB's country visit to Romania, see: <<http://www.osce.org/cthb/104867>>, accessed 14 November 2013.

36 For more details on the SR/CTHB's country visit to Uzbekistan, see <<http://www.osce.org/cthb/108291>>, accessed 14 November 2013.

37 For more information on the SR/CTHB's country visits conducted so far and related follow-up, as well as the full text of the country reports, including the Government's response, where available, see <<http://www.osce.org/cthb/88717>>, accessed 14 November 2013.

# 3 | The 13<sup>th</sup> Alliance Against Trafficking in Persons conference: “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery”<sup>38</sup>

The 13<sup>th</sup> *Alliance against Trafficking in Persons* conference entitled “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery” took place on 25-26 June 2013 at the Hofburg in Vienna. The high-level *Alliance* conference attracted over 350 participants from OSCE participating States and Partners for Co-operation, members of the *Alliance against Trafficking in Persons*, civil society, trade unions, the private sector as well as experts and academics. Every year, the *Alliance against Trafficking in Persons* conference provides an excellent forum for gathering expertise, exchanging good practices and enhancing dialogue between national authorities, civil society and other stakeholders in the OSCE region with a view to advancing the implementation of OSCE anti-trafficking commitments and other relevant international standards.



**Joy Ngozi Ezeilo,**  
UN Special Rapporteur  
on Trafficking in per-  
sons, especially women  
and children

“In today’s globalized world the risks of human trafficking in business supply chains are significant in many economic sectors, and have not been adequately dealt with, either by States or by businesses themselves. Challenges in integrating a human rights-based approach in addressing the demand side of trafficking in persons include obstacles such as ensuring labour rights, ensuring the respect and implementation of children’s rights, and other fundamental human rights while conducting business.”

Joy Ngozi Ezeilo, UN Special Rapporteur on Trafficking in persons, especially women and children, during her opening remarks at the *Alliance* Conference



**Jan Eliasson,**  
United Nations Deputy  
Secretary-General

“The fight against human trafficking is a battle for justice, equality and dignity. It is a battle for human rights and human decency. [...] Human Trafficking demands a coordinated response at every level. We must take action on all fronts: criminal justice, victim assistance and victim protection, human rights, migration policy and labour market regulation.”

United Nations Deputy Secretary-General  
Jan Eliasson in his Welcoming Remarks at the  
*Alliance* Conference.

The 13<sup>th</sup> *Alliance* Conference focused on the nexus between human trafficking and globalization, in particular human trafficking and inequalities related to migration and the labour market. The economic, social and political costs of modern-day slavery, both in terms of human rights violations and in terms of the erosion of healthy and legitimate businesses and the rule of law were at the centre of the discussions during the two-day conference which brought together policy makers, practitioners from state bodies and civil society, academics, diplomats and international organizations from across the OSCE region and Partners for Co-operation. The importance and timeliness of the conference’s topic was also confirmed by the high-level participation it received from *Alliance in Trafficking in Persons* member organizations, including Jan Eliasson, UN Deputy Secretary-General; Yury Fedotov, UNODC Executive Director; Sergey Lebedev, Chairman of the CIS Executive Committee; Laura Thompson, IOM Deputy Director General; and Moussa Oumarou, Director of the Governance and Tripartism Department at the ILO.

The link between inequalities and migration is manifold. Inequalities are push factors for migration. This can be extreme poverty or the lack of opportunities for a work and life project for the individual and the family. Inequalities can also be the outcome of a migration process, due to the lack of adequate assistance for migrants and ineffective integration policies.

<sup>38</sup> This chapter is based on the SR/CTHB’s Opening Address at the 13<sup>th</sup> *Alliance* conference and contributions from other speakers at the conference. For the agenda and speeches of the Conference, see <<http://www.osce.org/event/alliance13>>, accessed 13 November 2013.



The debate on human trafficking, and in particular the question of how to put in place effective measures to prevent and fight THB needs to be placed in the context of these fundamental questions about globalization and migration, taking into account that migration is, and will remain, an essential component of a globalized economy.

Poverty, a lack of job opportunities, violence, discrimination and marginalization in their country of origin are among the root causes that make individuals and communities vulnerable to human trafficking and exploitation. Moreover, regulations governing migration and labour markets create vulnerabilities and make certain migrants, in particular undocumented migrants, easily exploitable and this can often be carried out with impunity. Migrants face restrictions regarding access to legal migration channels and to residence status. They often also bear unjustified restrictions regarding access to the labour market in regular conditions, to healthcare, and even to education for children. These last restrictions result in inequalities with respect to nationals, creating a sort of second class person. Such migration policies make migrants socially vulnerable and expose them to exploitation and trafficking. In this context, what happens in practice is that vulnerable migrant workers can fall prey to traffickers and exploiters, be used and abused as cheap labour, not paid at all, or paid the minimum that is needed for their mere survival.

Trafficking is a phenomenon of severe exploitation affecting people – men, women and children – who are deprived of any protection, be it social protection in the form of unionization, the protection of a familiar social and cultural environment, and, importantly, the protection of the rule of law. In fact, laws and regulations increase their vulnerability, while xenophobic and discriminatory attitudes in the society are at the same time the cause and the effect of norms restricting their rights.

The social costs of the exploitation that pervades societies are not obvious to all. So far the advantages of this *de facto* slavery have been a hidden and concurrent driving force fostering trafficking in human beings. In fact, criminal groups and businesses, especially in certain sectors, have taken advantage of cheap labour on a vast scale, thereby dramatically decreasing the costs of production. Governments and other stakeholders including the private sector and trade unions, have started to understand that there are other sides to this pervasive exploitation, and that the outcome of such a system ultimately undermines security, stability, democratic development, the rule of law and human rights, as well as sustainable economic development in our societies.

However, only a very limited number of victims are identified and almost none are able to access effective remedies, including compensation. The official number of identified victims – at the national, regional and global level – is clearly not commensurate with the dimension and the gravity of the problem. It is necessary to review policies and measures that have not worked or have indeed caused further damage, such as the criminalization of migrants without permission to enter or stay, which has only played into the hands of criminal networks and exploitative employers and made migrants even more vulnerable and less likely to escape their exploiters.

Human trafficking has reached massive proportions, according to ILO estimates, amounting to 3 million trafficked persons at any given time in the OSCE region. The whole spectrum of exploitation needs to be addressed in order to make trafficking visible and also to fight it effectively. The criminal justice response to trafficking remains essential, but it cannot be the only response if we want to combat such pervasive and severe exploitation at its root. Access to justice for all exploited workers, including irregular migrants, also in relation to civil and labour law courts and out-of-court litigation, is crucial – in terms of protection, prevention and deterrence.

Ten years after the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings in 2003, there is a need to ensure that the globalization process is built on respect for human rights, labour standards, accountability and justice; be rooted in a broader vision of a fair society which respects the dignity of all persons and does not allow exploitation to flourish and mainstream human rights-based anti-trafficking measures need to be mainstreamed into all related policy areas.



**Teresa Morais,**  
Portuguese State  
Secretary for Parliamentary  
Affairs and Equality

“The law [in Portugal] treats differently situations related to illegal immigration and trafficking in human beings but, in both cases, there is a clear option for the protection of the victims. I think that our law achieved a good balance between the protection of victims and their integration, the promotion of legal migration and the fight against illegal immigration. We must look after the fragile situation in which these people live, even if they do not fulfill the conditions of legal stay in the country.”

Teresa Morais, Portuguese State Secretary for Parliamentary Affairs and Equality during her opening remarks at the *Alliance*

# 4 | Ensuring the non-punishment of victims of trafficking

Detained and investigated as suspects and prosecuted as offenders, imprisoned for having committed a crime, ordered to pay fines for administrative contraventions or as criminal penalties and deported and otherwise punished for irregular entry or stay, these are still realities for many victims of trafficking - while their exploiters and traffickers escape criminal, civil and administrative liability. Victims of trafficking are punished for offences such as illegal entry/stay, irregular work, illegal activities, possession of false documents, false testimony.

Against this background, the SR/CTHB, in consultation with the *Alliance against Trafficking in Persons* Expert Co-ordination Team, developed *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*. The SR/CTHB's policy and legal recommendations were published in April 2013 and launched on 25 April at the 22<sup>nd</sup> session of the UNODC Commission on Crime Prevention and Criminal Justice in Vienna.<sup>39</sup>

The paper examines the principle of non-punishment in international law, explores the scope of its application and discusses the challenges in its practical implementation. It includes a number of practical examples and court cases which were made available by national agencies, NGOs and legal professionals who have been examining these issues extensively, in particular the Belgian Centre for Equal Opportunities and Opposition to Racism, the Bureau of the Dutch National Rapporteur on Trafficking in Human Beings, as well as UK courts and lawyers. The paper concludes with the provision of practical guidance, and the formulation of policy and legislative recommendations, towards the effective implementation of the non-punishment provision with regard to victims of trafficking (see the adjacent box with key recommendations).

In practice, victims who have escaped their exploiters and traffickers often find themselves in a subsequent ordeal, charged with crimes by a justice system which ought to protect their rights. The cases of *R. v. L.*, *HVN*, *THN*, and *T v R*, heard by the Court of Appeal of the judiciary of England and Wales in June 2013, are examples of this.<sup>40</sup> This case, however also shows that there are initial signs that the non-punishment provision in relation to victims of human trafficking is starting to be understood and applied by justice system actors in the OSCE region. In the case, the Court of Appeal quashed the convictions of the four victims of trafficking who had been prosecuted for offences related to their status, i.e., possession of a false identity document and production of a controlled Class B drug (cannabis). This is thanks to the courage of the victims, the expertise and commitment of their lawyers, interventions by the Children's Commissioner for England and the Equality

"In these appeals we are dealing with the problems raised by four [...] cases in which three children and one adult who were trafficked by criminals for their own purposes have been prosecuted and convicted. Unfortunately the criminals who trafficked them, have escaped justice." [...]

"Women and children, usually girls, are trafficked into prostitution: others, usually boys, but sometimes young adults, are trafficked into cannabis farming: yet others are trafficked to commit a wide range of further offences. Sometimes they are trafficked into this country from the other side of the world: sometimes they enter into this country unlawfully, and are trafficked after their arrival: sometimes they are trafficked within the towns and cities in this country where they live. Whether trafficked from home or overseas, they are all victims of crime. This is how they must be treated and, in the vast majority of cases they are: but not always."

Lord Chief Justice of England and Wales,  
on behalf of the Court, 21 June 2013  
Source: [2013] EWCA Crim 991, paragraphs 1 and 2

and Human Rights Commission and the foresight of the judges. The judgement cites the SR's policy and legal recommendations as a source considered in the reasoning of the judgment.<sup>41</sup> It is hoped that the reasoning behind this judgement is of guidance to justice sector actors across the OSCE region.

The non-punishment principle is an essential element of a human rights-based approach in the fight against trafficking in human beings. Over the past decade, the non-punishment principle in relation to victims of trafficking has evolved from a soft law standard – first enunciated in the UN Recommended Principles and Guidelines on Human Rights and Human Trafficking – into a legally binding provision in Art. 26 of the Council of Europe Convention on Action against Trafficking in Human Beings and in Art. 8 of the EU Trafficking Directive. It also has been affirmed in numerous OSCE commitments since 2000.<sup>42</sup> In essence, the principle says that States must ensure that victims are not punished for offences directly linked to their having been trafficked.

A direct link between the commission of an offence by a victim (usually of a criminal or administrative nature) or the compulsion to commit such offence, are the generally established tests for the application of the principle. In the case of children, a link only needs to be established.<sup>43</sup> The shield of the non-punishment provision should also be used to prevent that other sanctions and pun-

<sup>39</sup> See Royal Courts of Justice, Court of Appeal, Criminal Division, Case of *R. v. L.*, *HVN*, *THN* and *T*, EWCA Crim 991 (2013), para. 1, <<http://www.judiciary.gov.uk/Resources/JCO/Documents/Judgments/l-hvn-thn-t-v-r-judgment.pdf>>, accessed 15 November 2013.

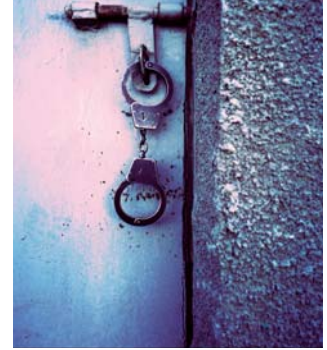
<sup>40</sup> *Ibid.*

<sup>41</sup> Royal Courts of Justice, Court of Appeal, Criminal Division, *Op. Cit.*

<sup>42</sup> OSCE Permanent Council, *Decision No. 557/Rev.1 OSCE Action Plan to Combat Trafficking in Human Beings*, PC.DEC/557/Rev.1 (Vienna, 7 July 2005), Chapter IV, para. 5.2.; OSCE Ministerial Council, *Decision No. 1 Enhancing the OSCE's Efforts to Combat Trafficking in Human Beings*, MC(8).DEC/1 (Vienna, 28 November 2000), para. 9; OSCE Ministerial

Council, *Ministerial Declaration on Combating All Forms of Human Trafficking*, MC.DOC/1/11/Corr.1 (7 December 2011)

<sup>43</sup> For a detailed analysis of the principle, including its scope and recent judicial interpretation, see: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in consultation with the *Alliance against Trafficking in Persons* Expert Co-ordination Team, *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* (Vienna, April 2013), pp. 8-13, <<http://www.osce.org/cthb/43587>>, accessed 3 November 2013.



ishments are unjustly imposed on trafficked persons. For example, States should take measures to ensure that the trafficked person will not have a criminal record as a consequence of having committed an offence directly related to their being trafficked. Moreover, a conviction of a victim of trafficking for a trafficking-related offence should not be considered a reason not to grant or extend a residence permit, nor to declare the person an undesirable alien (through e.g., issuing a non-entry ban).

A State's obligation to adhere to the principle of non-punishment of victims is intrinsically tied to its obligation to identify, assist and protect victims, and also to a State's duty to investigate THB with due diligence and to bring the perpetrators to justice. It includes negative obligations, such as the non-detention and non-imposition of penalties by state actors, but also positive obligations, such as enabling effective access to assistance, including legal assistance, and rights; enacting laws and issuing guidance, including common indicators and mandatory interview questions, to implement the principle at the national level across the regimes governing the work of all involved stakeholders.

Only when victim identification and referral for assistance is comprehensive and effective, and all justice actors know what their responsibilities in this context are and implement them as a matter of course, will it be possible to prevent victims from being punished and re-victimized by the state. The SR/CTHB's policy and legislative recommendations aim at being a first such guidance that can be easily adapted to the needs of the national legal systems and policy processes. The positive feedback and interest received in relation to the paper since its publication, from state and civil society stakeholders, policy makers and practitioners across the OSCE region shows the relevance of the topic and also the prospects for positive impact. The SR/CTHB's policy and legislative recommendations have already been translated into several languages and published by OSCE field operations in co-operation with the OSR/CTHB, and translations into additional languages are planned for next year.<sup>44</sup> Equally, a number of follow-up activities have already taken place in 2013, including during a side event at this year's *Alliance against Trafficking in Persons* conference on 25 June in Vienna, a side event at the Human Dimension Implementation Meeting in Warsaw on 30 October, an international seminar for judges from 5-8 August in Haifa, Israel, the Annual Conference of the Association of Prosecutors from the Federation of BiH on 9-11 October in Neum, Bosnia and Herzegovina, and in Baku on 26-27 November in a workshop for justice sector professionals organized by the OSCE Office in Baku.<sup>45</sup> More follow-up events are planned for 2014.

The OSR/CTHB will continue to work with participating States and civil society to develop national strategies and measures to implement the non-punishment principle and to ensure it is incorpo-

rated into all capacity building activities on THB. To help achieve this goal, the implementation of the non-punishment principle is mainstreamed in all relevant OSR/CTHB activities, including the SR/CTHB's country visits and capacity building for law enforcement and the judiciary. Importantly, the non-punishment provision will, if applied correctly, equally and fairly, enable States to improve their prosecution rates whilst ensuring critical respect for the dignity and safety of all victims of trafficking.

## KEY RECOMMENDATIONS

- 1. Non-punishment is a legal right:** States should therefore consider adopting an open-ended list of offences typically related to trafficking in human beings, with regard to the commission of which victims of trafficking will not be punished or penalized so long as the necessary link with trafficking is established. Non-punishment applies to offences of a criminal and administrative nature.
- 2. No limitation on the scope:** States have an obligation to keep victims immune not only from the application of a penalty but also from prosecution and detention, where their crime was caused or directly linked to their having been trafficked. It is then for States to exercise their discretion regarding how to implement this requirement in their national legal systems.
- 3. Special considerations for children:** Where a child is involved as a suspect and possible victim, compulsion needs to be understood in light of the child's vulnerability on account of their age alone, and of the irrelevance of consent in the legal definition of child trafficking. Also, the authorities' response must be speedy, their best interests shall be considered paramount at all times, and they must be immediately provided with appropriate assistance and protection.
- 4. Effective identification and referral systems as a prerequisite of non-punishment principle:** As soon as there is a reasonable suspicion that the criminal suspect is a possible victim, State authorities are under a duty to act proactively to uncover potential THB. Legal counselling and assistance should be immediately provided to the person and any deportation order should be suspended while the victim identification process is ongoing. At the same time, the public prosecutor and/or judge should provisionally suspend the proceedings on their own initiative.
- 5. Stay of proceedings once reasonable grounds suggest victim of trafficking:** Once a reasonable grounds indication has been reached that the suspect is a victim of trafficking, any prosecution against them for a crime that is directly linked to their trafficking should not be initiated or at least be discontinued without delay (or as soon as possible) by the competent judicial authority.

Source: SR Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking.

44 So far it has been translated into Armenian, Azerbaijani, Bosnian and Macedonian. See also Part II of this report (page 33) for more information.

45 For more details, see the tables of events in Annex 1 of this report.



Read the SR Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking on <<http://www.osce.org/cthb/43587>>

# 5 Preventing domestic servitude in diplomatic households

“Domestic servitude is no less serious or harmful than other forms of trafficking; it is simply another way in which people are subjugated. Domestic servitude is modern-day slavery, and it is an appalling violation of the dignity and rights of thousands of people. It is both painful and shameful that it also occurs within the diplomatic community. [...] We are the diplomatic community and we have the responsibility to sensitize our community to this hidden form of exploitation and to the existing good practices to prevent it.”

Maria Grazia Giammarinaro, OSCE Special Representative, at the opening of the second workshop on prevention of THB for domestic servitude in diplomatic households on 12 June 2013 in Kyiv.

Until recently, the issue of domestic servitude in diplomatic households was taboo within the diplomatic community. It is thanks to the hard work of civil society organizations and victim advocates and the courage of the victims themselves to come forward as well as the commitment of a few Ministries of Foreign Affairs, that States have started to take action and to react to cases of abuse and exploitation at the hands of diplomats. While the vast majority of victims are women, employed as housekeepers, cooks or nannies, there are also documented cases of male victims, employed as cooks, gardeners or chauffeurs.<sup>46</sup>

Victims of trafficking for domestic servitude in diplomatic households are particularly vulnerable. The privileges and immunities provided to diplomats in the *Vienna Convention on Diplomatic Relations* (1961) and the *Vienna Convention on Consular Relations* (1963) can be abused and can pose a challenge to ensure rights protection and access to justice for domestic workers in diplomatic households. As a result, preventive measures are often the only measures available for victims of domestic servitude in diplomatic households. It is, therefore, even more important to sensitize the diplomatic community and disseminate good practices aimed at preventing it and protecting domestic workers.

46 See OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*, Occasional Paper Series no. 4 (Vienna, December 2010), <<http://www.osce.org/cthb/75804>>, accessed 6 November 2013.

47 For details on the conference, including agenda and speeches, see: <<http://www.osce.org/cthb/69736>>, accessed 6 November 2013.

48 OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), Op. Cit.

49 See the meeting report of the International Roundtable “Violations of domestic workers’ rights in the context of diplomatic immunity” at

The 2008 OSCE Ministerial Council Decision No. 5/08 encourages participating States to ensure that all forms of trafficking in human beings, as defined in the OSCE Action Plan, are criminalized in their national legislation and that perpetrators of human trafficking do not enjoy impunity. The OSR/CTHB has been working to enhance States’ responses to trafficking for domestic servitude for the last three years, with a special focus on employers enjoying diplomatic immunities and privileges since the beginning. In 2010, the OSR/CTHB dedicated its 10<sup>th</sup> *Alliance against Trafficking in Persons* conference to the issue of trafficking for domestic servitude<sup>47</sup> and published its fourth Occasional Paper entitled *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*.<sup>48</sup> This, together with the adoption of the ILO Convention 189 on Decent Work for Domestic Workers in June 2011, paved the way for enhanced action on the topic also in the OSCE region.

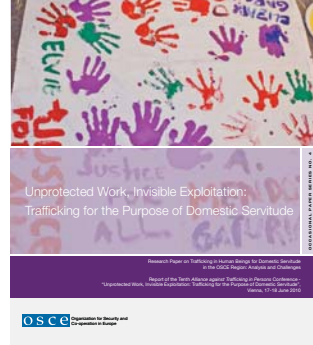
The OSR/CTHB used the momentum to develop some activities and a project to mobilize greater political will to tackle this hidden form of labour exploitation. The OSR/CTHB partnered with the German Human Rights Institute in the organization of an expert-level seminar. A variety of perspectives ranging from foreign ministries, non-governmental organizations, lawyers and academia to international organizations were discussed at the International Roundtable on “Rights Violations and Access to Justice of Domestic Workers in the Context of Diplomatic Immunity” in Berlin on 2-3 May 2011.<sup>49</sup>

To follow up on the OSR/CTHB’s path-breaking work, a project was designed to prevent situations of abuse or exploitation of domestic workers hired by diplomats as well as to sensitize them to the fact that the international community should take its responsibilities and act proactively. The extra-budgetary project consists of a series of workshops targeting Protocol Departments within the Ministries of Foreign Affairs of OSCE participating States.<sup>50</sup> The workshops aim at promoting the establishment of concrete measures to prevent trafficking in human beings for domestic servitude in diplomatic households based on existing good practices. The innovative aspect of this project is that the target group which effectively can prevent situations of abuse or exploitation is directly addressed.

Protocol Departments of OSCE participating States are central actors in the prevention of this invisible form of trafficking. Firstly, based on the Vienna Conventions they are responsible for issuing visas/residence permits to domestic workers employed in diplomatic households, and secondly, they are the guardians of good international relationships between States. Therefore, they play a pivotal role in preventing any abuse of diplomatic immunities for the purpose of exploiting domestic workers. During the workshops, high-level representatives of Protocol Departments have

<<http://www.institut-fuer-menschenrechte.de/en/project-forced-labour-today/events-and-trainings.html>>, accessed 20 November 2013; German Institute for Human Rights, *Domestic Workers in Diplomats’ Households Rights Violations and Access to Justice in the Context of Diplomatic Immunity. Analysis of Practice in Six European Countries* (Berlin, 2011), <[http://www.institut-fuer-menschenrechte.de/uploads/tx\\_commerce/domestic\\_workers\\_in\\_diplomats\\_households\\_03.pdf](http://www.institut-fuer-menschenrechte.de/uploads/tx_commerce/domestic_workers_in_diplomats_households_03.pdf)>, accessed 6 November 2013.

50 This work is being undertaken within the framework of the OSR/CTHB extra-budgetary (ExB) project “Workshops on Prevention of Trafficking of Human Beings for Domestic Servitude in Diplomatic Households”.



the opportunity to exchange good practices, lessons learned, to discuss how to tackle existing challenges as well as how to develop and implement concrete and effective measures to further prevent the phenomena. A handbook on good practices, guidelines, challenges and recommendations discussed during the four workshops, as well as concrete follow-up developed in participating States as a result, will be published in 2014.

So far, three workshops have taken place: on 21-22 June 2012 hosted by Switzerland in Geneva, including a side event at the UN Human Rights Council organized in co-operation with the Permanent Mission of Austria to the United Nations and other International Organisations in Geneva and the Permanent Mission of Switzerland to the United Nations Office and to the other international organisations in Geneva; on 12-13 June 2013 in Kyiv, hosted by the Ukrainian CiO, and on 8-9 October 2013 in The Hague hosted by the Dutch Ministry of Foreign Affairs, complemented by a side event for local authorities organized in co-operation with the Office of the Dutch National Rapporteur on Trafficking in Human Beings.

More and more participating States, such as the United States, Austria, Belgium, the Netherlands and Switzerland, have already taken action and developed and implemented a number of effective measures to prevent domestic servitude in diplomatic households. The United States recently also developed a new initiative to convene a briefing for all domestic workers employed in diplomatic households – an opportunity which has shown effective both in terms of reaching out to the workers and raising awareness and engaging with the employers. Equally Belgium bolstered its preventive measures by establishing, in May this year, a mediation commission to amicably resolve disputes.

Other participating States – such as Portugal, Canada and Ireland – have announced or taken measures to prevent domestic servitude in diplomatic households as a result of the OSR/CTHB workshops.

As a follow-up to the participation of a representative of the Portuguese Observatory on Trafficking in Human Beings at the Geneva workshop, the Ministry of Interior where the Observatory is located, organized a conference on 18 September 2012 at the Parliament in Lisbon focusing especially on domestic servitude. Furthermore, Portugal introduced a section on domestic workers employed by persons enjoying diplomatic privileges and immunities in its 2013 manual for accredited diplomats in Portugal.

Canada has taken steps to enhance the monitoring function of the domestic worker's programme and expand diagnostic capabilities, both of which are key to the prevention of abuse. It has fine-tuned its Domestic Worker Accreditation Program with a view to enhancing and increasing measures to prevent labour exploitation of

accredited domestic workers, which remains an at-risk population. In addition to scaling down the current scope and number of domestic workers that foreign representatives can employ, the policy is more than ever linked to Canada's ongoing work to prevent trafficking in persons in all its forms. In addition, Canada's Deputy Chief of Protocol gave a presentation on 7 September 2012 to all provincial and territorial chiefs of protocol raising their awareness regarding the revised policy.

Ireland announced that the Government will consider a potential ratification of ILO Convention No. 189 on Decent Work for Domestic Workers, the review of the implementation of the Code of Practice for Protecting Persons Employed in Other People's Homes, and the development of measures to address the particular vulnerabilities attached to domestic workers in diplomatic households to prevent their exploitation.<sup>51</sup>

## KEY RECOMMENDATIONS

- ▶ Consider ways to allow migrant domestic workers to change employer in order to reduce their dependency on the original employer, at least in cases of abuse and exploitation;
- ▶ Put in place preventive measures and special arrangements to ensure that diplomatic immunity does not hamper access to assistance and support to victims;
- ▶ Regulate and monitor the delivery procedure of visas/residence permits for migrant domestic workers employed by members of the diplomatic corps;
- ▶ Require that an employer member of the diplomatic corps submits the working contract, proof of salary and proof of the provision of adequate living conditions for his or her employed domestic worker;
- ▶ Take responsibility for the behaviour of nationals who are members of the diplomatic staff abroad, and to ensure waiving the diplomat's immunities where there are reasonable grounds to believe that he or she is involved in trafficking and exploitation;
- ▶ Ensure as a host country that domestic workers in the employment of the diplomatic corps are informed about their rights when they take up their position and have effective access to support, including legal assistance, in the case of exploitation and abusive treatment;
- ▶ Consider taking diplomatic measures, including waiving the immunity, in cases where a diplomatic is suspected of exploitation and trafficking;
- ▶ Ratify ILO Convention 189 on Decent Work for Domestic Workers.

Source: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*, Occasional Paper Series no. 4 (Vienna, December 2010), <<http://www.osce.org/cthb/75804>>, accessed 6 November 2013.

<sup>51</sup> The newspaper *Irish Independent* addresses the concerns of the Department of Foreign Affairs over the issue. The article "Gardai probe diplomats over people trafficking" issued on 21 October 2013 announces that the MFA is proposing measures compelling diplomats to provide staff with written contracts and to pay wages electronically. Under the proposals, a diplomat's visa could be cancelled if they failed to abide by the conditions. See full text here: <<http://www.independent.ie/irish-news/gardai-probe-diplomats-over-people-trafficking-29676186.html>>.



Read the 4<sup>th</sup> Occasional Paper *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*, at <<http://www.osce.org/cthb/75804>>.

# 6 | Trafficking in human beings for the purpose of organ removal

Trafficking in human beings for the purpose of organ removal (THB/OR) is encompassed within the international definition of trafficking, set out in the Palermo Protocol to the 2000 UN Convention against Transnational Organized Crime and the 2005 Council of Europe Convention on Action Against Trafficking in Human Beings. Until recently, however, little has been documented about THB/OR since the little that was known was based on anecdotes and investigative reports by journalists, as concrete details of investigations and prosecutions were unavailable.

The OSR/CTHB's sixth Occasional Paper *Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings*, launched in Vienna on 9 July at the OSCE Human Dimension Committee, sheds light on this phenomenon drawing on data obtained from official sources.<sup>52</sup> The paper is based on actual reported cases of THB/OR that have been investigated, and in some cases, fully prosecuted in the OSCE region. The paper outlines the scale, nature and scope of this organized crime, in which vulnerable victim-donors are exploited, and provides concrete recommendations and guidance on how to strengthen the legislative framework, increase prosecutions, improve victim assistance and victims' access to effective remedies and on how to develop preventive measures.

The report confirms that nationals of many countries in the OSCE region are involved in this form of trafficking in one or the other way, including as countries of origin for victims, so-called brokers, local recruiters, facilitators, and organ recipients and/or as sites of transplant centres, clinics, or hosts of medical professionals such

as anaesthetists, surgeons, nurses, and nephrologists. The challenges arising from the complex and clandestine nature of THB/OR are exacerbated by the transnational dimension of the network and the sheer number of national jurisdictions involved.

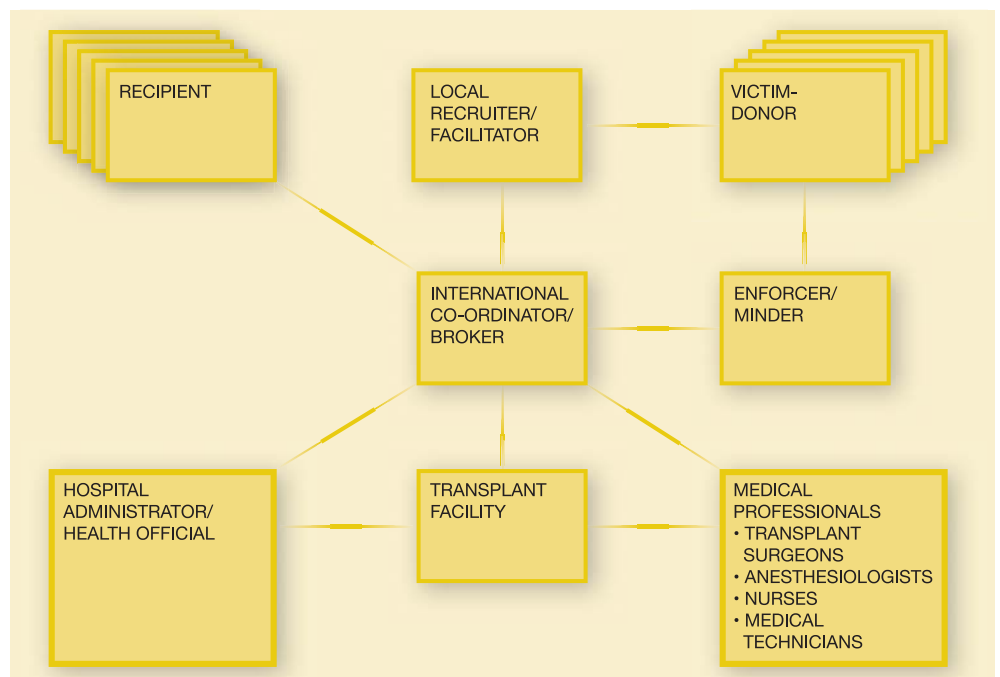
The exact dimensions of the global industry of trafficking for organ removal, which primarily engages in kidney transplants, remains unknown due to its clandestine nature. What is clear, however, is that it is a highly lucrative industry.

A case which stands for many across the OSCE region and beyond: In 2010, a young man responded to an advertisement offering cash to anyone willing to donate a kidney. It was the start a harrowing journey that saw him trafficked abroad and locked in a hotel room where his life was threatened if he refused to proceed with the operation. The man went through with the operation, receiving USD 10,000 for selling his kidney, according to an investigation by police.

The case provides a rare example of a victim-donor coming forward to publicize their story, shining a light on the murky and expanding global phenomenon of trafficking in human beings for the purpose of organ removal. In many other cases victim-donors are recruited with false promises of financial reward, but in fact do not receive any payment.

In one case uncovered by law enforcement authorities, operations at a medical facility provided revenues of about USD 18 million annually to a network of traffickers for organ removal. Recipi-

## Alternative diagram for basic modes of THB/OR with a transnational dimension



<sup>52</sup> OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Trafficking in Human Beings for the Purpose of Organ Removal: Analysis and Findings*, Occasional Paper Series no. 6 (Vienna, July 2013).



**TRAFFICKING IN HUMAN BEINGS FOR THE PURPOSE OF ORGAN REMOVAL IN THE OSCE REGION: Analysis and Findings**

OSCE Organization for Security and Co-operation in Europe



ents in that case paid between USD 100,000 to USD 150,000 for a kidney, while surgeons earned USD 15,000 to USD 20,000 per transplant. Organ donors were promised just USD 10,000. It is not known whether this small amount was actually paid to all of them. In all cases, the victim-donors were deceived about the health impacts of organ removal. Left in a situation of destitution, without any post-surgery and long-term health care, they were not able to perform any heavy work and their health deteriorated.

Generally, very little has been done to reach out to the victims of THB/OR in terms of understanding their needs and providing adequate assistance, including long-term physical and psychological care, legal assistance and representation to access effective remedies including compensation; and vocational training that allows

donor-victims to work again, taking into consideration that often they will be unable to work for long hours or perform heavy jobs. Therefore, it is very important to pay special attention to victims and vulnerable groups. The OSR/CTHB Occasional Paper dedicates a chapter to addressing victims' rights and needs in practice (chapter VII). It also includes recommendations with regard to preventive measures, such as public awareness raising campaigns about risks connected with illegal organ removal. Equally, a public discussion of relevant ethical and legal obligations for medical professionals and health officials may contribute to rendering this group less available for THB/OR networks and more likely to notice and report suspicious incidents.

No country is immune from becoming – in one or the other way and role - involved or affected by THB/OR. It is encouraging, as documented in the Occasional Paper, that in some countries, law enforcement and judicial authorities in the OSCE region have started to investigate and prosecute this crime. What is needed now is a concerted and systemic approach to combating trafficking for the purpose of organ removal across the OSCE region and across all 4 Ps, prevention, protection, prosecution and partnership.



**Maria Grazia Giammarinaro**, OSCE Special Representative and Co-ordinator for Trafficking in Human Beings

“We know that corruption is an important factor in all forms of trafficking. This is perhaps even more pronounced in cases of trafficking for organ removal because of the important role of ‘white collar criminals’ – here I am referring to the administrators, medical professionals and in some cases, official representatives [...]”

“Persons trafficked for organ removal also face particular challenges, both during and after the organ removal. [...] They are often unaware of the long-term and debilitating medical consequences of organ removal and lack of post-operative care as well as the psychological impact of the operation.”

Maria Grazia Giammarinaro, OSCE Special Representative and Co-ordinator for Trafficking in Human Beings

### RECOMMENDED NEXT STEPS

- ▶ Examine the national criminal code to ensure that it includes trafficking for organ removal as per the Palermo Protocol and sensitize criminal justice actors to the full range of actors and abuses associated with this crime;
- ▶ Assess the specific health, social and legal needs of victims of THB/OR and develop specialized and/or adapt existing services to meet these needs;
- ▶ Ensure that all victim support measures are gender and culturally sensitive, non-discriminatory and in line with international human rights standards;
- ▶ Support training for law enforcement and medical professionals on trafficking for organ removal, including relevant laws, penalties and ethical obligations and guidelines;
- ▶ Expand international co-operation to increase investigations and prosecutions and ensure that countries where most organ recipients live understand their responsibility in prevention and prosecution and develop measures accordingly;
- ▶ Develop partnerships with health care and medical professionals, ethical associations of doctors, transplant organizations and NGOs to raise awareness, promote ethical behaviour and encourage reporting the crime.

Source: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Trafficking for the Purpose of Organ Removal*, Occasional Paper Series no. 6 (Vienna, July 2013).



Read the full Sixth Occasional Paper *Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings* on: <http://www.osce.org/cthb/103393>

# 7 | Trafficking in human beings amounting to torture and other forms of ill-treatment

In June 2013, the OSR/CTHB published its fifth Occasional Paper *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment*, in co-operation with the UK's Helen Bamber Foundation and Austria's Ludwig Boltzmann Institute of Human Rights, which confirmed that trafficking in human beings can amount to torture and other forms of ill-treatment.<sup>53</sup> The paper aims at raising awareness about the fact that the violence suffered by victims of trafficking is often analogous to that suffered by victims of torture and other forms of ill-treatment. It also spells out the legal and clinical implications that flow from this characterization in terms of victim support and rehabilitation as well as entitlements and state obligations. It is important to acknowledge this link between trafficking in human beings and torture for three reasons.



**Helen Bamber,**  
Founder and Director  
of the Helen Bamber  
Foundation (HBF)

**“Torture consists of the stripping away of the dignity of one human being by others, asserting total power and control over mind and body, inflicting pain, causing despair and destroying a person’s identity and sense of self. Our clinicians work to address the psychological consequences of this experience in victims of human trafficking: loss of trust in others, loss of hope, disturbed sleep and violent nightmares, flashbacks, panic attacks, the destruction of identity and sexuality and the constant presence of fear.”**

Helen Bamber, Founder and Director of the Helen Bamber Foundation (HBF)

Firstly, to better understand the nature and gravity of the methods used by traffickers. Violence which may be endured throughout or at various stages of the trafficking experience, shares the same fundamental components of torture. It is a situation whereby a perpetrator exerts control over a victim who is psychologically and/or physically entrapped, and the victim therefore is forced into a position of isolated helplessness. Secondly, to explore which principles and safeguards concerning torture and other forms of ill-treatment are applicable to trafficking in human beings and therefore can strengthen the framework currently used for the protection of the rights of trafficked persons and the prosecution of the traffickers. Thirdly, to understand what this link implies in clinical terms for effective assistance and sustained recovery of the victims, both taking into account the nature (physical and psychological) of the injuries from torture and ill-treatment and the impact of trafficking on victims.

## **Obstacles to Memory, Recall and Providing Chronological Account**

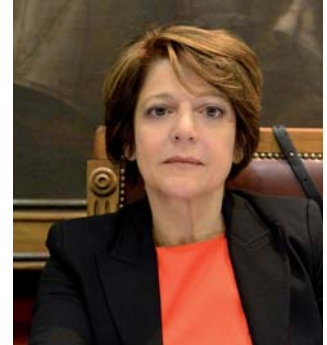
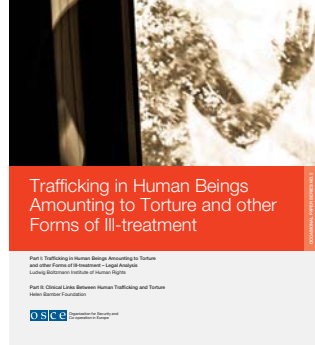
Many victims of trafficking suffer from difficulties with memory and the ability to accurately recall traumatic events or organize them into chronological sequence. Despite this, they may be expected to answer questions that would test any non-traumatized person in terms of requiring them to provide exact dates, times and places for events that happened months or years ago.

A man trafficked as a child for sexual exploitation speaking at his asylum interview: “The problem is I don’t remember, I can say something to you right now and two minutes later I forgot.”

In addition to difficulties of recall, victims of trafficking may suffer memory loss which is caused by psychological problems and in some cases, brain injury from beatings to the head. Post-Traumatic Stress Disorder (PTSD) is suffered by many victims of trafficking and this is characterized by reduced attention, concentration and short and long-term memory. PTSD is associated with irritability, hyper-arousal, re-experiencing of traumatic memories, intrusive memories and distracting thoughts, as well as general memory problems.

Source: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation, *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment*, Occasional Paper Series no. 5 (Vienna, June 2013), p. 80.

<sup>53</sup> OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation, *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment*, Occasional Paper Series no. 5 (Vienna, June 2013).



The research builds on the important work of the former UN Special Rapporteur on torture and other, cruel, inhuman or degrading treatment or punishment, Manfred Nowak<sup>54</sup>, and the strong and long-standing clinical policy experience of the Helen Bamber Foundation<sup>55</sup>, founded by Helen Bamber who is also its Clinical Director and was awarded the Order of the British Empire (OBE) in 1997.

The paper is based on desk research, field work and case study analysis. Its findings are important guidance to state actors - in particular law enforcement, the judiciary and policy makers -, civil society and the international community and, if applied, will contribute to the improvement of relevant policy and practice, and critically to afford better protection and justice to victims of human trafficking.

The SR/CTHB launched the fifth Occasional Paper on 25 June 2013 on the occasion of the *Alliance against Trafficking in Persons* conference. Participating States have since started to acknowledge the importance of this link and raise awareness about its finding for policy and practical work. On 9 October, the Paper was launched in the UK where one of the two partner organizations for this research, the Helen Bamber Foundation, is based. The OSR will continue to raise awareness about the practice of torture as a method used by traffickers to subjugate, control and exploit victims of trafficking in all its forms and assist participating States in understanding this link and its legal and practical implications for States' positive and negative obligations to investigate, protect and prevent with due diligence.



**Manfred Nowak**,  
Co-director of the Ludwig Boltzmann Institute of Human Rights and former UN Special Rapporteur

**“Depending on each individual case, trafficking and re-trafficking can amount to torture. For victims of trafficking, unconditional residence is essential for having access to reparation including compensation and rehabilitation.”**

Manfred Nowak, Co-director of the Ludwig Boltzmann Institute of Human Rights and former UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment at the launch of the Fifth Occasional Paper

### KEY RECOMMENDATIONS

- ▶ Include a specific offence of torture in domestic legislation to facilitate prosecution, and regulate a mechanism of professional monitoring and investigating of torture;
- ▶ Develop interpretative guidelines on the links between trafficking in human beings and torture or cruel, inhuman and degrading treatment for law enforcement officials, the judiciary and NGOs/lawyers representing trafficked persons;
- ▶ Apply the non-refoulement principle to victims of trafficking who may face the risk of being tortured in the country of origin and, in order to be able to fulfill this obligation, guarantee and establish procedures for victim identification in centres for detention pending deportation and refugee centres and grant NGOs and lawyers providing services to trafficked persons access to these facilities;
- ▶ Effectively implement the non-punishment provision, in particular ensure that trafficked persons are not detained or imprisoned. Incarceration further to a trafficking experience can result in cumulative trauma, self-harming behaviours, suicidal ideation, anxiety or have other negative health impact;
- ▶ Conduct individual risk assessments prior to return;
- ▶ Support training and awareness-raising on complex trauma for all professionals who encounter victims of trafficking in the general and mental health sectors;
- ▶ Guarantee victims of trafficking access to integrated/co-ordinated healthcare services and effective specialist services. This often implies also access to residence permits;
- ▶ Issue practical guidelines for all healthcare professionals on the identification of victims of trafficking.

Source: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation, *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment*, Occasional Paper Series no. 5 (Vienna, June 2013), p. 80.

<sup>54</sup> See United Nations Human Rights Council (UN HRC), *Report of the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment, Manfred Nowak, A/HRC/7/3* (2008), paras. 31, 44. For a detailed analysis of the early work of the UN on the topic, see: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in partnership with the Ludwig Boltzmann Institute of Human Rights and the Helen Bamber Foundation, *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment*, Occasional Paper Series no. 5 (Vienna, June 2013), pp. 13-16.

<sup>55</sup> For details on the work of the Helen Bamber Foundation, see: <http://www.helenbamber.org/>, accessed 12 November 2013.



**Read the full findings and recommendations of the Fifth Occasional Paper *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment* at <http://www.osce.org/cthb/103085>**

## 8

# Working with participating States and the Mediterranean Partners for Co-operation to prevent human trafficking

“Every year hundreds, if not thousands of people, die while attempting to reach the northern Mediterranean. Those who survive are often trapped in exploitative situations, and obliged to work for no or very little salary.”

“We need enhanced joint responsibility and better co-operation to bring perpetrators to justice, and protect the rights of trafficked and exploited migrants.”

Maria Grazia Giammarinaro, OSCE Special Representative and Co-ordinator for Trafficking in Human Beings

On 7 December 2011 in Vilnius, the OSCE Ministerial Council decided to enhance Partnerships for Co-operation by broadening dialogue, intensifying political consultations, strengthening practical co-operation and further sharing best practices and experience gained in the development of comprehensive, co-operative and indivisible security, in the three OSCE dimensions, according to the needs and priorities identified by the Partners.<sup>56</sup> It encouraged OSCE executive structures to engage in action-oriented co-operation with the Partner countries in all three dimensions and invited the Partners to increase the level of their participation in the OSCE activities. In the process of consultations with the Delegations of the Mediterranean Partners for Co-operation initiated by OSCE Secretary General Lamberto Zannier in the implementation of Ministerial Council Decision 5/11, trafficking in human beings was identified as one of the areas for possible OSCE engagement.<sup>57</sup> In 2013, the OSR/CTHB's work with the Mediterranean Partners for Co-operation on human trafficking received an impetus. The Mediterranean Partner Countries (MPCs), the OSCE participating States on the Northern rim of the Mediterranean and the Swiss Chair of the Mediterranean Contact Group enhanced their dialogue on trafficking in human beings, and particularly, human rights protection in the context of mixed migration flows.

The main aim of the dialogue and series of initiatives is to provide a platform for constructive dialogue, information and experience-sharing with a view to raise awareness about developments, challenges and possible solutions and jointly develop action that will enhance co-operation for the prevention of human trafficking in the Mediterranean region. On both sides of the Mediterranean, what might appear on the surface as irregular migration is in fact the exploitation of individuals by organized crime and unscrupulous employers. Many key partners from the *Alliance against Trafficking in Persons* contributed with their expertise to this dialogue,

including the European Union and EU agencies, the IOM, the UNHCR, the UNODC, Interpol as well as PICUM.

## 8 February Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region, in Rome.

This enhanced dialogue led to a high-level Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region, organized in partnership with the Italian Chamber of Deputies on 8 February 2013 at the Chamber of Deputies, Palazzo Montecitorio, in Rome. The seminar, which was attended by over 100 participants, brought together officials, civil society representatives and trade unions. Importantly, with experts from Algeria, Egypt, Israel, Jordan, Morocco and Tunisia, all six OSCE Mediterranean Partner Countries were represented. Also, 21 OSCE participating States participated at the high-level seminar in Rome, including key participating States from the Mediterranean region, such as Portugal, Spain, France, Italy and Greece. High-level speakers included the then Italian Foreign Minister Giulio Terzi, Portuguese State Secretary for Parliamentary Affairs and Equality Teresa Morais, the then President of the OSCE Parliamentary Assembly Riccardo Migliori, and Ukraine's Permanent Representative and Chairman of the Permanent Council, Ihor Prokopchuk.<sup>58</sup> The Mediterranean Partner Countries contributed with expert speakers to the seminar, including Kaci Amrane, Deputy Director for Foreigners and Consular Conventions at the Ministry of Interior of Algeria; Khalil Amiri, Senior Advisor at the Cabinet of the Secretary of State on Immigration and Tunisians abroad; and Sana Bouzaouache, Under-Director at the Ministry of Human Rights and Transitional Justice in Tunisia.

A recurring key issue raised by governments, civil society and international organizations was the need to ensure that migrant workers are able to access justice and remedies, regardless of whether they are regular or irregular in a country. Many speakers underlined the need to address a broader area of exploitation compared to what is now the number of victims of trafficking identified. The discussions acknowledged that only once the rights of all undocumented migrants are effectively protected, the number of cases of exploitation reported and successful prosecutions of exploitative employers and traffickers will increase.

The Rome seminar concluded with a general agreement among and support of all participants to take concrete steps to continue and extend this dialogue and also to discuss joint action-oriented activities in the following priority areas: access to justice, including compensation for trafficked and exploited migrants; the confiscation of assets of exploiters as a resource to pay for compensation and as deterrence measure; and domestic servitude. A fourth issue of interest that was highlighted by many participants was the need to engage with businesses to ensure they do not engage in or tolerate exploitative patterns, but become partners in the fight for decent work and workers' rights protection and access to justice.

<sup>56</sup> OSCE Ministerial Council, *Decision No. 5/11 Partners for Co-operation* (7 December 2011), <<http://www.osce.org/mc/86081>>, accessed 11 November 2013.

<sup>57</sup> *Ibid.*

<sup>58</sup> For more details on the Rome seminar, see <<http://www.osce.org/cthb/99741>>, accessed 1 October 2013. See also: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region* (2013), <<http://www.osce.org/cthb/108481>>, accessed 20 November 2013.



### 10 May and 7 October expert meetings in Vienna

As a direct follow-up to the Rome seminar, the OSR/CTHB organized two expert meetings for government representatives, civil society, expert practitioners and academics – on 10 May and 7 October in Vienna - on the key issues identified in Rome. The 10 May expert meeting focused on how to promote access to justice, and in particular the specific needs and challenges in the context of international co-operation in the field of access to justice for trafficked and exploited migrants in the Mediterranean region. Participants included expert practitioners from Belgium, France, Italy, Morocco, Spain, PICUM, the International Trade Union Confederation (ITUC), Anti-Slavery International, the IOM and the FRA. Discussions included the sharing of legal and practical obstacles as well as positive experiences in relation to outreach mechanisms, rights information, legal assistance and representation, access to court and non-judicial proceedings, residence status, compensation and accountability of offenders and access to justice in the context of return.

The 7 October expert meeting represented a very fruitful occasion to gather experts from the capitals of the Mediterranean Partner Countries, including representatives of Ministries of Labour from Egypt, Jordan and Morocco, Ministry of Justice from Israel, and the Minister of Human Rights from Tunisia. Discussion at the expert meeting focused on the role of the private sector in preventing trafficking and exploitation of the labour force, including in the supply chain; recruitment and job placement of the migrant workforce; access to justice for trafficked and exploited migrant workers, including compensation for lost wages and other damages; as well as the enhancement of the role of civil society, in particular the diaspora, in the fight against human trafficking.

The consultation process during both expert meetings contributed to a heightened joint awareness and understanding among participants from both rims of the Mediterranean of emerging trends, connected challenges and possible areas for enhanced co-operation, at the bilateral, sub-regional and regional level.

### 28-29 October OSCE Mediterranean Conference in Monaco

On 28-29 October, the annual OSCE Mediterranean Conference was held in Monaco, focusing on enhancing the role of women in public, political and economic life. As a follow-up to the consultations with the Mediterranean Partners for Co-operation within the framework of the SR/CTHB initiative to enhance co-operation to prevent trafficking in human beings in the Mediterranean, a session at this year's Mediterranean Conference was devoted to the topic of the social and economic impact of trafficking for labour exploitation and the role of the business sector. The Mediterranean Conference was attended by over 100 representatives from 28 OSCE participating States, six Mediterranean Partners for Co-operation and eight international organizations.<sup>59</sup>

<sup>59</sup> For the consolidated summary of the 2013 OSCE Mediterranean Conference, see SEC.GAL/189/13 (14 November 2013). See also the concluding remarks by Ambassador Greminger, Chairperson of the Mediterranean Contact Group, at the 2013 OSCE Mediterranean Conference, Monaco, 29 October 2013, PC.DEL/862/13 (30 October 2013). For details on the 2013 OSCE Mediterranean Conference, see <<http://www.osce.org/ec/103342>>, accessed 15 November 2013.

At the Conference, the SR/CTHB highlighted that both sending and receiving countries benefit from migrant work and that both sides need to share responsibility in order to protect the rights of migrant workers. She also reiterated that the OSCE, and in particular her Office, stands ready to facilitate and promote enhanced co-operation between governments, and co-operation between

**“[...] we heard about the relationship between restrictive migration policies in destination countries, on the one hand, and trafficking in human beings on the other. This link must drive co-operation and greater partnership on two levels: firstly, between countries of origin and destination; secondly between the public authorities and the private sector.”**

Concluding remarks by Thomas Greminger, Chairperson of the Mediterranean Contact Group, at the 2013 OSCE Mediterranean Conference, Monaco, 29 October 2013.

governments and civil society in the Mediterranean region – based on common values within the framework of the OSCE's Partnership for Co-operation and a spirit of shared responsibility and joint effort.<sup>60</sup> The discussions and outcomes of the session contributed to a perception paper with areas for enhanced co-operation elaborated by the Swiss Chair of the Mediterranean Contact Group and the Mediterranean Contact Group at the OSCE, which will serve as a basis for further consultations and action in 2014.

### IDEAS FOR ENHANCED CO-OPERATION DISCUSSED AT THE 2013 OSCE MEDITERRANEAN CONFERENCE:

- ▶ Compiling existing data on the flows of irregular migrants across the Mediterranean Sea;
- ▶ Exploring the role of the private sector to prevent labour exploitation, through e.g., establishing codes of conduct and State-led initiatives particularly in the field of public procurement;
- ▶ Enhancing knowledge about and regulation of recruitment and job placement agencies, particularly of the migrant labour force and including an analysis of the use of social media and the internet for fraudulent recruitment and job placement, particularly of foreigners;
- ▶ Enhancing measures to facilitate access to justice for irregular migrants, particularly to claim compensation, including unpaid salaries;
- ▶ Enhancing the involvement of civil society, exploring further the role of trade unions, employers' associations and the diaspora.

<sup>60</sup> For the full text of the SR/CTHB's speech at the 2013 OSCE Mediterranean conference, see SEC.GAL/184/13 (1 November 2013).

# 9 | Human rights and business

The key role that the private sector can play in preventing trafficking in human beings has received more attention in recent years, at a time when more and more cases of trafficking for labour exploitation have been identified. The demand for cheap labour, and thus for people who are easily exploitable, is endemic across many sectors of the economy throughout the OSCE region and elsewhere. Demand for cheap and unprotected labour is fostering human trafficking worldwide. Further, too many supply chains are found that use shady entrepreneurs involved in recruiting workers or keeping them working in abusive circumstances.

Globalization brought with it, along with enormous achievements, the relocation of production and employment to places where wages were low, leading to the migration of workers to places where business profits can be maximized, often at the expense of human rights and human life. The Bangladesh factory fire which killed over 1,000 workers trapped in a factory earlier this year is just one sad example of this – and has become the latest symbol for the failure to provide workers with decent work conditions along the global supply chain.<sup>61</sup>

**“What we need is voluntary initiatives such as codes of conduct applying also to suppliers of goods and services, complemented by regulations that establish basic obligations for businesses to take action to clean the supply chain from trafficking and forced labour.”**

**Maria Grazia Giammarinaro, OSCE Special Representative for Combating Trafficking for Human Beings**

The OSR/CTHB has taken numerous initiatives to strengthen the involvement of the business sector in OSCE anti-trafficking action, including by inviting the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC) to join the *Alliance against Trafficking in Persons*, an international forum convened by the OSR/CTHB, which aims to promote a unified approach to preventing and combating human trafficking by all the relevant stakeholders.<sup>62</sup>

Two high-level *Alliance* Conferences – the 11<sup>th</sup> *Alliance against Trafficking in Persons* conference “Preventing Trafficking in Human Beings for Labour Exploitation: Decent Work and Social Jus-

“Stolen Lives, Stolen Money: The Price of Modern-Day Slavery” (25-26 June 2013) – have contributed to raising awareness about how the private sector can become more engaged and accountable in guaranteeing exploitation-free supply chains and decent work.<sup>63</sup> Participants at both conferences agreed that human trafficking can only be prevented effectively if there is zero tolerance for any form of exploitation and if international labour standards are guaranteed to all workers, whatever their migration status. The discussions also highlighted the need for more self-regulation within the private sector – for example by individual businesses adopting a code of conduct – and have contributed to an OSR/CTHB paper on the *Implementation and Enforcement of Codes of Conduct in the Private Sector to Reduce Demand for the Services of or Goods Produced by People Who Have Been Trafficked*, which is due to be published in 2014.

The 2011 *Alliance* conference was also an excellent opportunity to focus on the UN Guiding Principles on Business and Human Rights, endorsed by the UN Human Rights Council just a few weeks earlier. The UN Guiding Principles, which implement and operationalize the “Protect, Respect and Remedy” Framework adopted by the UN in 2008, provide an authoritative global framework and standard on the issue of business and human rights.<sup>64</sup> They are based on the recognition of States’ obligations to respect, protect and fulfil human rights and fundamental freedoms, the obligation of business enterprises to comply with all applicable laws and to respect human rights and the need for effective remedies when human rights are breached.<sup>65</sup>

In 2013, the OSCE region has seen a number of valuable initiatives, which aim at enhancing accountability and transparency in supply chains and provide guidance to the business sector on how to ensure compliance with its obligation to respect human rights. This includes a roundtable discussion on *Combating human trafficking: business and human rights*, organized by Wilton Park in association with the United Kingdom’s Foreign and Commonwealth Office, held in London on 10 October.<sup>66</sup> The purpose of the meeting was to raise awareness about human trafficking and exploitation and facilitate the sharing of good practice both internationally and in the UK. Speakers included British Minister of State Hugo Swire, the Executive Director of the Institute for Human Rights and Businesses, John Morrison, and the Group Head for Corporate Responsibility for ArcelorMittal, Charlotte Wolf. The roundtable discussion came in the wake of the adoption, in September 2013, by the UK Government of a national plan on business and human rights, *Good Business, Implementing the UN Guiding Principles on Business and Human Rights*.<sup>67</sup> The UK plan to implement the UN Guiding Principles is an example of how governments can actively

61 See also: Opening Remarks by M.G. Giammarinaro at the OSCE *Alliance* Conference “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery”, Vienna, 25-26 June 2013, <<http://www.osce.org/cthb/103460>>, accessed 20 November 2013.

62 For more information on the *Alliance against Trafficking in Persons*, see: <<http://www.osce.org/cthb/43587>>, accessed 8 November 2013.

63 For more details on both *Alliance* Conferences, see <<http://www.osce.org/cthb/44714>>, accessed 8 November 2013.

64 For more information on the UN Guiding Principles and the UN “Protect, Respect and Remedy” Framework, see: <<http://www.business-humanrights.org/UNGuidingPrinciplesPortal/Home>>.

65 See UN OHCHR, *Guiding Principles on business and human rights, Implementing the UN “Protect, Respect and Remedy” Framework* (Geneva and New York, 2011), General Principles, <[http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)>, accessed 20 November 2013.

66 For more information on the event, see <<http://www.osce.org/cthb/107034>>, accessed 8 November 2013.

67 HM Government, *Good Business, Implementing the UN Guiding Principles on Business and Human Rights* (September 2013), <[http://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/236901/BHR\\_Action\\_Plan\\_-\\_final\\_online\\_version\\_1\\_.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236901/BHR_Action_Plan_-_final_online_version_1_.pdf)>, accessed 8 November 2013.



promote the engagement of businesses based or registered in their country.

### The three pillars of the UN “Protect, Respect and Remedy” Framework

1. The state duty to protect against human rights abuses by third parties, including business, through appropriate policies, regulation, and adjudication;
2. The corporate responsibility to respect human rights, that is, to act with due diligence to avoid infringing the rights of others and address adverse impacts with which they are involved; and
3. The need for greater access by victims to effective remedy, both judicial and non-judicial.

Source: UN Human Rights Council, *Protect, Respect and Remedy: a Framework for Business and Human Rights*, Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, A/HRC/8/5 (7 April 2008).

Another policy initiative, the US Government’s *Ending Trafficking in Government Contracting Act*, signed by President Barack Obama in January 2013, aims at disqualifying companies from public procurement, when they have been found to allow or tolerate exploitative working conditions in their supply chain. It prohibits contractors and subcontractors from engaging in acts that directly support or advance trafficking, such as confiscating or denying access to identity documents, charging unreasonable recruitment fees, and soliciting employees through materially false representations about the terms and conditions of employment. *The Ending Trafficking in Government Contracting Act* also strengthens the reporting obligation of contracting officials with regard to information about a contractor’s or subcontractors’ involvement in human trafficking.<sup>68</sup>

In the EU, Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 on providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (the Employer Sanctions Directive), in addition to enacting criminal sanctions for natural and legal persons illegally employing and exploiting migrant workers, also obliges EU Member States to ensure that such employers are excluded from entitlements to public benefits, aid or subsidies, including EU funding managed by Member States, and from participation in public contracts. The Employer Sanctions Directive also foresees the closure of establishments used to commit infringements and the withdrawal of licences to conduct the business activity in question.<sup>69</sup>

Importantly also the 2013 OSCE Mediterranean Conference “Enhancing the Role of Women in Public, Political and Economic Life”, held in Monaco on 28-29 October 2013, dedicated a session to “The Social and Economic Impact of Trafficking for Labour Exploitation, and the Role of the Business Sector”.<sup>70</sup> In her speech, the SR/CTHB highlighted the pivotal role of the private sector in

the field of prevention of trafficking for labour exploitation. She noted that the real challenge was monitoring and “cleaning” supply chains. Business codes of conduct should be made applicable to subcontractors, and their implementation should be monitored carefully. If not, codes of conduct or other social corporate responsibility tools can potentially amount to no more than “window dressing”. The SR/CTHB emphasized that at the same time the public sector needed to take a proactive role and that voluntary initiatives should be complemented by targeted state laws and policies aimed at establishing basic obligations on businesses to take action to promote transparency and decent work in their supply chain and eliminating trafficking for labour exploitation.

A good practice in this context is the California Transparency in Supply Chains Act, which came into effect in January 2012, and requires mid-size and large retailers and manufacturing companies with worldwide annual revenues of USD 100 million or more to disclose information on their initiatives to eradicate slavery and human trafficking from their supply chains.<sup>71</sup> The role of governments in ensuring an exploitation-free private sector goes even further in relation to public procurement where they have direct influence on business practices when contracting others to provide goods and services.

### KEY RECOMMENDATIONS

- ▶ Engaging with the private sector, including national and multinational corporations subcontracting other companies, to promote “due diligence” in the implementation of the UN Guiding Principles on Business and Human Rights;
- ▶ Depriving businesses found to have exploited workers from access to government-backed loans, subsidies or tenders for public contracts;
- ▶ Promoting codes of conduct aimed at preventing exploitative situations by ensuring better protection of workers’ rights throughout the supply chain, with particular attention to vulnerable groups of irregular migrant workers, in co-operation with trade unions, worker coalitions, and consumer groups;
- ▶ Establishing clear criteria for registration and qualification of recruitment and placement agencies for labour migrants, and monitoring their activities to prevent abuse and exploitation;
- ▶ Ensuring that inappropriate recruitment fees or costs are not charged, directly or indirectly, to workers in line with the 1997 ILO Private Employment Agencies Convention (No. 181);
- ▶ Providing legal counselling and legal assistance to all trafficked and exploited persons, free of charge, to enable them to access justice and effective remedies, and in particular to receive compensation for material and moral damages they have suffered, and the restitution of unpaid salaries.

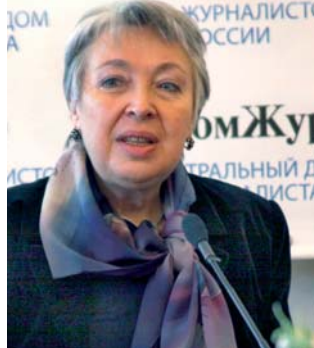
Source: Maria Grazia Giammarinaro, Speech at the Conference Combating human trafficking: business and human rights, 10 October 2013, Wilton Park, London.

68 For more information on the Act, see: <<http://www.steptoe.com/publications-8618.html>>, accessed 8 November 2013.

69 European Union (EU), *Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third country nationals* (18 June 2009), in Official Journal L 168/24, 30/6/2009.

70 For details on the 2013 OSCE Mediterranean Conference, see <<http://www.osce.org/cio/107508>>, accessed 8 November 2013.

71 See California Senate Bill No. 657, <[http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb\\_0651-0700/sb\\_657\\_bill\\_20100930\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0651-0700/sb_657_bill_20100930_chaptered.pdf)>, accessed 20 November 2013.



PART I

# 10 | Working with the media to raise public awareness

In 2013, the SR/CTHB continued to pursue her efforts to build support for the anti-slavery movement to eliminate all forms of human trafficking through the establishment of partnerships with intellectuals, opinion leaders, academia, arts practitioners, cultural innovators and the media to raise awareness about the realities of modern-day slavery, and to commit them to its abolition.

The SR/CTHB paid particular attention to the development of close co-operation with the media and believes that the influence of the “fourth power” in the prevention of modern-day slavery, awareness raising and in decreasing the vulnerability of most disadvantaged groups of the population, is as crucial as the media’s engagement in the creation of a climate of zero tolerance towards human exploitation in any society.

The SR/CTHB continues to take an active role in promoting in-depth, balanced and comprehensive coverage of human trafficking, notably through continued dialogue with the media, facilitating media access to research and expertise, disseminating best practices in reporting on the phenomenon, taking the lead in contributing to feature articles, and promoting opportunities and resources for media education on the issue. In this context, the OSR/CTHB in co-operation with the Russian Union of Journalists (RUJ) implemented an extra-budgetary project with the aim to develop and implement a special university course on “Trafficking in Human Beings: the Global Perspective and the Role of the Media” for students of the Faculty of Journalism at Moscow State University. The project included a series of lectures, seminars, a study tour and publications in youth media. On 28 March 2013, the manual, *Media against Human Trafficking*, developed within the framework of the project, was launched at the Moscow Journalists’ Club.<sup>72</sup> The manual was jointly drafted by the Russian Union of Journalists, Moscow State University, OSR/CTHB and prominent Russian journalists and professors. Moscow State University has included the course on human trafficking into the curriculum of its Journalism Faculty since 2012. At the launch of the manual, which was also the project’s concluding event, representatives of Russian Journalism Faculties from the universities in Tomsk, Petrozavodsk and Ryazan, participated. These faculties, and others such as Ekaterinburg and St. Petersburg, have indicated their intention to include the manual as part of their course offerings in the future.



**The launch of the manual *Media against Human Trafficking* at the Moscow Journalists’ Club on 28 March 2013.**

Information about the SR/CTHB’s anti-trafficking work has been disseminated by important international and national agencies, newspapers, and information services, and also by broadcast media, including radio and TV interviews.<sup>73</sup>

The SR/CTHB also highlights her work through opinion pieces in *The Huffington Post*<sup>74</sup>, which are published on a regular basis in order to focus attention on issues including the importance of not punishing victims of human trafficking in court, trafficking for the purpose of organ removal and the link between human trafficking and torture and other forms of ill-treatment.

The SR/CTHB also gives in-depth interviews to broadcasters and documentary filmmakers, and appears on webinars<sup>75</sup> and video clips produced by the OSCE’s Press and Public Information Section.<sup>76</sup>

The SR/CTHB seeks to promote the work done by OSCE field operations and institutions, making it more visible by working closely both with press officers and also with anti-trafficking focal points in field operations to illustrate and promote their activities. This allows for widespread media coverage of visits by the SR/CTHB, such as the country visit to Italy in June-July that was covered by national radio station RAI, or the September country visit to Romania that was covered by *Le Petit Journal*.<sup>77</sup>

72 For the full manual in Russian, see <<http://www.osce.org/ru/cthb/100483>>, accessed 14 November 2013.

73 Examples of interviews and articles include: H. Grant, “Human trafficking victims tell of drug factory ordeal”, *The Observer* (7 April 2013), <<http://www.theguardian.com/law/2013/apr/07/human-traffic-victims-drug-factories>>, accessed 17 October 2013; “Human trafficking a new form of slavery”, ANSA News Agency (18 July 2013), <[http://www.ansa.it/ansamed/en/news/nations/egypt/2013/07/18/Human-trafficking-new-form-slavery-says-Laura-Boldrini\\_9041597.html](http://www.ansa.it/ansamed/en/news/nations/egypt/2013/07/18/Human-trafficking-new-form-slavery-says-Laura-Boldrini_9041597.html)>, accessed 17 October 2013; T. McClure, “Stopping human trafficking in the Mediterranean”, *Vatican Radio* (2 August 2013), <[http://en.radiovaticana.va/storico/2013/02/08/stopping\\_human\\_trafficking\\_in\\_the\\_mediterranean/en1-663017](http://en.radiovaticana.va/storico/2013/02/08/stopping_human_trafficking_in_the_mediterranean/en1-663017)>, accessed 17 October 2013.

74 Please see: <<http://www.huffingtonpost.co.uk/maria-grazia-giammarinaro/>>, accessed 20 November 2013.

75 Please see: <[http://www.youtube.com/watch?v=xfwj\\_Aa9z0k](http://www.youtube.com/watch?v=xfwj_Aa9z0k)>, accessed 22 November 2013.

76 Please see: <<http://www.osce.org/cthb/multimedia>> and <<http://freedomcenter.org/journey-to-freedom>>.

77 L. Couderc, “Maria Grazia Giammarinaro – Experte de l’OSCE dans la lutte contre les trafics humains”, *Le Petit Journal* (13 September 2013), <<http://www.lepetitjournal.com/bucarest/societe/163541-maria-grazia-giammarinaro-experte-de-l-osce-dans-la-lutte-contre-les-trafics-humains>>, accessed 17 October 2013.





**PART II:  
INTERNAL  
CO-ORDINATION AND  
CO-OPERATION:  
OSCE INSTITUTIONS,  
STRUCTURES AND  
FIELD OPERATION  
ACTIVITIES**

# 1 | Highlights of internal co-operation and co-ordination

The OSCE's approach to human trafficking is cross-dimensional, comprehensive and based on co-operation. This is also reflected in the OSCE's internal co-ordination of its efforts in the fight against human trafficking. The OSCE mechanism to provide assistance to participating States to combat THB, headed by the SR/CTHB, plays an important role in enhancing internal co-ordination of anti-trafficking efforts across all three dimensions of the OSCE - the politico-military, economic and environmental, and human dimension. In line with its mandate, the OSR/CTHB closely co-operated, in a co-ordinating role and in full respect of their mandates, with other OSCE institutions and relevant structures of the Secretariat, in particular the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), the Strategic Police Matters Unit (TNTD/SPMU) and the Borders Unit of the Transnational Threats Department (TNTD/Borders Unit), the Senior Advisor on Gender Issues and her Section, the Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE field operations.<sup>78</sup>

The SR/CTHB's work in 2013 has confirmed her important role as the high-level focal point within the organization in promoting human trafficking as a political priority across the OSCE. 2013 has also seen a number of joint activities across dimensions and structures within the OSCE that created opportunities to draw upon and maximize each other's expertise, and helped to avoid duplication, and to ensure complementarities as well as coherence in providing technical assistance at the policy and practice levels. Part II of this report provides valuable insight into the wide-ranging co-operation that takes place among all stakeholders within the organization and is testimony to their joint commitment to promote the implementation of OSCE commitments.

Internal co-operation begins with regular contact between the anti-trafficking focal points of all structures and institutions and takes on many forms.<sup>79</sup> It includes: co-operation between OSCE field operations and the OSR/CTHB in conducting and following up to country visits and other visits to a host country; mutual support in identifying and facilitating participation of experts for OSCE high-level conferences, training seminars and expert meetings at the national and regional levels and OSCE-wide; the OSR/CTHB expert contributions to national events in host countries; joint development and implementation of research and other projects; translation of OSCE publications into languages spoken in the field operation's host country and development of national and regional capacity building activities for policy makers and practitioners from governments and civil society; ad hoc meetings on a particular issue between the SR/CTHB and Heads of structures and institutions, including Heads of Missions as well as participa-

tion in regular OSCE Heads of Mission meetings. The year 2013 also saw a number of joint projects between the OSR/CTHB and the TNTD, in particular its Special Police Matters Unit (SPMU). In April 2013, the TNTD/SPMU launched the *OSCE Resource Police Training Guide* for police officers in OSCE participating States and Partners for Co-operation. The OSR/CTHB has contributed both in the planning and drafting of this training guide – which is available in English and Russian – and will also work with the TNTD/SPMU with regard to possible launches of the training guide within the framework of its co-operation with the Commonwealth of Independent States (CIS).

A particular highlight in this year's co-operation on anti-trafficking activities among OSCE institutions, structures and field operations is the translation and publication of the SR/CTHB's *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* by several field operations in the respective local languages (OSCE Office in Baku, OSCE Office in Yerevan, OSCE Mission to Bosnia and Herzegovina, and the OSCE Mission to Skopje) and the joint development and implementation of national follow-up activities on the topic. More OSCE field operations are planning to translate this publication as guidance for local policy makers and practitioners and in support of activities that promote the application of the non-punishment provision at the national level.<sup>80</sup>

Additionally, in 2013 the field operations participated in the OSR/CTHB's workshops on the prevention of THB for domestic servitude in diplomatic households for Protocol Departments of participating States (12-13 June 2013 in Kyiv and 8-9 October in The Hague). They also facilitated participation by national representatives from their host countries at these workshops. For many governmental participants this was the first opportunity to learn about this topic and discuss how to respond to it in line with OSCE commitments. The field operations' support of national policy makers in developing policies and measures at the national level is therefore particularly crucial.<sup>81</sup>

## Annual OSCE Anti-Trafficking Focal Point Meeting

The annual OSCE Anti-Trafficking Focal Point Meeting is both a backbone of, and a driving factor for dynamic and fruitful internal co-operation, bringing together anti-trafficking focal points from all relevant OSCE institutions, structures and field operations. OSCE Anti-Trafficking Focal Point Meetings were initially instituted by ODIHR's Anti-Trafficking Programme and, since the establishment of the OSR/CTHB have been organized by the OSR/CTHB and ODIHR, jointly or on an alternating basis. In 2013, the annual OSCE Anti-Trafficking Focal Point Meeting was organized

78 For the OSR/CTHB mandate, see OSCE Ministerial Council, *Decision No. 2/03 Combating Trafficking in Human Beings* (Maastricht, 2 December 2003), para. 2. See also OSCE Ministerial Council, *Decision No. 3/06 Combating Trafficking in Human Beings* (21 June 2006), para. 1.

79 For a table of OSCE anti-trafficking events organized by OSR/CTHB and/or to which OSR/CTHB contributed in 2013, including events with OSCE field presences and other institutions and structures, see Annex 1 of this report.

80 OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in consultation with the *Alliance against Trafficking in Persons* Expert Co-ordination Team, *Policy and legislative recommendations towards the effective implementation of the non-*

*punishment provision with regard to victims of trafficking* (Vienna, April 2013), <<http://www.osce.org/cthb/101002>>, accessed 2 November 2013. You can find more details about the OSR/CTHB's work on the issue in Part I, Chapter 4 (page 20) of this report.

81 For more details about the OSR/CTHB's work on preventing domestic servitude, including in diplomatic households, see: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), *Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude*, Occasional Paper Series no. 4 (Vienna, December 2010), <<http://www.osce.org/cthb/75804>>, accessed 2 November 2013, and Part I, Chapter 5 (page 22) of this report.



by the OSR/CTHB in Vienna on 27-28 June. Focal points from 14 OSCE field operations in South-Eastern Europe, Eastern Europe, the South Caucasus and Central Asia, ODIHR's Anti-Trafficking Programme, the anti-trafficking focal points from the TNTD/SPMU and the TNTD/Borders Unit, as well as from the OCEEA and the Secretariat's Gender Section participated. Besides sessions on mutual updates and ideas for co-operation in 2013/2014, the meeting focused on three key issues, National Referral Mechanisms (NRMs), access to justice, and the non-punishment of trafficked persons.

Focal point meetings allow all OSCE stakeholders to share developments, challenges and achievements in their work and the re-

gion in an internal setting, and to jointly take stock. They also create a forum for in-depth dialogue on selected priority issues and allow participants to identify areas where co-operation and co-ordination can be strengthened as well as priority areas for future co-operation. In addition, these meetings enhance the capacity of anti-trafficking focal points in the relevant OSCE field operations, enabling participants to discuss new developments, methodologies or challenges that are of relevance beyond a particular host country or specific region. Focal Points also have an important role in contributing to effective internal OSCE co-ordination and co-operation in the fight against human trafficking. The Annual Anti-Trafficking Focal Point Meetings reinforce this important function and further strengthen a sense of common purpose.



**OSCE anti-trafficking focal points meeting, hosted by the OSR/CTHB on 27-28 June 2013 at the Hofburg in Vienna.**

## 2 | Office of the Co-ordinator for Economic and Environmental Activities

In 2013, the Office of the Co-ordinator for Economic and Environmental Activities (OCEEA) continued to promote a comprehensive approach to migration management, which aims at assisting OSCE participating States in improving their migration legislation. This included assisting participating States in implementing more effective and gender-sensitive national policy frameworks that facilitate the development of more legal channels for migrant workers, thus contributing to the prevention of trafficking of male and female migrant workers.

Evidence-based policy making on migration can enhance the impact of effective and gender-sensitive labour migration policies as a preventative measure in CTHB. In response to country requests, the OCEEA is currently implementing an OSCE-IOM project that supports the establishment of a harmonized data collection process in the countries of the Eurasian Economic Community (EurAsEC) region.<sup>82</sup> Within the framework of this project, on 25-26 March 2013, the OCEEA held a seminar in Moscow on improving the collection, usage and exchange of comparable data on migration in Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan. The seminar, organized together with the Moscow-based Higher School of Economics, was attended by 40 participants, including government officials from the Russian Federation, Kyrgyz Republic, Tajikistan and Kazakhstan, representatives of the CIS Interstate Statistical Committee, Russian academia, and international experts. At the end of 2013, the OCEEA expects to publish a *Handbook on Migration Data Collection and Sharing*, where the conclusions and recommendations from the assessments carried out in the EurAsEC region will be published.

In order to facilitate the capacity building and training of policy-makers, experts, social partners and civil society representatives on gender and labour migration issues, the OCEEA, in co-operation with ODIHR, organized two regional training seminars this year. The first seminar took place on 8-9 July 2013 in Warsaw, and the second on 7-8 October in Almaty. Both seminars aimed at supporting OSCE participating States in integrating a gender-sensitive approach in labour migration policies which can help prevent the trafficking of female labour migrants.<sup>83</sup> In addition, using its expertise on gender-sensitive labour migration management, the OCEEA also supported the “Regional seminar on improving the regulation of migration policies at the local level”, which was organized by the OSCE Centre in Astana on 14-15 May 2013 in Shymkent, Kazakhstan. The seminar brought together 65 participants representing government authorities and non-governmental organizations from Kazakhstan, international and local experts, and migration officials from several Central Asian countries.

In the area of anti-money laundering and countering the financing of terrorism (AML/CFT), in 2013 the OSCE continued to support participating States in adopting and implementing the Financial Action Task Force’s Recommendations on AML/CFT, including those calling for the identification and confiscation of criminal



**An Afghan businesswoman examines jewellery at a production centre in Istanbul as part of a training programme for female jewellery and textile producers conducted by OCEEA in September 2012.**

proceeds from human trafficking activity.<sup>84</sup> OSCE activities in the AML/CFT arena have included public and private sector trainings, international co-operation workshops and assistance building national capacity, largely within and between national institutions such as financial intelligence units (FIUs). Currently, the OCEEA, together with the OSR/CTHB and the TNTD/SPMU, is finalizing a publication entitled *Leveraging Anti-Money Laundering Regimes to Combat Trafficking in Human Beings*.

## 3 | Gender Section

Throughout 2013, the Gender Section continued to support the OSCE’s work on combating trafficking in human beings. The Section focuses its efforts on integrating gender in security discussions and addressing women’s security issues. Empowering vulnerable women and improving their security can have a direct impact on reducing vulnerability to human trafficking and is an important contribution to anti-trafficking efforts.

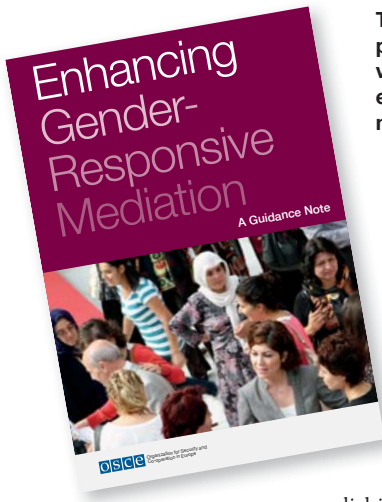
Throughout 2013, the Gender Section continued to raise awareness among OSCE delegations and OSCE executive structures about women, peace and security issues. On 24 October 2013, at Sabanci University in Istanbul, the Gender Section launched a Guidance Note on Gender-Responsive Mediation.<sup>85</sup> The Guidance Note provides background on how an inclusive settlement process in conflict resolution can have an important impact on improving gender equality outcomes after a conflict or dispute. Importantly, it also provides a practical guide for mediators engaged in formal peace negotiations on how to include women in the dialogue, as well as how to gender mainstream the mediation process.

<sup>82</sup> For background information and documents on the Eurasian Economic Community, see <<http://www.evrases.com/en>>, accessed 28 October 2013.

<sup>83</sup> For more information on the seminars, see <<http://www.osce.org/eea/106823>>, accessed 28 October 2013, and <<http://www.osce.org/odihr/103421>>, accessed 28 October 2013.

<sup>84</sup> The Financial Action Task Force’s Recommendations on AML/CFT can be accessed at: <<http://www.fatf-gafi.org/topics/fatfrecommendations/documents/internationalstandardscombatingmoneylaundryingandthefinancingofterrorismproliferation-thefatfrecommendations.html>>, accessed 28 October 2013.

<sup>85</sup> The Guidance Note and information on the launch can be accessed at <<http://www.osce.org/gender/107534>>, accessed 28 October 2013.



**The Guidance Note is a practical tool for actors involved in conflict resolution efforts, including peace negotiations.**

Empowering vulnerable individuals economically and socially is an important step in reducing vulnerability to trafficking. Throughout 2013, the Gender Section therefore worked with field operations to publish a roadmap for establishing mentoring networks for marginalized and vulnerable women.<sup>86</sup>

Combating violence against women has also been a priority of the recently formed OSCE MenEngage Network, which brings together leaders from the OSCE structures and delegations to act as champions and role models for gender equality issues.<sup>87</sup>

The Gender Section also supports the gender focal points in the OSCE field operations in carrying out projects on gender and security. Through capacity building seminars for OSCE field operations, the gender section raises awareness of the linkages between gender inequality, security and vulnerability to trafficking among programme managers and policy advisors in the OSCE field operations.

## 4 | Transnational Threats Department

### Strategic Police Matters Unit (TNTD/SPMU)

Throughout 2013, the Transnational Threats Department (TNTD)/SPMU engaged in numerous activities relevant to the fight against human trafficking, partnering in many of them with other OSCE anti-trafficking stakeholders, be they field operations, the OSR/CTHB, the TNTD/Borders Unit or ODIHR.

On 30-31 October in Vienna, the OSCE - with the SPMU leading - launched the project "Strengthening understanding of the link between irregular migration and transnational crimes impacting migrants in irregular situations", a joint OSCE, IOM and UNODC project. The OSCE co-ordinated the project internally with the OSR/CTHB and the TNTD/Borders Unit in Vienna. The project, which focuses on the East Mediterranean Migration Route, will develop a joint response to irregular migration by migration authorities and criminal justice institutions investigating crimes that impact migrants in irregular migration situations. Migration and law enforcement authorities in countries of origin, transit and destination along the selected migration route will participate in the project activities, including a mapping seminar, desk research, expert consultations and an international exchange conference.

<sup>86</sup> For more information on the OSCE project to promote mentor networks for women's empowerment, see: <<http://www.osce.org/home/99894>>, accessed 28 October 2013.

<sup>87</sup> For more details on the OSCE MenEngage Network, see <<http://www.osce.org/gender/106773>>, accessed 28 October 2013.

Jointly with the Gender Section, the TNTD/SPMU is also implementing a project on "Enhancing the Knowledge of and Response to Domestic Violence", which is part of a UNFPA project in the Republic of Belarus since 2012. The main project activity is a regional workshop to enhance the capacity of the community policing structures in Belarus, Ukraine and Moldova. Project output recommendations are expected to improve the cross-sector response to addressing domestic violence in the respective counties in the region.

In April 2013, the TNTD/SPMU launched the *OSCE Resource Police Training Guide* for police officers in the OSCE participating States and Partners for Co-operation. The guide is also available in Russian. Its aim is to strengthen law enforcement capacities for preventing and combating trafficking in human beings, facilitate identification of the emerging trends and new forms of human trafficking and serve as a minimum set standard for trainers.<sup>88</sup>

Within the framework of a joint project with the OSCE Project Co-ordinator in Ukraine, the TNTD/SPMU is currently finalizing a review of the legal provisions in the OSCE participating States criminalizing THB for the purpose of organ removal, as well as criminalizing trafficking in organs, tissues and cells. Findings, conclusions and recommendations contained in the experts' final report will be shared with legislators in Ukraine as well as in other OSCE participating States with a view to being further used to improve respective legal norms and to consider incorporating them into national legislation.

Throughout 2013, the TNTD/SPMU organized, co-organized and contributed to a number of conferences, expert workshops and training seminars related to THB. This includes participating in the opening of the Europol Cyber Crime Centre (EC3) in The Hague, located within Europol, on 10-11 January 2013. Possibilities of further co-operation in the area of preventing and combating online sexual abuse of children were also discussed here.

On 16-17 April 2013, the TNTD/SPMU organized jointly with the Anti-Trafficking Section of the OSCE Presence in Albania a seminar on THB-focused financial investigation techniques for local police, prosecutors, judges and members of the Financial Intelligence Unit (FIU). Experts from SOCA, the UK's Serious Organized Crime Agency, and Liechtenstein's FIU contributed to the seminar with international good practices on the topic.

On 21-22 May 2013, the TNTD/SPMU participated in the roundtable "Building National Referral Mechanisms: Gaps, Analysis and Good Practices", organized by ODIHR in Istanbul, Turkey, and attended by representatives of government institutions and NGOs, as well as international experts, who shared experiences and identified possible gaps in the development of NRM's.

On 2-3 July 2013, the TNTD/SPMU, in co-operation with the OSCE Office in Tajikistan, organized the Regional Cybercrime Conference in Dushanbe with speakers from the Turkish police, the Russian company Group-IB ICT and the Europol Cyber Crime Center. The Conference approached THB as a traditional crime that is now facilitated by the use of the Internet and modern digital technologies and aimed at introducing representatives of relevant institutions in the Central Asian region to the concept of cybercrime with due attention to regional priorities.<sup>89</sup>

<sup>88</sup> The OSCE Resource Police Training Guide can be accessed at: <[http://polis.osce.org/library/details?doc\\_id=4074&lang\\_tag=EN&q=%2Flibrary%2Fresults%3Fca%3DSPM](http://polis.osce.org/library/details?doc_id=4074&lang_tag=EN&q=%2Flibrary%2Fresults%3Fca%3DSPM)>, accessed 28 October 2013.

<sup>89</sup> For more details on the Conference see: <[http://polis.osce.org/library/details?doc\\_id=4065&lang\\_tag=EN&q=%2Flibrary%2Fresults%3Fca%3DEV%26lang%3Dfr](http://polis.osce.org/library/details?doc_id=4065&lang_tag=EN&q=%2Flibrary%2Fresults%3Fca%3DEV%26lang%3Dfr)>, accessed 28 October 2013.

On 24-25 July 2013, the TNTD/SPMU, in co-operation with the OSCE Centre in Ashgabat, organized a training course for police officers on interviewing victims of human trafficking as a follow up to a course organized by the Centre in Ashgabat and ODIHR in December 2012. The TNTD/SPMU identified trainers for the course (the Deputy Head of the Moldovan Anti-Trafficking Centre; the Head of the Austrian Police Department for Combating Migrant Smuggling and Human Trafficking and ODIHR's Anti-Trafficking Adviser) and opened the training course, which was attended by 25 members of Turkmenistan's law enforcement authorities.

On 18-19 September 2013, the TNTD/SPMU participated at the 7<sup>th</sup> International Conference "Keeping Children and Young People Safe Online" organized by the Polish and German Safer Internet Centers (Nobody's Children Foundation, NASK and Klicksafe). Participants in the conference were representatives of the education sector, NGOs, law enforcement, government and the private sector.

From 24-27 September 2013, the TNTD/SPMU participated in the UNODC Expert Group Meeting on Online Child Abuse and Exploitation in Vienna to revise the draft study *Effects of New Information and Communication Technologies on the Abuse and Exploitation of Children*. In this context, the TNTD/SPMU participated in a training and technical assistance needs assessment survey circulated by the UNODC to map law enforcement capacities of the Member States in investigation and prosecution.

On 18 October 2013, the TNTD/SPMU participated in the conference "Exploring the Links between the Internet and Trafficking in Human Beings: Cyberspace for Prevention, not Recruitment", organized by the Lithuanian EU Presidency and the European Commission on the occasion of the 7<sup>th</sup> EU Anti-Trafficking Day in Vilnius. The conference was attended by experts from EU Member States working in areas linking THB with the Internet, in particular law enforcement and prosecution, civil society, international organizations, academia and other stakeholders.

From 28-31 October, the TNTD/SPMU participated in the annual meeting of the Interpol Specialists Group on Crime against Children at Interpol's Headquarters in Lyon, France, to which all law enforcement agencies in member countries of Interpol, including customs and immigration services, were invited. The purpose of the meeting was to exchange information through the latest research, best practices, lessons learned, case studies as well as practical experience, and to continue development of co-operation between member countries by identifying common areas of concern in the fight against child exploitation.

Also related to the use of Internet, the TNTD/SPMU, in close co-operation with the OSCE Project Co-ordinator in Uzbekistan, organized a training seminar for Uzbek law enforcement officers on the use of the Internet and other digital technologies to commit the crime of human trafficking from 9-11 December in Tashkent. The trainers were experts from the Interpol, Europol and the UK.

In December 2013, the TNTD/SPMU conducted a study trip for Ukrainian law enforcement representatives to visit Sweden to learn about Sweden's good practice of a functioning criminal justice inter-agency co-operation in the area of combating human

trafficking. The study visit was co-ordinated through the Swedish delegation. The project is funded by the Swedish International Development Cooperation Agency and also includes the development, next year, of a handbook on the enhancement of the criminal justice response to trafficking in persons in Ukraine with the assistance of the OSCE Project Co-ordinator in Ukraine.

### **Borders Unit (TNTD/Borders Unit)**

In 2013, the TNTD/Borders Unit continued to implement and support a number of training and capacity building activities that contributed to the fight against trafficking in human beings.

Among the major activities which directly or indirectly contributed to enhancing the capacity of OSCE participating States to fight THB were the training activities conducted in the OSCE Border Management Staff College in Dushanbe, including the Staff Course with modules on the fight against THB, operative co-operation and information exchange<sup>90</sup> and a training on the fight against corruption in border security and management.<sup>91</sup>

The TNTD/Borders Unit also supported the capacity-building activities of OSCE field operations on various aspects of border security and management, which resulted in an increased capacity to combat THB at border crossings, such as the Patrol Programming and Leadership project in Tajikistan.

In the course of the 2013 Annual OSCE Border Security and Management National Focal Points (NFPs) Network Meeting, the NFPs agreed to establish a Working Group on Countering THB with interested NFPs and national experts nominated by participating States to meet multiple times and discuss the phenomenon of THB at borders. This working group will further promote the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings. It will focus its work on the prevention of human trafficking and human smuggling at the borders, on analysing the implementation of the national anti-THB action plans, on the identification of victims of trafficking at the border and on providing all victims with access to legal support. Participants at the 2013 Annual Meeting agreed that in 2015 the OSCE should organize an event for working group members to discuss and/or compile national experiences and strategies in the area of CTHB and to agree on further anti-trafficking activities within the NFP Network.

The TNTD/Borders Unit looks forward to continuing this co-operation to support the OSR/CTHB and field operations' work in CTHB.

<sup>90</sup> More information on the Staff Course at the OSCE Border Management Staff College in Dushanbe can be found at: <<http://www.osce.org/tajikistan/107501>>, accessed 28 October 2013.

<sup>91</sup> More on the project can be found at: <<http://www.osce.org/tajikistan/106680>>, accessed 28 October 2013.

# 5 | Office for Democratic Institutions and Human Rights

Throughout 2013, ODIHR's anti-trafficking activities focused on several priority areas: strengthening dialogue and co-operation among anti-trafficking actors nationally and internationally, building effective NRMs for the identification of, and assistance to, trafficking victims, raising awareness among participating States on different forms of human trafficking and promoting trafficked persons' access to justice and effective remedies. ODIHR continued to promote a human rights-based and victim-centred approach in the anti-trafficking work of participating States and non-state actors across the OSCE region.

Within the framework of its project on "Human Rights Protection for Trafficked Persons and Vulnerable Groups in Central Asia", which started on 1 July 2012, ODIHR undertook NRM and compensation assessments in Kyrgyzstan (February–April 2013) and in Kazakhstan (May–August 2013). The assessments, carried out through interviews with governmental and non-governmental national and international actors, aimed at identifying the current stage of the development of NRMs in the two countries, at assessing opportunities available to victims of trafficking to claim compensation and at developing recommendations for all stakeholders to achieve further progress. The results of the assessments, together with relevant recommendations, will be shared with national anti-trafficking actors.

As part of its anti-trafficking project in Central Asia, on 21–22 May 2013, ODIHR organized a regional roundtable in Istanbul on "Building National Referral Mechanisms: Gaps Analysis and Good Practices"<sup>92</sup>. The roundtable brought together participants from all five Central Asian participating States (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan), which were able to exchange their experiences with participants from Belgium, Moldova, and the Netherlands. The event was attended by experts from governmental agencies dealing with anti-trafficking issues in the context of law enforcement, protection and provision of assistance, as well as NGOs. The roundtable was an excellent opportunity to discuss good practices in building an NRM and its development as well as challenges encountered on the way and possible solutions. In August 2013, ODIHR launched a call for small projects for civil society actors in Central Asia aimed at empowering victims of trafficking and potential victims of trafficking, promoting their right to access justice and effective remedies, including compensation. Up to ten small projects, to be selected by the end of the year by ODIHR, will have the objective of developing and testing the functioning of the NRMs in Central Asia and at ensuring the participation of civil society and the victims themselves in anti-trafficking measures and strategies, as well as at promoting human rights protection in the return of trafficked persons.

On 30 September 2013, at its annual Human Dimension Implementation Meeting (HDIM) ODIHR dedicated a working session to the 10-year Anniversary of the OSCE Action Plan to Combat Trafficking in Human Beings. On this occasion ODIHR invited all three OSCE Special Representatives and Co-ordinators for Combating Trafficking in Human Beings, who have been in the office



**Ambassador Janez Lenarčič, Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)**

since 2004: Helga Konrad (2004–2006), Eva Biaudet (2006–2009) and Maria Grazia Giammarinaro (2010–present) to share their experience in implementing the Action Plan and their vision of future developments and needs to be addressed by the OSCE.<sup>93</sup>

Throughout 2013, ODIHR continued to work closely with the OSCE field offices and institutions and provided its expert support on anti-trafficking issues. ODIHR contributed to the training course on Investigation and Prosecution of Suspected Trafficking Offenses, and Conviction and Punishment of Trafficking Offenders for Law Enforcement Agencies, the Judiciary and Defense Lawyers, organized by the OSCE Office in Ashgabat jointly with the TNTD/SPMU on 24–25 July in Ashgabat. ODIHR's Anti-Trafficking Programme also provided expertise to the roundtable "The Multi-disciplinary Approach to Combating Human Trafficking: referral mechanisms and co-operation", organized by the OSCE Mission to Moldova in Tiraspol.

In 2013, ODIHR also promoted the strengthening of regional co-operation among anti-trafficking lawyers from the CIS region. On 23–24 October 2013, lawyers and legal practitioners from Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Ukraine and Uzbekistan gathered in Istanbul on the occasion of a regional seminar organized by ODIHR to share good practices in providing accessible and effective legal assistance to trafficked persons. The legal experts and practitioners developed recommendations for states, civil society, private lawyers, law firms and bar associations on improving access to legal assistance and remedy for trafficking victims. The seminar built on ODIHR's work in promoting access to justice, including compensation to trafficked persons, and in supporting the creation of a network of anti-trafficking lawyers across the OSCE region. It was the first of three regional capacity-building events for a core group of legal experts as part of a three-year ODIHR project aimed at improving protection for trafficked persons and vulnerable groups in Central Asia.<sup>94</sup>

<sup>92</sup> For more details on the roundtable, see <<http://www.osce.org/odihr/101832>>, accessed 28 October 2013.

<sup>93</sup> For more details on the working session, see <<http://www.osce.org/odihr/106601>>, accessed 31 October 2013.

<sup>94</sup> For more information on the seminar, see: <<http://www.osce.org/odihr/107399>>, accessed 28 October 2013.

# 6 | Field Operations

## OSCE Presence in Albania

During 2013, the OSCE Presence in Albania continued to provide support to the Government and civil society in enhancing their anti-trafficking efforts. While Albania remains a country of origin for THB, it has also become a country of destination and internal trafficking has become a concern. It has also become evident that human trafficking overlaps with forced labour and irregular migration. The Presence has been engaged in activities that strengthen the national response to fight all forms of human trafficking. The Presence has also supported policy-making, capacity building and awareness-raising in the field of anti-trafficking in Albania and pioneered new anti-trafficking approaches.

Preventing forced labour through strengthened co-ordination and capacity building has been a priority of the Presence's activities since 2011 when the work of migration authorities and NGOs pointed towards cases of foreign nationals potentially exploited into forced labour in Albania. This led also to the establishment of co-operation with the State Labour Inspectorate (SLI), the key front-line agency for the identification of trafficking for forced labor. In 2011-2012, the Presence held workshops on issues of forced labour with labour inspectors, migration and anti-trafficking police. The workshops identified numerous problems related to the lack of capacity, knowledge and resources of the labour inspectors to identify forced labour. As a result of the needs identified, in 2013, the Presence in co-operation with the SLI, developed an interviewing format and guidelines on forced labour which allows labour inspectors to apply the EU and ILO indicators for victim identification. Country-wide training for labour inspectors on the use of the guidelines began in 2013, in co-operation with the SLI, and will continue throughout 2014.

The seizure of human traffickers' assets has been a new focus area for the Presence in 2013, based on best practices developed by the OSCE Secretariat. On 17 April 2013, the Presence in co-operation with the TNTD/SPMU organized an expert seminar in Tirana on financial investigation and seizure of criminal assets related to different forms of human trafficking for Albanian police, prosecutors, judges and financial investigators. The ground-breaking seminar served as a platform for the development of recommendations to enable financial investigations in human trafficking cases. Importantly, it also generated discussions on the use of assets confiscated from human traffickers to compensate victims of trafficking.<sup>95</sup>

Other key in-country activities of the Presence included reviewing the criminal legislation and operational framework relevant to the fight against human trafficking with the goal of ensuring a victim-oriented approach. The Presence provided input for the drafting of the new anti-trafficking provision of the Criminal Code, adopted in May 2013, to ensure its compliance with the OSCE anti-trafficking commitments and the Council of Europe Anti-Trafficking Conven-

tion. The Presence also participated in an expert working group convened by the Ministry of Interior to analyse the prosecution of human trafficking cases in Albania. In early 2014, the Presence plans to organize a national workshop with anti-trafficking police and prosecutors to present the working group's recommendations and guidelines for future investigations of human trafficking cases.



**Networking in Albania at the Seminar on Identification, Seizure and Confiscation of Assets Arising from Human Trafficking, 17 April 2013.**

Throughout 2013, the Presence has also been advocating to strengthen State support to anti-trafficking NGOs, especially those working on the prevention of child trafficking. The Presence plans to continue supporting State agencies and NGOs working on children's issues to ensure that child protection and prevention of child trafficking are enhanced.

## OSCE Mission to Bosnia and Herzegovina

Throughout 2013, the Mission has been working with BiH authorities on developing a comprehensive approach to combating trafficking in human beings with particular focus on legislative reform and victim protection.

A particular milestone in BiH in 2013 was the adoption of amendments to trafficking-related criminal legislation in Brčko District and the Republika Srpska (RS). These adoptions are in line with recommendations and suggestions advocated by the Mission and help harmonize the existing criminal codes related to THB across the country. Brčko District and the RS also amended their criminal codes to include provisions on THB as an offence in its own right.

While there are four criminal codes in BiH – at the State, FBiH, RS and Brčko District levels – prior to May 2013, only the State criminal code defined THB as a criminal offence. Amended in 2010, the criminal offence of “Trafficking in Persons” (Art. 186)<sup>96</sup> was harmonized and brought in line with relevant international standards.<sup>97</sup> The provisions contained in the three other criminal codes did not criminalize THB as such, but did tackle some of the forms of THB through other offences, such as soliciting for the purpose of prostitution.

<sup>95</sup> For more details on the seminar, see: <<http://www.osce.org/spmu/100796>>, accessed 29 October 2013.

<sup>96</sup> Pursuant to Article 186, paragraph 1, of the State Criminal Code of BiH, THB is defined as follows: “whoever, by use of force or threat of use of force or other forms of coercion, abduction, fraud or deception, abuse of power or influence or a position of vulnerability, or of the giving or receiving of payments or benefits to obtain the consent of a person having control over another person, recruits, transports, transfers, harbours or receives a person for the purpose of the prostitution of that person or other forms of sexual exploitation, forced labour or services, slavery or similar practices, servitude,

*the removal of organs or other types of exploitation, shall be punished by imprisonment of no less than three years”.*

<sup>97</sup> It redefined the concept of THB; precisely defined forms of complicity; prescribed an array of aggravating circumstances in the commission of the offence; under certain conditions, criminalized the use of services provided by THB victims. Importantly, the revised provision contains grounds for seizure of the assets used to carry out criminal acts of trafficking, and prescribes the prospect of temporary or permanent closure of establishments and facilities used for the purposes of THB.



Following a formal request from the State Co-ordinator for Combating THB, from 2010 to 2012, the Mission assisted a working group of authorities from the State, entity and Brčko District levels, led by the State Co-ordinator for Combating THB, in drafting a set of amendments to harmonize all four criminal codes' trafficking and related provisions and to bring them in line with international standards. The proposed set of amendments was ultimately agreed upon by the Ministries of Justice at all four levels. Notably, the amendments entrusted State-level bodies with jurisdiction for THB cases that have an international element, while the FBiH, the RS and the Brčko District would be responsible for internal THB cases. The Mission then became heavily engaged in lobbying for the adoption of amendments to the respective criminal codes.

A key step in this lobbying process was a high-level conference at the Parliamentary Assembly of BiH organized by the Mission in co-operation with the State Co-ordinator for Combating THB on 23 January 2013.<sup>98</sup> Participants included representatives of human rights committees from various parliaments in BiH, the State Co-ordinator for Combating THB, the Head of the OSCE Mission to BiH, the U.S. Ambassador to BiH, the Head of the Council of Europe Office in BiH and the Head of the Home Affairs and Public Security Section at the Delegation of the European Union to BiH/EUSR. All aforementioned speakers advocated for improvements in legislation and for harmonization of the four criminal codes. The event received large coverage not only in the mainstream media, but also in local print, electronic and online media outlets.<sup>99</sup>

Provisions on THB at the time of the conference were in the process of being incorporated into the criminal codes of the FBiH, the RS and the Brčko District, using a wording similar or identical to that of the State criminal code. Shortly thereafter, the provisions were adopted at the RS and Brčko District levels.<sup>100</sup> Although similar amendments to the FBiH criminal code were rejected in September 2013, the amendments are currently back in parliamentary procedure and the Mission continues to lobby for their adoption. The BiH State Parliament has notably put their amendments on hold until both entities and the Brčko District adopt their respective amendments.

The Mission, upon request by the BiH Ministry of Security, has also been providing technical assistance in drafting the Book of Rules to reflect the 2012 amendments to the Law on the Movement and Stay of Aliens and Asylum.<sup>101</sup> Importantly, the amendments entitled victims of THB, amongst others, to access the labour market under the same conditions that are applied to all foreigners in BiH. The Book of Rules was officially adopted on 26 June 2013 by the Ministry of Security, taking into account the Mission's recommendations on a number of issues – including the provision of non-residential assistance to victims, the best interest determination for child victims as well as on the implementation of the non-punishment provisions for victims.

Also in 2013, the Mission translated into Bosnian the *Policy and legislative recommendations towards the effective implementation of the non-punishment provisions with regard to victims of trafficking* which was previously issued by the OSR/CTHB in 2013.<sup>102</sup> Upon invitation by the Association of Prosecutors from the FBiH, the Mission supported the presentation of the OSR's recommen-

dations on non-punishment at the Association's Annual Conference from 9-11 October in Neum, attended by more than 100 participants, including prosecutors from BiH, Montenegro, Serbia, Croatia and Slovenia; judges, representatives of international organizations and academics. The paper's translation into Bosnian will assist prosecutors and other law enforcement and justice actors throughout BiH to better protect the rights of victims in their work. The paper will also be put at the disposal of justice professionals throughout the Southeast Europe region.

Additionally, in 2013, the Mission participated in, and supported representatives from BiH to participate in, a number of national and international anti-trafficking events. On 25 and 26 June, for example, the Mission attended and supported BiH participation at the 13<sup>th</sup> *Alliance against Trafficking in Persons* conference entitled "Stolen Lives, Stolen Money: The Price of Modern-Day Slavery", organized by the OSR/CTHB in Vienna. Also, on 27 and 28 June, the Mission participated in the Annual OSCE Anti-trafficking Focal Points meeting organized by the OSR/CTHB in Vienna. In addition, on 8-9 October 2013 in The Hague, the Mission attended the third workshop on the prevention of THB for domestic servitude in diplomatic households organized by OSR/CTHB and hosted by the Dutch Ministry of Foreign Affairs.

### OSCE Mission to Montenegro

During 2013 the OSCE Mission to Montenegro facilitated a four-day Training on "Human Smuggling and Trafficking in Persons Investigations" for members of Border and Crime Police, Customs and the National Co-ordinator's Office for the Fight against Trafficking in Human Beings (NCO).

Since the officers from the Border Police and Customs are first responders to cases of human trafficking, it is essential for them to be well-trained in recognizing and dealing with potential traffickers and victims. The training equipped participants with the necessary knowledge, skills, and abilities to effectively and competently carry out criminal investigations of human trafficking and illegal immigration. The programme also emphasizes counterfeiting, which often accompanies the above-mentioned crimes. The Trainers were from the Turkish International Academy against Drugs and Organized Crime (TADOC). On the last day of training, a panel discussion was organized with senior managers from Police, Customs and Prosecution. The topics were related to present co-operation between state agencies involved in anti-trafficking and steps to overcome potential problems faced in the field.

The OSCE Mission assisted the NCO in preparing, and publishing, indicators for identifying victims of human trafficking. This assistance improved existing mechanisms and helped authorities to identify victims more efficiently. The OSCE Mission facilitated and participated in the ceremony for the signing of the revised Agreement on Co-operation of State Institutions and NGOs to combat THB.

In addition, the OSCE Mission also assisted the NCO in preparing and printing the Action Plan 2013-2014, which is based upon the National Strategy for the Fight against Trafficking in Human Beings 2012-2018.

98 For more information about the high-level conference, see <<http://www.osce.org/bih/98875>>, accessed 31 October 2013.

99 <<http://www.sarajevotimes.com/bih-has-made-progress-in-prescribing-sanctions-for-perpetrators-of-human-trafficking/>>, accessed 3 November 2013; <<http://www.balkaninsight.com/en/article/bosnia-asked-to-fight-human-trafficking>>, accessed 3 November 2013.

100 Articles 198 and 207 respectively of the state Criminal Code of Bosnia and Herzegovina.

101 "Official Gazette of BiH" No. 36/08.

102 Available online at: <<http://www.osce.org/bs/cthb/106688>>, accessed 20 November 2013.

## OSCE Mission to Serbia

Over the past years, the OSCE Mission to Serbia has actively supported Serbian authorities in advancing the institutional response to counter THB. The Mission assisted the Government in introducing a human rights perspective for addressing THB. This led, *inter alia*, to the setup of human rights standards in victim identification and protection, and strengthening the legislative framework and criminal justice response.

Anti-trafficking has become a priority for the Serbian Government. Most objectives related to the prosecution of anti-trafficking cases, assistance and protection of victims, as well as prevention of trafficking have been achieved and consolidated in a sustainable way. That was possible thanks to the participatory capacity-development approach in designing and implementing projects, policy-making efforts in setting up a NRM, and drafting a comprehensive Anti-Trafficking Strategy. The Mission also contributed to strengthen the capacity of governmental and non-governmental anti-trafficking stakeholders.

In 2013, the Mission participated in international OSCE events on THB. In June 2013, the OSCE Mission to Serbia participated in the 13<sup>th</sup> *Alliance against Trafficking in Persons* conference: "Stolen Lives, Stolen Money: the Price of Modern-Day Slavery." In September 2013, the OSCE Mission to Serbia supported the participation of a Serbian judge as a panel expert during a side event of the OSCE Human Dimension Implementation Meeting in Warsaw. In 2014, in particular after changes to the criminal justice system, such as the introduction of prosecution-led investigations and the specific status of "especially vulnerable witness", the Mission is planning to conduct targeted initiatives to support legislative changes and capacity building for judicial actors.

## OSCE Mission in Kosovo<sup>103</sup>

Throughout 2013, the OSCE Mission in Kosovo continued to monitor and support efforts by Kosovo institutions and civil society to respond adequately to THB and to develop effective anti-trafficking laws and policies.

The Mission's contribution included: support to the working group on drafting a law on Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking, as well as a relevant administrative instruction to implement that law; support in the revision of the current Strategy and Action Plan against Trafficking in Human Beings 2011–2014; and comments on the draft Long Term Strategy for Reintegration for Victims of Trafficking. The Mission's engagement mainly aimed at ensuring that the legal framework and respective policies are drafted in line with international human rights standards, as well as with the recommendations of the EU Directive on preventing and combating THB and protecting its victims, and the 2003 OSCE Action Plan to Combat Trafficking in Human Beings. The Mission paid particular attention to issues related to compensating trafficking victims and protecting trafficking victims' rights. Also, in the field of promoting and protecting victims' rights, the Mission supported the Victim Advocacy and Assistance Office/Prosecutor's Office on drafting Standard Operating Procedures (SOPs) for Victim Advocates when dealing with victims of trafficking and of domestic violence.

As part of its capacity-building activities and co-operation with other international organizations working in the field of CTBH in Kosovo, the Mission jointly with the European Union Office in Kosovo organized a four-day training of trainers workshop on the new SOPs for Victims of Trafficking for approximately 15 repre-

sentatives of key anti-trafficking stakeholders and service providers, including new SOPs stakeholders (labour and health officers), introducing new reforms to promote the improved protection of trafficking victims' rights. Furthermore, at the local level, the Mission conducted two three-day training sessions on the newly adopted SOPs for approximately 60 key anti-trafficking stakeholders and service providers such as social workers, victim advocates, representatives of the Kosovo Police, labour inspectors, health officers, prosecutors and service providers. In addition to that, the Mission supported the printing of 250 copies of the SOPs document. 150 copies were distributed to participants of the training and also to members of the inter-ministerial working group on anti-trafficking.

Lastly, in a series of six training workshops for health workers which were concluded on 16 May 2013 in Prishtinë/Priština, the Mission trained 180 health workers throughout Kosovo on identifying, referring and treating survivors of trafficking and of domestic violence. Domestic violence has been identified as a push factor for trafficking due to the fact that most of the identified victims of trafficking, women and young girls, experienced domestic violence.

In 2013, the Mission's advocacy work resulted in the inclusion of a Kosovo Serb non-governmental human rights organization in the inter-ministerial working group on anti-trafficking. Furthermore, the Mission's training on reporting skills conducted for anti-trafficking helpline operators resulted in the first quarterly report with disaggregated data on reported cases being drafted by helpline operators. It is expected that the helpline operators will be able to provide disaggregated data by the end of 2013, which will serve as a basis for the Kosovo Co-ordinator's Office on Anti-trafficking to draft an annual statistical report. The report will be a source of information for the helpline itself, for the Mission's monitoring activities, as well as for other stakeholders in the field of domestic violence and anti-trafficking.

The Mission also supported the Kosovo Anti-trafficking Co-ordinator's Office public awareness campaign, running from 15 June-15 July 2013, by promoting the anti-trafficking helpline and reaching out to non-Albanian communities at the local level. During this campaign, billboards promoting the helpline were displayed across Kosovo and 1,500 leaflets and 300 posters were distributed in the rural areas. After the media campaign, there was a 58 per cent increase in people seeking advice through the helpline, with 38 calls received during the campaign period of only one month, in comparison to a total of 120 calls received from January to May 2013.

Leaflet (English language version) distributed during an anti-trafficking public awareness raising campaign in Kosovo.

103 All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with United Nations Security Council Resolution 1244.

Moreover, during Anti-Trafficking Month (18 September-18 October 2013), the Mission supported the Kosovo Anti-Trafficking Co-ordinator's Office in implementing its fourth public awareness campaign. The purpose of the campaign was to increase the general public's knowledge about all forms of human trafficking, with a special focus on forced child begging, by organizing three outreach activities in secondary schools targeting more than 160 students. Additionally, the Mission supported the printing of 4,000 leaflets, 600 posters and 17 billboards which were distributed and displayed throughout Kosovo.

### OSCE Mission to Skopje

Throughout 2013, the OSCE Mission to Skopje continued to assist national authorities and civil society in assuming full ownership over policies and actions against human trafficking in line with the new four-year national strategy as well as international standards and OSCE commitments.

With a view to effectively tackling internal trafficking and to improve protection of victims, the Mission supported the decentralization of anti-trafficking efforts initiated by the National Commission for Combating Trafficking in Human Beings and Illegal Migration. Two local anti-trafficking commissions were established covering regions and communities within the country that are known as areas of origin and destination of trafficking victims. The commission members were trained about the nature, scale, roots, tendencies and consequences of this modern-day slavery as well as about the existing mechanisms and procedures to deal with victims and traffickers. The training took place on 3-4 October in Mavrovo, whereas the session devoted to drafting local action plans was held on 5-7 November in Gevgelija. A diverse group of 22 local commission members representing all relevant stakeholders, including law enforcement, border police, social, health care and education institutions, labour inspectorates and civil society organizations, attended the event. As a result, their capacity to take necessary preventive and protective measures tailored to the local needs and priorities was strengthened, thus augmenting the central government's efforts against trafficking in persons.

In 2013, the Mission also started to implement the second phase of the regional project aimed at ensuring effective prevention, identification and protection of child victims or those at risk of being trafficked in the Western Balkans, funded by the French Government.<sup>104</sup> Throughout 2013 (and to be continued in 2014), a network of grass-root organizations coming from the Former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Greece, Kosovo, Montenegro and Serbia has assisted in the implementation of the Set of Best Practices and Recommendations for Prevention, Identification and Protection of Children Victims and at Risk of Trafficking. These practices and recommendations emerged from the regional exchange and dialogue the Mission supported in 2011-2012. Within the framework of this project, three regional exchange programmes and two workshops across the region are planned for 2014. The exchange programmes, each with a duration of five days, will support field and case work of NGOs in a country of the network other than their own jointly with a local counterpart from the network, with a focus on cases of child trafficking and exploitation with cross-border elements. Furthermore, the project will increase the advocacy skills of this informal regional network and allow participating NGOs to pursue joint strategies and actions in combating child trafficking. Also, co-operation and partnership with counterpart organizations and authorities in France as one of the destination countries will be developed.

<sup>104</sup> For more details on phase one of the project, see: <<http://www.osce.org/skopje/87154>>, accessed 29 October 2013. See also: Presentation by O. Peyroux at the OSCE Alliance Conference "An Agenda for Prevention: Non-Discrimination and Empowerment", Vienna, 11-12 October 2012, <<http://www.osce.org/cthb/97465>>, accessed 4 November 2013.

The Mission will continue to monitor and encourage state and non-state actors to endorse and apply a holistic, victim-centred and human rights approach in dealing with all forms of human trafficking and further enhance their co-operation at the national and regional levels. In this context, the Mission already translated the SR's *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* into the local language. The translated version of this publication will serve as the basis for next year's in-depth analysis of national legislation and practices concerning the application of the principle in all programmes and actions addressing human trafficking.

### OSCE Mission to Moldova

In 2013, the OSCE Mission to Moldova closely co-operated with State institutions, NGOs and donors in the fight against human trafficking. The Mission's anti-trafficking and gender programme continued to play a leading role in enhancing anti-trafficking co-ordination through convening, in close co-operation with local stakeholders, monthly co-ordination meetings between the Government, NGOs and international organizations in Chisinau and the regions. They gathered over 150 representatives of State bodies at the national and local level, NGOs and international organizations, and helped strengthen dialogue and exchange information on local developments, ongoing projects and good national and international practices. Co-ordination activities between Chisinau and Tiraspol in 2013 included a "Roundtable on the Multidisciplinary Approach to Combating Human Trafficking: referral mechanisms and co-operation", targeting the *de facto* Transdnestrian authorities engaged in combating trafficking in persons and aimed to share experiences, lessons learned and case studies from OSCE participating States. Six roundtables were organized in the Transdnestrian region where the local authorities showed an increasing interest in activities to prevent and combat human trafficking at the local level.

Throughout the year, the Mission also provided support to the Permanent Secretariat of the National Committee on Combating Human Trafficking, in the form of capacity-building activities for its staff and the anti-trafficking focal points from all relevant Moldovan ministries and departments. These activities focused on improving qualitative and quantitative indicators used in the elaboration of the National Action Plan (NAP) to Combat Human Trafficking, as well as budgeting for the future NAP.

The Mission continues to link activities to combat domestic violence with anti-trafficking efforts, as domestic violence in Moldova has been identified by NGOs as a push factor for trafficking in women. Thus, throughout 2013 the Mission supported capacity-building programmes on improving investigation, prosecution and court handling of human trafficking and domestic violence cases, for some 150 judges, prosecutors, public legal aid lawyers (17-18 June 2013 in Chisinau) and paralegals (29-30 October 2013 in Chisinau). Moreover, on 22-24 May 2013, the Mission conducted a workshop on how to interview child victims and witnesses of trafficking, abuse and sexual exploitation for about 20 psychologists, judges and prosecutors, together with the Permanent Secretariat of the National Committee to Combat Trafficking in Persons, National Justice Institute and International Centre "La Strada" Moldova.

In the reporting period the Mission has also continued its activities on empowering women and girls from vulnerable groups in

rural areas from both banks of the Nistru/Dniester River with the aim of preventing trafficking. In July-August 2013, the Mission in partnership with Winrock Moldova organized the Summer School of Leadership for young rural women from both banks of the Dniestr/Nistru River, during which 50 young girls aged 16-19 learned about principles of leadership, business management and job hunting. High-profile women from various professional fields, including politics, business and diplomacy, shared their experiences with them in panel discussions on career opportunities and challenges for young women, and prevention of gender discrimination and harassment at work.<sup>105</sup>

Other activities focusing on prevention included eight theatre performances of the play *Casa M.* in rural communities, targeting youth and vulnerable women<sup>106</sup>; and the International Women's Tennis Tournament "Fed Cup 2013" organized on 8-11 May, which the Mission used to promote successful role models for young girls and women in Moldova, by supporting the distribution of leaflets, banners, and T-shirts.



Scene from the Moldovan theatre play *Casa M.*

The OSCE Mission to Moldova will continue to advocate for increased state funding for prevention, protection services and prosecutions, including through compensation and shelters for survivors and improving laws, policies and training for judges, prosecutors and investigators. The Mission will continue to support capacity-building programmes and provide assistance to upgrade training and curricula for judges, prosecutors, police and lawyers as part of state reforms in the justice sector, but also of social assistants and psychologists, both in the area of combating domestic violence and trafficking in human beings.

### OSCE Project Co-ordinator in Ukraine

Following the adoption, in 2012, of the comprehensive legal framework for assistance to victims of human trafficking, developed with the OSCE Project Co-ordinator in Ukraine's (PCU) assistance, the PCU supported the implementation of this legislation in Ukraine through a number of capacity building and awareness raising activities.

Throughout 2013, in co-operation with the Ukrainian Ministry of Social Policy, the PCU continued the implementation of a three-year ExB project on the multiplication of the state-led NRM

whose regional component was launched in the Ukrainian regions of Chernivtsi, Khmelnytsky, Vinnytsya, Luhansk, Donetsk, and Kharkiv in July 2012. In 2013, over 2,000 social service providers, law enforcement officers, medical practitioners, teachers and media specialists have been reached in the framework of the training programme and other capacity-building project events, and teams of trainers made up of regional governmental stakeholders have been formed. Information campaigns aimed at raising awareness among victims of trafficking about the scope of assistance to which they are entitled are under way in the pilot sites of the above regions, with the aim of widening the campaigns across the entire regions in the future.

As a result of the above-mentioned activities, in 2013 eight people were granted the status of a victim of trafficking in human beings (VoT) while 85 people applied for the status and are awaiting a decision in project-supported regions. At the national level, in 2013 the Ukrainian Ministry of Social Policy approved 38 VoT statuses, including 12 women, 19 men and seven children; two are foreign nationals. The ratio of types of exploitation (79 per cent non-sexual exploitation) among these VoTs roughly corresponds to national trends identified by the NGOs. The victims are currently receiving assistance; thus far, none of them have dropped out of service programmes provided by the State.

To facilitate the promotion of recently adopted anti-trafficking legislation and to contribute to the sustainability of such efforts, on 17-19 June 2013 in Kyiv, the PCU in co-operation with the Ministry of Social Policy conducted a training of trainers for local anti-trafficking NGOs and trainers from the State Institute for Family and Youth Policy.<sup>107</sup> The State Institute for Family and Youth Policy, which is part of the Ministry of Social Policy of Ukraine, is the governmental body responsible for the improvement of qualifications of State social service employees. The trained trainers are expected to assist in the implementation of the State-led NRM in seven more regions of Ukraine, namely Kirovohrad, Kyiv, Rivne, Sumy, Volyn and Zhytomyr as well as the city of Kyiv.

At the national level, the PCU, in co-ordination with the Ministry of Social Policy, resumed support of the National NRM Monitoring Group which consists of representatives of the NRM stakeholders at the national level as well as representatives of non-governmental and international organizations. The Monitoring Group's mandate is to monitor the implementation of the newly-adopted anti-trafficking legislation at the regional level and provide recommendations to the Ministry of Social Policy on how to enhance implementation. In 2013, the Monitoring Group undertook a series of monitoring trips to the NRM multiplication regions, namely to Kharkiv region on 15-17 May 2013, Chernivtsi and Khmelnytsky regions on 1-5 July 2013, Donetsk and Luhansk regions on 15-19 July 2013, and to Vinnytsya region on 30 September – 1 October 2013.

Since the beginning of 2013, the Workbook on Assistance to Victims of Trafficking in Human Beings, whose publication had been facilitated by the PCU at the request of the Ministry of Social Policy, has been distributed among local governmental stakeholders across Ukraine responsible for granting victim status to trafficked persons.

To address new challenges related to THB and in order to prevent trafficking in children and women, the PCU assists the Ukrainian Ombudsman in her/his Office's efforts to enhance national legisla-

<sup>105</sup> For more information, see: <<http://www.osce.org/moldova/104328>>, accessed 1 November 2013.

<sup>106</sup> For more information, see: <<http://www.osce.org/moldova/80972>>, accessed 1 November 2013.

<sup>107</sup> For more details on the training of trainers, see: <<http://www.osce.org/ukraine/102877>>, accessed 29 October 2013.

tion related to the use of reproductive technologies, particularly surrogate maternity. While international debate on whether certain forms of surrogacy fall under the scope of trafficking continues, there are concerns that both surrogate mothers and children can be subjected to exploitation. Women can be coerced into surrogacy arrangements and can be exploited in that role. Children can be born through a surrogacy arrangement in order, for example, to get an organ transplant for a sick child of the commissioning parents. As an initial step, the PCU supported desk research on international practices of legislative regulation of surrogate maternity, which started in May 2013. The research findings will be translated into Ukrainian, published and distributed among Ukrainian stakeholders, in particular parliamentarians, responsible for the regulation of the issue of surrogate maternity.

In its efforts to enhance prosecution of trafficking cases, in May 2013, the PCU, in co-operation with the Ukrainian Ministry of Interior, the General Prosecutor's Office, and the High Specialized Court for Civil and Criminal Cases, conducted two regional roundtables (in Kyiv and Odessa). The roundtables gathered over 130 participants – representatives of specialized anti-trafficking police departments, investigators, prosecutors and judges from all regions of Ukraine – with a view to discuss challenges in the prosecution of various forms of human trafficking. Particular focus was on ensuring a co-ordinated and victim-centred approach to prosecution of all forms of human trafficking, including trafficking for labour exploitation, and ways to address new trends, e.g., trafficking for the removal of organs. Special attention was paid to the specifics of the investigation and prosecution of human trafficking cases under the new Criminal Procedure Code of Ukraine.

The PCU also supported the participation of representatives from the Ukrainian Ministry of Social Policy and the Ministry of Foreign Affairs at the 13<sup>th</sup> *Alliance against Trafficking in Persons* conference organized by the OSR/CTHB on 25-26 June 2013 in Vienna.

### OSCE Office in Baku

Throughout 2013, the OSCE Office in Baku (the Office) continued to provide expert support to the Government of Azerbaijan and civil society organizations active in the field of combating human trafficking and forced labour. Upon the request of the Government of Azerbaijan, the Office provided recommendations for the development of the Government's third National Action Plan to Fight against Human Trafficking (2014–2019), as well as for the development of new standards for the Return of Trafficked Victims.

In 2013, the Office also continued supporting projects that raised the knowledge and capacities of law-enforcement agencies and the judiciary regarding the effective investigation, prosecution and adjudication of human trafficking related cases. This included a series of trainings organized for labour inspectors and immigration officers on forced labour in Baku on 25-26 February 2013, as well as roundtable discussions involving legal professionals on how to improve the domestic legal framework in line with OSCE commitments and other international standards.<sup>108</sup>

In addition, on 4-7 February 2013, the Office, in co-operation with the Foreign Ministry of the Federal Republic of Germany, organized a four-day visit for high-level Government representatives and NGOs to Berlin to exchange good practices in combating human trafficking and protecting trafficked victims. The Office further co-operated with the United Nations High Commissioner for Refugees

(UNHCR) in organizing a series of trainings for state officials working at the international airport in Baku (19 April), and for officials in the northern and southern regions of Azerbaijan (1-2 August).

As a follow-up to the Office's needs assessment of services available to trafficked victims and referral mechanisms published in 2012<sup>109</sup>, on 5-6 June 2013, the Office organized a training course for Government agencies and civil society organizations on good practices from OSCE participating States on the rehabilitation and reintegration of trafficked victims. The training focused on referral and assistance mechanisms, management of shelters and psychological aspects of assistance to trafficked victims. In an effort to enhance co-ordination of anti-trafficking activities in the country, on 1 March 2013, the Office hosted a roundtable discussion involving representatives from civil society and international organizations, focusing on referral mechanisms and the return of trafficking victims. The meeting resulted in the development of a set of recommendations to improve the identification and rehabilitation of victims as well as legal assistance mechanisms.

Within the framework of its multi-year extra-budgetary project on "Comprehensive Support to Effective Anti-trafficking and Forced Labour Response", funded by the United States Agency for International Development (USAID), the Office also continued its support to civil society managed shelters for female, male and child victims of trafficking as well as to building the capacity of journalists. On 22-25 April 2013, the Office, in co-operation with Moscow State University, conducted two training courses for representatives of print and online media on investigative journalism and reporting on human trafficking. Subsequently, the Office announced a competition among journalists for the best media articles on sexual and labour exploitation as well as on child trafficking, with the winners announced on 21 October 2013. Three journalists from Radio Liberty, Mingechevir Ishiglar newspaper and 1news Information Agency, respectively, won the prize of AZN 1000 for investigative reporting on human trafficking for various types of exploitation.<sup>110</sup>

The Office also translated the OSR/CTHB *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* into Azerbaijani and is in the process of developing activities for national stakeholders, both in terms of awareness-raising about, and implementation of, the recommendations at the national level. The Azerbaijani version of the OSR/CTHB publication was launched on 26-27 November in Baku on the occasion of an international seminar on the role of the judiciary in combating human trafficking organized by the Office. The event brought together judges, prosecutors, attorneys and lawyers from countries of origin, destination and transit and offered a platform to discuss how to strengthen the prosecution of human trafficking and forced labour and the protection of trafficked victims.

In the future, subject to the outcome of the discussions regarding its mandate as Project Co-ordinator, the Office plans to strengthen its support to the host Government in enhancing mechanisms for the financial investigation of human trafficking as well as in developing capacity building activities for the protection of migrants' rights. The Office will also continue co-operating with the Anti-Trafficking Programme of ODIHR as well as with other field operations to maximize the effectiveness of the national Network of Lawyers established to protect the rights of trafficking victims and promote pro-bono legal aid.

<sup>108</sup> For more details on the events, see <<http://www.osce.org/baku/99904>>, accessed 4 November 2013.

<sup>109</sup> USAID and OSCE Office in Baku, *Needs Assessment Report - Anti-trafficking response in Republic of Azerbaijan: Assistance and services available to victims of trafficking and forced labour* (June 2012), <<http://www.osce.org/baku/105274>>, accessed 4 November 2013.

<sup>110</sup> For more details on the contest and its results, see: <<http://www.osce.org/baku/101892>> and <<http://www.osce.org/baku/107267>>, accessed 29 October 2013.

## OSCE Office in Yerevan

Throughout 2013, the OSCE Office in Yerevan continued to assist the Government with its anti-trafficking activities, strengthening the capacity of national stakeholders to identify, refer and provide assistance to victims of trafficking. This included, *inter alia*, a series of capacity building exercises, focusing on labour and child trafficking, the monitoring of the implementation of the NRM through case analysis and efforts to improve national anti-trafficking policy and legislation.

During 2013, the bulk of anti-trafficking activity focused on providing trainings on victim identification and the NRM, as well as strengthening the capacity of national stakeholders throughout the country, assisting the Anti-Trafficking Interagency Working Group with the revision of the current NRM to make it more victim-oriented and on discussing possibilities for the establishment of a victim compensation fund.

The Office also monitored the implementation of the national action plan on human trafficking for 2010-2012 and presented the results to the Anti-Trafficking Interagency Working Group and the Anti-Trafficking Inter-ministerial Council in March 2013. Government stakeholders discussed the recommendations and several were taken into consideration during the development of the new 2013-2015 NAP which was approved on 28 February 2013.

The Office prepares quarterly trial monitoring and victim assistance reports based on the monitoring of human trafficking-related court hearings and provides recommendations for the improvement of victim-oriented policy. The Office also drafted Guidelines on the consular officers' role for dealing with human trafficking cases in 2013. The paper was submitted to the Ministry of Foreign Affairs and is expected to be approved by the Ministry soon.

Importantly, in May and June 2013, the Office conducted the first series of pre-deployment trainings on human trafficking for 100 peacekeepers, to be located in Kosovo and Afghanistan, in co-operation with the Armenian Ministry of Defence. These trainings held for the Peacekeeping Brigade in Yerevan will ensure that Armenian military personnel understand and are able to respond to instances of sexual violence and trafficking in human beings in conflict and post-conflict settings.

The OSR/CTHB report providing *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* was translated into Armenian and shared with all the interested national actors in November 2013.

On 15 November 2013, the Office conducted training for three day-care institutions for children based in Yerevan. This exercise focused on how to address child trafficking and sexual abuse toward children and provided basic tools and general knowledge to social and health workers, psychologists, and lawyers of these institutions with regard to how to identify victims of human trafficking.

Finally, on 12-14 December 2013 the Office organized a seminar, conducted by an international expert, for judges and prosecutors to discuss specific issues surrounding the investigation and prosecution of human trafficking and exploitation-related cases in Yerevan.

## OSCE Centre in Ashgabat

On 21-22 May, the Centre facilitated the participation of three representatives from the Ministry of Internal Affairs of Turkmenistan and the Ministry of Labour and Social Security of Turkmenistan in the

“Regional Roundtable on National Referral Mechanisms: Gaps Analysis and Good Practices”, organized by ODIHR in Istanbul, Turkey.

On 10-11 June, the Centre facilitated the participation of two representatives from the Ministry of Internal Affairs of Turkmenistan and the General Prosecutor's Office of Turkmenistan in the High-Level Conference “Strengthening the OSCE Response to Trafficking in Human Beings”, organized by the OSCE Ukrainian Chairmanship in Kyiv, Ukraine.

On 25-26 June, the Centre facilitated the participation of two representatives from the Ministry of Internal Affairs of Turkmenistan and the General Prosecutor's Office of Turkmenistan in the 13<sup>th</sup> *Alliance against Trafficking in Persons* conference entitled “Stolen Lives, Stolen Money: The Price of Modern Day Slavery”, organized by the OSR/CTHB in Vienna.

On 23-24 July, the Centre, in co-operation with the OSCE Secretariat in Vienna and ODIHR, organized a two-day training course in Ashgabat for Turkmenistan's law enforcement agencies, the judiciary and criminal lawyers who work on the investigation and prosecution of trafficking offences, and the conviction and punishment of trafficking offenders. The event was attended by 20 representatives from the Ministry of Interior, the Ministry of Justice, the Police Institute under the Ministry of Interior and the General Prosecutor's Office. Several case studies on good practices in investigating and prosecuting human trafficking crimes in OSCE participating States with focus on different kinds of exploitation were presented and discussed during the course.<sup>111</sup>

Also, on 25 July, the Centre, in co-operation with the OSCE Secretariat in Vienna and ODIHR organized a daylong seminar on Women's Rights and Gender Issues for Representatives of Turkmenistan's law enforcement bodies. The event was attended by 25 representatives of Turkmenistan's Supreme Court, the Ministry of Interior, the Ministry of Justice, the Police Institute under the Ministry of Interior and the General Prosecutor's Office. The participants discussed issues such as contemporary problems related to women's security, including trafficking in human beings.

## OSCE Centre in Astana

On 19-20 February, in Astana, the OSCE Centre in Astana in co-operation with the Academy of Public Administration, the Supreme Court and the US Embassy in Kazakhstan organized the first of a series of seven training seminars on improving judicial practice in criminal cases related to human trafficking. The seminar brought together 30 heads of district and city courts from all regions of Kazakhstan to discuss best judicial practices and effective ways to use international and national legal tools in dealing with criminal cases on trafficking in human beings for sexual, labour or other forms of exploitation.

On 24 May, in Astana, the Centre co-organized a dialogue on “Ensuring access to special social services for victims of cruel treatment, including victims of human trafficking and domestic violence in Kazakhstan.” The event aimed to raise a range of questions related to the current law “On Special Social Services” adopted in December 2008, and to assist victims of cruel treatment. The dialogue brought together members of the Parliament, representatives of executive bodies, international organizations and local NGOs. Experts from the Czech Republic, the Republic of Serbia, the UK as well as Kazakhstan shared their experiences and the best practices of their respective countries. Participants developed a set of recommendations during the event which were sent to the relevant national insti-

<sup>111</sup> For more information about the training course, see: <<http://www.osce.org/ashgabat/103861>>, accessed 29 October 2013.

tutions and to the Kazakh Parliament. The event was co-organized by the Legislation and Legal Reform Committee of the Parliament of the Republic of Kazakhstan and the IOM in Kazakhstan.

On 20-21 June, in Almaty, the Centre organized a two-day training seminar for police officers on best practices in CTHB. Participants discussed the detection and exposure of illegal organ transplants, child adoption for commercial purposes, and human trafficking for labour and sexual exploitation. The seminar was co-organized by the OSCE Centre in Astana, the Interior Ministry of Kazakhstan, the IOM, and the US Embassy. More than 30 people took part in the event, including high-ranking judges, as well as local and international experts from Belarus, Moldova and Turkey.

On 1-3 July, the SR/CTHB visited Astana. She held high-level discussions facilitated by the OSCE Centre in Astana to exchange views on advanced ways and means to meet the challenge of transnational and internal trafficking. During her visit, the SR/CTHB met with high-ranking government officials, including Justice Minister Berik Imashev and representatives of the Prosecutor General's Office, the Criminal Police Committee at the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Labour and Social Protection, the Supreme Court, the National Human Rights Centre and other structures, including a NGO-run rehabilitation centre.

On 18 July, in Almaty, the Centre contributed its expertise on NRM to a seminar on international standards of securing accessibility and the quality of services for victims of trafficking and smuggled migrants organized by the UNFPA. The seminar was held within the framework of the joint UNFPA-UNODC project on "Strengthening the capacity of the Central Asian Republics to protect and assist victims of human trafficking and migrant smuggling, especially women and children, in partnership with NGO and civil society actors".

Finally, on 5 September, the Centre participated at the National Consultative Meeting organized by the UNODC's Regional Office for Central Asia in Astana. The meeting aimed at discussing co-operation mechanisms between the Government and NGOs with the aim to provide assistance and protection to victims of human trafficking and smuggled migrants.

### OSCE Centre in Bishkek

Throughout 2013, the Centre in Bishkek continued to support the Government of the Kyrgyz Republic in implementing its national and international commitments in the sphere of CTHB. With its project "Expanding co-operation for the prevention of trafficking in human beings" launched in late spring 2013, the Centre aimed at broadening the platform of anti-trafficking stakeholders for renewed efforts of prevention.

Within the framework of the project, a series of interactive training seminars were conducted in Osh for local religious leaders from the south of Kyrgyzstan to increase their awareness of the phenomenon and thus contribute to its prevention, in particular in view of their outreach potential to various age groups. Similarly, capacity building activities were conducted in October for local self-governing bodies in the southern regions; specifically for State officials working at the grass roots level in village and district communities who are called upon to provide information to migrants on a daily basis.

As part of the Centre's continuous work in the area of increasing



**Local religious leaders from the south of Kyrgyzstan participate at a seminar in Osh aimed at expanding co-operation for the prevention of human trafficking.**

public awareness about the risks associated with trafficking in human beings, a video is being produced that is expected to be widely broadcast on Kyrgyz TV during primetime at end of the year. The video will also be disseminated among relevant state agencies and members of civil society as well as through social networks such as Facebook and the popular Russian social networking site Odnoklassniki.

Furthermore, the co-ordination council meetings initiated by the Kyrgyz State Border Service in 2012 gained further impetus during the second half of 2013. The OSCE supported a series of meetings in all three centres of the southern province to further the exchange of updates and opinions, as well as maintain better communication and co-operation efforts among the Border Service, police, prosecution, the Ombudsman Office and NGOs. This renewed communication platform for key law enforcement structures also aims at upholding and implementing NRMs for victims of THB. One of the events was jointly organized with the Delegation of the European Commission in Kyrgyzstan.

Further, as a final step within the implementation of the project "Expanding the co-operation for the prevention of trafficking in human beings", the findings of a baseline study on risk factors to trafficking and related trends in the south of Kyrgyzstan and the local population's vulnerability will be published at the end of 2013.

At the end of November, the OSCE Office organized a roundtable on the NAP on CTHB in the Kyrgyz Republic in Bishkek, gathering representatives of state institutions and civil society partners. The roundtable enabled national stakeholders to share information on the status of the implementation of the NAP and also contributed to enhancing inter-agency co-operation on prevention, protection and prosecution.

Finally, throughout the year, the Centre in Bishkek facilitated the participation of State officials at international events and co-operated with ODIHR within the framework of the project "Human rights protection for trafficked persons and vulnerable groups in Central Asia".<sup>112</sup>

### OSCE Office in Tajikistan

During January 2013, the OSCE Office in Tajikistan (OSCE OiT) monitored the anti-trafficking training courses taught at the Police Academy of Tajikistan and supported them with stationary and awareness-raising material. These training courses are the direct

<sup>112</sup> See for example, the online announcement of the call for small projects within the ODIHR project at: <<http://www.osce.org/odihhr/104307>>, accessed 1 November 2013.

outcome of an OSCE OiT anti-trafficking project initiated in 2009, when a common curriculum on investigation and prosecution of human trafficking cases was developed for the Police Academy of Tajikistan, through extra-budgetary support from Finland<sup>113</sup>. Within the framework of this project, a number of ToTs and refreshment trainings have been conducted for Police Academy instructors both by international and national training consultants. Innovative and interactive training methodologies have been issued to upgrade the effectiveness of the courses, e.g., Student/Participant Centered Approach, which includes cognitive, psychomotor and affective learning skills. For 2013, 20 hours have been allocated in the curriculum of the Police Academy for training courses on investigation of human trafficking cases, covering in total 59 cadets of the Academy.

On 16-17 May 2013, the OSCE OiT conducted a two-day training on the NRM for victims of trafficking for the Inter-Ministerial Working Group on the establishment of an NRM in Dushanbe. The training was attended by 10 members of the NRM Working Group, representing the Ministry of Labor and Social Protection of Population, the Ministry of Justice, the General Prosecutor's Office, the Directorate for Organized Crime Control of the Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Health and Ministry of Economic Development. The OSCE Office in Tajikistan engaged an international expert from the NGO "La Strada" from the Republic of Moldova, and a national expert representing the Tajik NGO "Imran". Experts from the IOM, who are also members of the NRM Working Group also contributed to the event. The training helped to identify resources, legal frameworks and processes needed for the establishment of an NRM in Tajikistan. It also contributed to a review of new draft laws on CTHB and victims' assistance and the development of recommendations, some of which were considered and enrolled into the draft law which was submitted to the Majlisi Namoyandagon (Lower House of Parliament) in September 2013.

After the NRM training session, the OSCE OiT supported the participation of two members of the Inter-Ministerial Working Group on NRM, representing the Ministry of Labour and the Ministry of Interior as well as a civil society representative at the 21-22 May roundtable in Istanbul entitled "Building National Referral Mechanisms: Gaps Analysis and Best Practices" organized by ODIHR within the framework of its regional project "Human Rights Protection for Trafficked Persons and Vulnerable Groups in Central Asia". The roundtable gathered over 30 participants, including representatives of state agencies and ministries and civil society institutions from all five Central Asian countries, as well as experts from Moldova, Belgium, the Netherlands and the OSCE Secretariat. This event presented a platform for debates, exchange of experience and challenges for policy-makers and stake holders among the representatives of the state structures and civil society organizations directly involved in institutionalization of the NRM. The participants also had a chance to learn best practices from Moldova, Belgium and the Netherlands and work in groups to analyse and define the gaps associated with the process of NRM establishment in their respective countries.

On 20 June 2013, OSCE OiT organized an Anti-Trafficking Co-ordination Meeting bringing together the main stakeholders in the fight against human trafficking in Tajikistan from international organizations, civil society and the donor community to share in-

formation about ongoing and planned activities and to discuss the current state of affairs, new tendencies and dynamics, emerging challenges such as the kidnapping of children and transborder trafficking. During 2013, in consultation with the IOM, the OSCE OiT also supported the translation of the book *National Mechanism for Referral and Support of Trafficked Persons in Bulgaria* into Russian. This book is the result of three years of work by a multi-institutional group in Bulgaria, and it offers step-by-step guidelines for the establishment of a NRM for trafficking victims<sup>114</sup>. The translated Russian version was provided to the Inter-Ministerial Working Group on NRM establishment in Tajikistan for reference and use during their working sessions on 29 August 2013. The Comprehensive Programme on Combating Human Trafficking in Tajikistan (2011-2013), and its associated Program Implementation Plan, tasks the working group on NRM with drafting, until the end of 2013, the legal normative document on operational procedures for all parties involved in the NRM.

On 2-3 December 2013 a practical workshop, entitled "Identification and Referral of Victims of Human Trafficking", was organized by OSCE OiT for social workers and psychologists from local NGOs and State agencies that provide assistance to victims of trafficking in Tajikistan. The purposes of the workshop was: 1) strengthening the capacity of the local NGOs and state agencies in identification of victims of trafficking and sharing best practices, 2) management and referral of victims of trafficking within the framework of the NRM and, 3) enhancing co-operation between civil society and State structures operating in Tajikistan. The workshop brought together representatives of 22 local NGOs and two State agencies.

In February and October, the Gender and Anti-trafficking Unit of the OiT taught courses on human trafficking and border management at the Staff Courses of the Border Management Staff College.

### OSCE Project Co-ordinator in Uzbekistan

In the period between January-August 2013, the OSCE Project Co-ordinator in Uzbekistan (PCUz) continued assisting the Government and civil society in increasing its efforts to combat human trafficking in two priority areas.

The first priority area in 2013 was capacity building for the Inter Agency Anti-trafficking Commission and other governmental agencies, including a series of specialized workshops for the executive secretaries of the territorial branches of the commission in January, April and November. All workshops aimed at promoting anti-trafficking co-ordination between the police, health and social service providers, the women's committee, the makhallas (local neighbourhoods) and NGOs.

The Office's second priority area was to work with the National Federation of Trade Unions on preventing human trafficking by empowering risk groups and effectively preventing human trafficking by facilitating job creation, promoting labour rights, social protection and social dialogue. Attention was paid to ensure that prevention addresses individual, community and societal factors. The PCUz carried out training courses for the Council of Trade Unions, makhalla advisers and people dealing with and representing vulnerable groups from the Qibray district of Tashkent oblast. The courses were designed to enhance the level of economic and legal education among the participants, with a special focus on life

113 See OSCE Press Release "OSCE Office in Tajikistan supports incorporation of anti-trafficking course in police academy curriculum", <<http://www.osce.org/tajikistan/51575>>, accessed 20 November 2013.

114 Animus Association Foundation and La Strada Bulgaria, *National Mechanism for Referral and Support of Trafficked Persons in Bulgaria* (2010), <<http://lastradainternational.org/?main=documentation&document=2584>>, accessed 20 November 2013.



skills training. In addition the PCUz, jointly with the Council of the Federation of National Trade Unions, opened a sewing workshop in Qibray, Tashkent region, offering constant employment to its beneficiaries based on Government support.<sup>115</sup> At least 30 vulnerable women will obtain professional skills and employment in the region of Qibray through the project.



**Participants discussing key issues during a seminar on Corporate Social Responsibility (CSR) in Tashkent, 28-29 May 2013.**

Prevention measures targeting the society level included two educational seminars on 28-29 May 2013 and 3-4 April in Tashkent, Corporate Social Responsibility (CSR) as a solution to tackle the problem of human trafficking at its root. On 31 October, the PCUz jointly with the Trade Unions federation held an exhibition of the products made by women from vulnerable groups of two makhallas who had completed educational seminars conducted by the Women's Rights NGO Civic Initiatives Supported Centre.

In addition, the PCUz, jointly with the Uzbek MFA, organized a study tour to Austria and Italy on 8-12 July for high-ranking representatives of the Council of the Federation of Trade Unions, the Cabinet of Ministers, the Ministries of Labour and Social Protection of the Population and Foreign Affairs, the Chamber of Trade and Commerce and the NGO Civic Initiatives Support Centre. In Austria, the Uzbek delegation studied the Austrian policy of preventing human trafficking through the development of social partnership between Government, employers and the trade unions and how corporate social responsibility is being promoted in the country. In Italy, the Uzbek delegation exchanged views and ideas with the three big national trade union confederations and the Ministry of Labour. The focus of the meetings was the protection of labour rights, including through the creation of additional social benefits for employees, ensuring non-discrimination of women and migrant workers, principles of corporate social responsibility, social entrepreneurship and the benefits of a social card for vulnerable groups of the population along with labour quotas for migrant workers.

Also, the OSCE Project Co-ordinator is currently translating the SR/CTHB's *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* into Uzbek. In December, the PCUz, jointly with the TNTD/SPMU, organized a three-day training for law enforcement investigators and operating agents, on challenges for investigation and prosecution related to the use of new ICT technologies in the commission of crime.

<sup>115</sup> For more details, see <<http://www.osce.org/sg/98883>>, accessed 4 November 2013.



## **PART III: EXTERNAL CO-OPERATION**



# 1 Co-operation with international inter-governmental organizations and agencies

The SR/CTHB is tasked with strengthening co-ordination between the OSCE and other relevant organizations and to co-operate and co-ordinate with all relevant international actors in the field of human trafficking.<sup>116</sup>

To this end, in 2004, upon the initiative of the first SR/CTHB, the OSCE established the *Alliance against Trafficking in Persons* – an informal platform for co-operation between the OSCE and other major international organizations, both inter-governmental and non-governmental, working in areas relevant to the fight against human trafficking.<sup>117</sup> Besides co-operation within the framework of the *Alliance*, the OSR/CTHB has also developed strong bilateral links with numerous international organizations and regularly engages with them in expert consultations and joint events on specific topics.<sup>118</sup>

On the occasion of the European Anti-Trafficking Day on 18 October 2013, the SR/CTHB, together with two other key anti-trafficking mechanisms, called for a concerted and human rights-based global response to the fight against human trafficking. In a joint statement, the UN Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, the President of the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA), Nicolas Le Coz, and the SR/CTHB stressed that a universal human rights-based approach was paramount to ending human trafficking in today's world.<sup>119</sup>

**“Partnership is the backbone for effective co-ordinated efforts to implement a human rights-based approach while addressing this multi-faceted phenomenon. Co-operation between origin, transit and destination countries, but also with regional and international mechanisms, as well as private stakeholders such as multinational corporations and civil society organizations, is essential for comprehensive responses to trafficking in persons.”**

OSCE SR/CTHB, UN Special Rapporteur on Trafficking in Persons and CoE GRETA in a joint statement on the occasion of the European Anti-Trafficking Day on 18 October 2013.

Throughout 2013, the SR/CTHB worked closely with international and regional organizations, including: the United Nations, in particular the United Nations Office on Drugs and Crime (UNODC), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office of the High Commissioner for Human Rights (OHCHR) and the International Labour Organization (ILO); the International Organization for Migration (IOM); Interpol; the International Centre for Migration Policy Development (ICMPD), the North Atlantic Treaty Organization (NATO); the European Union, in particular the European Commission, the European Union External Action Service (EEAS), its Fundamental Rights Agency (FRA) and its Agency for the Management of Operational Co-operation at the External Borders of the Member States (Frontex); Europol, Eurojust, the Council of Europe (CoE), the Commonwealth of Independent States (CIS), in particular its Executive Committee and CIS Inter-Parliamentary Assembly; the Collective Security Treaty Organization (CSTO); and the Council of Baltic Sea States (CBSS).<sup>120</sup> Below, please find some highlights of inter-agency co-operation in 2013.

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



The UNODC and the OSCE have a long history of fruitful co-operation in the fight against human trafficking which has been recognized as priority, also reflected in a OSCE-UNODC Joint Action Plan, first adopted in 2012 and renewed on 17 April this year.<sup>121</sup> The Joint Action Plan reconfirms the two organizations' partnership in the framework of the *Alliance against Trafficking in Persons* and the *Alliance* Expert Co-ordination Team. At the bilateral level the Action Plan highlights co-operation in the mutual promotion of each organization's standards and commitments relevant to the fight against human trafficking, including the implementation of the UN Trafficking in Persons Protocol and the OSCE's human rights-based approach to human trafficking confirmed in numerous anti-trafficking commitments adopted by OSCE participating States. The Joint Action Plan also foresees consultations on possible areas of research and joint actions with a view to contribute to the implementation of the Global Plan of Action to Combat Trafficking in Persons and the promotion (including through fundraising) of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children.

The OSR/CTHB has contributed to the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) since 2007 by providing input to the Expert Group Initiative Projects, as well as subsequent conferences and projects. In 2013, the OSR/CTHB continued to support UN.GIFT jointly with the other members of the UN.GIFT Steering Committee.<sup>122</sup>

116 OSCE Ministerial Council, *Decision No. 2/03 Combating Trafficking in Human Beings* (Maastricht, 2 December 2003), paras. 2 (c) and (j).

117 For more information on the work of the *Alliance against Trafficking in Persons*, see Part I, Chapter 3 in this report.

118 For a full list of external events attended or (co-)organized by the SR/CTHB in 2013, see Annex 1 of this report.

119 For the full text of the joint statement, see: <<http://www.osce.org/cthb/107232>>, accessed 10 November 2013.

120 For a full list of events attended and/or (co-)organized by OSR/CTHB in 2013, see Annex 1 in this report.

121 More background on the UNODC-OSCE Action Plan can be found here: <<http://www.unodc.org/unodc/en/speeches/remarks-unodc-and-osce-180413.html>>, accessed 10 November 2013.

122 For background information and news about UN.GIFT as well as THB-related documents and publications, see: <<http://www.ungift.org/>>, accessed 10 November 2013.



As a follow-up to a visit the SR/CTHB paid to Israel in May 2012, the OSR/CTHB, in co-operation with the UNODC and the IOM, conducted an International Seminar for Judges on the Critical Role of the Judiciary in Combating Trafficking in Human Beings at the Golda Meir Mount Carmel International Training Center in Haifa, Israel.<sup>123</sup> The seminar, which was held on 5-8 August 2013 was organized in close co-operation with Israel's Ministry of Justice and its Agency for International Development Co-operation (MASHAV). The event allowed judges from across the globe, including from OSCE participating States Moldova, Montenegro, the Netherlands, Serbia and the United States to discuss new developments, challenges and good practices related to human trafficking and criminal justice responses.<sup>124</sup>

Also, in co-operation with the UNODC and the IOM, the OSCE, represented by the OSR/CTHB and the TNTD/SPMU and TNTD/Borders Unit developed a joint project "Strengthening Understanding of the Link between Irregular Migration and Transnational Crimes Impacting Migrants in Irregular Situations". On 30-31 October 2013, the project was launched at the Hofburg in Vienna with a mapping seminar on "Enhancing co-operation among countries of origin, transit and destination in combating irregular migration and related transnational crimes". The seminar brought together migration and criminal justice experts from national authorities, civil society and international organizations from participating States and Partners for Co-operation. The project, which focuses on migration routes through the Eastern Mediterranean region to Central and Western Europe, also aims to facilitate an informal network of experts between countries of origin, transit and destination.<sup>125</sup>

At a side event on 25 April 2013 during the 22<sup>nd</sup> session of the UNODC Commission on Crime Prevention and Criminal Justice in Vienna, the SR/CTHB launched her *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*.<sup>126</sup> The OSR/CTHB policy and legislative recommendations had been developed in consultation with the UNODC and other partners of the *Alliance Expert Co-ordination Team*. The UNODC also contributed as a key speaker to the side event.<sup>127</sup>

The UNODC and the OSR/CTHB co-operated on raising awareness and building the capacity of stakeholders on the topic of trafficking in persons for the purpose of organ removal. On 4-5 December 2013, the OSR/CTHB participated at a UNODC expert group meeting on trafficking in persons for the purpose of organ removal. The event brought together around 20 criminal justice, medical, and other experts from various regions of the world with the aim of reviewing and finalizing a draft assessment handbook on the topic currently being developed by the UNODC. The OSR/CTHB's sixth Occasional Paper *Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings*, launched in July 2013 provided valuable background and analysis for the finalization of the handbook.<sup>128</sup>

The OSR/CTHB also contributed to the national workshop "International Standards to ensure the availability and quality of services to protect and support victims of human trafficking and smuggled migrants" organized by the UNODC and the UNFPA in Tashkent on 17-18 September 2013 within the framework of their regional project on strengthening the capacity of Central Asian Republics to protect and support victims of human trafficking and smuggled migrants in partnership with NGOs and civil society actors. The OSR/CTHB was invited to share the OSCE's experience and good practice on NRMs and the role of civil society in anti-trafficking policies and measures.

#### United Nations Office of the High Commissioner for Human Rights (OHCHR)



During 2013, the SR/CTHB continued her close co-operation with the OHCHR, in particular with Joy Ngozi Ezeilo, the UN Special Rapporteur on trafficking in persons, especially women and children. The SR/CTHB spoke at a Consultative Meeting on Strengthening Partnerships with National Rapporteurs and Equivalent Mechanisms organized by the United Nations Special Rapporteur on trafficking in persons, especially women and children, on 23-24 May 2013 in Berlin. On this occasion, the SR/CTHB shared the good practices and guidance on National Rapporteurs and Equivalent Mechanisms developed within the OSCE.<sup>129</sup>

123 For more details on the May 2012 visit of the SR/CTHB to Israel, see OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), *Combating Trafficking as Modern-Day Slavery: A Matter of Non-Discrimination and Empowerment. 2012 Annual Report of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings* (Vienna, December 2012), p. 13.

124 For more information on the international seminar for judges in Haifa, see: <<http://www.osce.org/cthb/104254>>, accessed 10 November 2013.

125 For more details on the OSR/CTHB's work in the Mediterranean region, see Part I, Chapter 8 (page 28) in this report.

126 OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in consultation with the *Alliance against Trafficking in Persons Expert Co-ordination Team*, *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* (Vienna, April 2013), <<http://www.osce.org/cthb/43587>>, accessed 3 November 2013. For more information on the 22<sup>nd</sup> session of the Crime Commission and the OSR/CTHB side event, see: <[http://www.unodc.org/documents/commissions/Side-events/22nd\\_CCPCJ\\_Side\\_Event\\_Programme\\_2.pdf](http://www.unodc.org/documents/commissions/Side-events/22nd_CCPCJ_Side_Event_Programme_2.pdf)>, accessed 3 November 2013.

127 For more information on the 22<sup>nd</sup> session of the Crime Commission and the OSR/CTHB side event, see: <[http://www.unodc.org/documents/commissions/Side-events/22nd\\_CCPCJ\\_Side\\_Event\\_Programme\\_2.pdf](http://www.unodc.org/documents/commissions/Side-events/22nd_CCPCJ_Side_Event_Programme_2.pdf)>, accessed 3 November 2013.

128 OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Trafficking for the purpose of Organ Removal*, Occasional Paper Series no. 6 (Vienna, July 2013), <<http://www.osce.org/cthb/103393>>, accessed 11 November 2013.

129 See, for example, OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), *Efforts to Combat Trafficking in Human Beings in the OSCE Area: Co-ordination and Reporting Mechanisms, 2008 Annual Report of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings* (Vienna, November 2008), <<http://www.osce.org/cthb/36159>>, accessed 11 November 2013.

In an effort to join forces and maximize synergies, the OSR/CTHB and the United Nations Special Rapporteur on trafficking in persons, especially women and children, also co-operated on two side events within the framework of the work of the United Nations. On 7 November 2013, the OSR/CTHB addressed a side event on “The Right to Effective Remedies for Trafficked Persons” organized by the UN Special Rapporteur, to discuss the procedural components of the right to an effective remedy. The side event was a follow-up to a regional consultation held in Geneva on 1 March 2013 on the draft Basic Principles on the right to an effective remedy, which the UN Special Rapporteur intends to present to the UN Human Rights Council in 2014.

On 8 November 2013, the OSR/CTHB together with the UN Special Rapporteur co-organized a side event on “Trafficking in Persons for the Purpose of Organ Removal” during the Fifth session of the Open-ended Interim Working Group on the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The side event raised awareness about the nature and scope of this form of trafficking, challenges in the criminal justice response and the particular needs of its victims. The joint side event was a good opportunity to present and discuss the findings of the OSR/CTHB’s sixth Occasional Paper on trafficking in human beings for the purpose of organ removal, which also contributed to this year’s report by the UN Special Rapporteur to the General Assembly - presented on 2 August 2013 - which contains a thematic analysis of trafficking in persons for the removal of organs.<sup>130</sup>

Finally, throughout 2013, the SR/CTHB also promoted the UN Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework, which was developed by the Special Representative of the UN Secretary-General on the issue of human rights and transnational corporations and other business enterprises and endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011.<sup>131</sup>

### United Nations High Commissioner for Refugees (UNHCR)



The OSR/CTHB and the UNHCR continued their close co-operation on issues of asylum, refugee status and non-refoulement in the context of victims of trafficking, including their access to asylum procedures, the processing of their asylum claims and their safe return. The SR/CTHB also consults UNHCR field offices, where available, during her country visits. The UNHCR’s Regional Representative for Southern Europe was one of the key speakers at the Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region organized by the OSR/CTHB in co-operation with the Italian Chamber of Deputies on 8 Febru-

ary 2013 in Rome.<sup>132</sup> The OSR/CTHB will continue to include the UNHCR as a key partner in its efforts to enhance co-operation to prevent trafficking in human beings in the Mediterranean region.

### International Labour Organization (ILO)



The ILO is one of the OSR/CTHB’s key partners in the fight against human trafficking, in particular human trafficking for labour exploitation. The development and enforcement of international labour standards is crucial for an effective fight against human trafficking. Throughout 2013, the OSR/CTHB continued to closely co-operate with the ILO on a wide range of issues, including decent work and social justice and the prevention of labour exploitation, including domestic servitude.

Promoting the rights of domestic workers, including domestic workers in diplomatic households, has been a particular focus of the SR/CTHB’s work in recent years. Throughout 2013, the OSR/CTHB advocated for the ratification of the ILO Domestic Workers Convention (C189), which was adopted in 2011 and entered into force on 5 September 2013. In his speech at the 13<sup>th</sup> Alliance Conference, Moussa Oumarou, ILO Director of the Governance and Tripartism Department, highlighted the significant advocacy and support the SR/CTHB and her Office have given, in particular, to enhance the rights of domestic workers.<sup>133</sup> The OSR/CTHB and the ILO also established strong co-operation within the framework of the OSR/CTHB’s extra-budgetary project on the prevention of domestic servitude in diplomatic households. Importantly, the ILO contributes to all workshops with its expertise on the rights of domestic workers and the ILO Domestic Workers Convention.<sup>134</sup>



The ILO is also a key member of the Alliance Expert Co-ordination Team (AECT). At the AECT meeting in March 2013, the ILO briefed AECT members on the ILO strategy for action towards making decent work a reality for domestic workers worldwide.<sup>135</sup> At the AECT meeting in December 2013, the ILO’s Special Action Programme to Combat Forced Labour gave a presentation on the ILO’s recent and planned standard setting efforts to supplement the ILO Forced Labour Convention (No. 29).

<sup>130</sup> The report of the UN Special Rapporteur on trafficking in persons, especially women and children, with a thematic focus on trafficking in persons for the removal of organs is available here: UN General Assembly, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, A/68/256 (2 August 2013), <<http://www.ohchr.org/Documents/Issues/Trafficking/A-68-256-English.pdf>>, accessed 21 November 2013. For details on the fifth session of the Working Group on Trafficking in Persons which took place in Vienna, Austria from 6 - 8 November 2013, see: <<https://www.unodc.org/unodc/en/treaties/CTOC/working-group-on-trafficking-2013.html>>, accessed 21 November 2013.

<sup>131</sup> For more details see Part I, Chapter 9 (page 30) in this report on Human Rights and Business. For the UN Guiding Principles and the UN ‘Protect, Respect and Remedy’ Framework, see: <<http://www.business-humanrights.org/UNGuidingPrinciplesPortal/Home>>, accessed 21 November 2013.

<sup>132</sup> For more details on the Rome seminar, see the event webpage at: <<http://www.osce.org/cthb/98654>>, accessed 11 November 2013; see also: Presentation by L. Jolles, Regional Representative for Southern Europe, UNHCR, at the “Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region”, Rome, 8 February 2013, <<http://www.osce.org/cthb/99734>>, accessed 22 November 2013. For background to and follow-up of the Rome Seminar, see also: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region* (Vienna, November 2013).

<sup>133</sup> For more details on the 13<sup>th</sup> Alliance Against Trafficking in Persons Conference, see <<http://www.osce.org/event/alliance13>>, accessed 13 November 2013.

<sup>134</sup> See more on the project and the related workshops held in 2013 in Part I, Chapter 5 (page 22) of this report on domestic servitude in diplomatic households.

<sup>135</sup> See <[http://www.ilo.org/global/topics/domestic-workers/WCMS\\_210412/lang-en/index.htm](http://www.ilo.org/global/topics/domestic-workers/WCMS_210412/lang-en/index.htm)>, accessed 22 November 2013.

## Council of Europe (CoE)



Human trafficking continues to be an area for enhanced CoE-OSCE co-operation. The CoE and the OSCE are co-operating in the field of action against human trafficking in order to promote the widest possible ratification of the CoE Convention on Action against Trafficking in Human Beings, where appropriate, and encouraging full implementation of the OSCE anti-trafficking commitments. The OSCE has an observer status with the Committee of the Parties to the CoE Convention on Action against Trafficking in Human Beings (CAHTEH) and the CoE is a member of the *Alliance against Trafficking in Persons* under the patronage of the OSCE. On 25 October 2013, in Vienna, the two organizations held their annual high-level Co-ordination Group meeting to review co-operation during the past year and discuss future collaboration.

The OSR/CTHB is in regular contact with the CoE Group of Experts on Action against Trafficking in Human Beings (GRETA) and its Secretariat to co-ordinate work throughout the year. GRETA regularly participates in OSCE high-level conferences and expert seminars, both at the international and national level. A member of GRETA spoke at the OSCE High-Level Conference “Strengthening the OSCE Response to Trafficking in Human Beings” held in Kyiv on 10-11 June 2013 under the Ukrainian Chairmanship of the OSCE. Petya Nestorova, Executive Secretary of the CAHTEH, moderated a session at the OSCE *Alliance* conference “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery” on 25-26 June 2013 in Vienna. Members of the CAHTEH Secretariat also regularly participate at the OSCE *Alliance* Expert Co-ordination Team meetings. Within the framework of the *Alliance against Trafficking in Persons*, GRETA was also involved in consultations on the SR/CTHB’s *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of human trafficking*.

As a follow-up to the 2012 Joint OSCE-CoE-CIS Roundtable on Action against Trafficking in Human Beings, its proceedings were jointly edited and published as a booklet (in English and Russian) in 2013.<sup>136</sup> The booklet, which is also available online, was distributed at the annual meeting of the Unified Commission on Harmonization of Legislation on Combating Terrorism, Drug Traffic and Organized Crime under the CIS Inter-Parliamentary Assembly held from 25-28 February 2013 in St. Petersburg, Russia as well as at the International Conference on Combating Trafficking in Human Beings organized by the Russian Presidency of the Council of Baltic Sea States on 15-16 April 2013 also in St. Petersburg. GRETA and the OSR/CTHB are looking for further opportunities for joint action, such as the OSCE-CoE-CIS roundtable in St. Petersburg.

Also, during country visits, GRETA delegations consult the local offices of the OSCE (where there are field operations with anti-trafficking focal points). For instance, in 2013 such meetings were held between GRETA and anti-trafficking focal points at the OSCE field presences in Azerbaijan, Serbia and the former Yugoslav Republic of Macedonia. The OSR/CTHB and the Executive Secretary will continue exploring ways to enhance the exchange of information relevant for the preparation of GRETA’s evaluation reports and the SR/CTHB’s country visits.

The OSCE and the Council of Europe have also started the preparations for the CoE-OSCE Conference “Not for Sale – Joining Forces against Trafficking in Human Beings”, which will take place on 17-18 February 2014 in Vienna on the occasion of the Austrian Chairmanship of the CoE and the Swiss Chairmanship of the OSCE. The Conference will take stock of the first five years of implementation of the CAHTEH and also provide an opportunity for exchanging good practices and tools developed within the OSCE since the adoption of its Action Plan to Combat Trafficking in Human Beings in 2003. The event will provide an opportunity to discuss how legally binding standards, monitoring mechanisms and political commitments can mutually reinforce each other and lead to effective anti-trafficking policies and measures.

## European Union and EU Agencies



In 2013, the OSR/CTHB continued to work closely with the EU, including with the Presidencies of the EU, the European Commission, in particular the EU Anti-Trafficking Co-ordinator, Frontex, the European Union Agency for Fundamental Rights (FRA), and the European External Action Service (EEAS).

In January, the SR/CTHB paid a visit to Brussels to discuss EU-OSCE co-operation on the prevention of human trafficking in the Mediterranean region with the Irish EU Presidency and all relevant EU institutions and structures. The SR/CTHB met, amongst others, with Mara Marinaki, Managing Director for Global and Multilateral Issues, in charge of trafficking in human beings at the External Action Service; Myria Vassiliadou, the EU-Anti-Trafficking Co-ordinator at the European Commission; as well as the Human Rights Policy Guidelines division at the Human Rights and Democracy Department, the Division for the European Neighbourhood Policy and the Regional Policies Southern Mediterranean Division. During the meetings, it was agreed that both organizations will join efforts, wherever possible, to contribute their distinct added value and maximize synergies. As a result of the meetings, representatives of the EEAS and the Anti-Trafficking Co-ordinator’s Office participated at the OSCE Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region on 8 February 2013 in Rome. FRA also contributed to the Seminar and to the follow-up to the Seminar.<sup>137</sup> The OSR/CTHB will continue to work with the various European Union institutions in its efforts to enhance co-operation to prevent trafficking in human beings in the Mediterranean region.

FRA is a key partner for the OSR/CTHB, helping to ensure that anti-trafficking policies and measures are human rights based. Throughout 2013, FRA contributed to a number of OSR/CTHB initiatives, in particular in relation to the prevention of human trafficking in the Mediterranean Region.<sup>138</sup> In 2013, the OSR/CTHB provided its expertise for FRA’s project on “Severe Forms of Labour Exploitation in the EU” (SELEX) initiated in early 2013. This included an expert meeting on 4-5 June 2013 to discuss the project’s methodology and share information with all participants – from government and civil society, on initiatives in the field of labour exploitation. The project is linked to FRA’s work relating to victims’ rights and support and builds on previous FRA research,

<sup>136</sup> Council of Europe, Organization for Security and Co-operation in Europe (OSCE), Interparliamentary Assembly of the Commonwealth of Independent States (CIS) and CIS Executive Committee, *Proceedings of the Round Table on Combating Trafficking in Human Beings* (2012), <<http://www.osce.org/cthb/100640>>, accessed 11 November 2013: available in English and Russian.

in particular on its report on migrants in an irregular situation employed in domestic work as well as the victim support project. It is focused on assessing which factors allow victims of criminal forms of labour exploitation to access civil and criminal justice and what impedes such access, while also looking at victim support.<sup>139</sup>

On 2-3 October 2013, the OSR/CTHB attended the Meeting of the EU Informal Network of National Rapporteurs and Equivalent Mechanisms organized by the Lithuanian Presidency of the EU and the Anti-Trafficking Coordinator at the European Commission in Brussels. The objective of the meeting was to discuss recent developments at the EU level including the implementation of EU Strategy and the transposition of the EU Directive on THB. The meeting also provided opportunities for an update on recent activities in the field of THB by individual EU Member States and by the European Commission, in particular the co-operation of the EU and its Member States with different partners, such as civil society organizations and the private sector.

In 2013, the OSR/CTHB also contributed to two major training projects for law enforcement organized and supported by the EU: the fourth EU Police Services Training from 16-27 September 2013 at the International Peace Support Training Center (IPSTC) in Embakasi – Nairobi and two Anti-Trafficking Trainings for Border Guards (Training of Trainers), organized by Frontex from 9-11 July 2013 in Lübeck, Germany, and on 19-20 November 2013 in Madrid.



**Italian Carabinieri uniform with the European Union Police Services Training (EUPST) patch during the 16-27 September 2013 training in Nairobi, Kenya.**

The training at the IPSTC in Nairobi was the first African Session within the framework of the EU Police Services Training. It brought 59 Italian Carabinieri Officers and 387 police officers from Kenya, Rwanda, Cameroon, Uganda and Sudan (African Union), France, the Netherlands, Spain (EU), the USA (CSDP countries), and experts and observers from international organizations, including the OSCE. The training was part of a series of trainings, co-funded by the European Commission under the 2010 Action Plan of the EU Instrument for Stability, which aims to train around 2,400 police officers from the EU, non-EU countries contributing to Common Security and Defense Policy (CSDP) mission, and African Union Countries. The main objectives of the training semi-

nars are to strengthen the civilian crisis management capacities of the police forces of the participating countries, in particular with a view to the needs of women, children, elderly people, indigenous people, local authorities, refugees and displaced persons, and victims of conflicts.<sup>140</sup>

The training of trainer sessions for border guards organized by Frontex in July and November 2013 aimed at sharing and reviewing training activities for border guards implemented in the Member States based on the *Trainers' Manual on Anti-Trafficking training for border guards*. The OSR/CTHB contributed to the development of this manual, published by Frontex in 2012.

### Commonwealth of Independent States (CIS)



In 2013, the OSR/CTHB further developed its close co-operation with the Commonwealth of Independent States Executive Committee and the CIS Inter-Parliamentary Assembly. The Chairman of the CIS Executive Committee, Sergey Lebedev, was invited to the high-level segment of the *Alliance against Trafficking in Persons* conference "Stolen Lives, Stolen Money: The Price of Modern-Day Slavery", 25-26 June 2013, and addressed the participants of this forum as a keynote speaker. The participation of the CIS Executive Committee at *Alliance* events has become an extremely positive and mutually beneficial tradition, and will be further enhanced.

Upon the invitation of the Ukrainian CiO and the SR/CTHB, representatives of the CIS co-ordinating structures, also contributed to the CiO High-level Conference on "Strengthening the OSCE's Response to Trafficking in Human Beings", Kyiv, 10-11 June 2013. This was a valuable opportunity to share the CIS's experience in the implementation of the CIS Programme of Co-operation in Combating Trafficking in Human Beings for 2011-2013 and present the draft Programme for 2014-2018.

The OSR/CTHB actively participated in the meeting of the Unified Commission on Harmonization of Legislation on Combating Terrorism, Drug Traffic and Organized Crime from 25-28 February 2013 in St. Petersburg, Russia at Tavricheskiy Dvoretz, the Headquarters of the CIS Inter-Parliamentary Assembly. The event was a good opportunity to share and disseminate the proceedings of the OSCE-CoE-CIS Roundtable on Action against Trafficking in Human Beings, held in April 2012 in St. Petersburg.

The proceedings were published jointly by the OSCE, CoE and CIS IPA - in Russian and English - and distributed at the meeting of the Unified Commission - CIS Parliamentarians and representatives of the CIS executive structures.<sup>141</sup> The International Conference on Combating THB, held on 15-16 April 2013 under the Russian Presidency in the Council of Baltic Sea States in St. Petersburg, Russia, by the Ministry of Foreign Affairs of the Russian Federation and the Investigative Committee of the Russian Federation, was another opportunity to share the Roundtable proceedings with important stakeholders.

On 29-30 May 2013, upon the invitation of the Minister of Foreign Affairs of Belarus, the OSR/CTHB Deputy Co-ordinator represented the organization at the Workshop on Law Enforcement

<sup>137</sup> OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region* (Vienna, November 2013).

<sup>138</sup> Ibid.

<sup>139</sup> For more information on the project, see <<http://fra.europa.eu/en/event/2013/fra-expert-meeting-severe-forms-labour-exploitation>>, accessed 11 November 2013.

<sup>140</sup> For more background and details on the whole project and this training activity, see: <<http://www.eupst.eu>>, accessed 11 November 2013.

<sup>141</sup> Council of Europe, Organization for Security and Co-operation in Europe (OSCE), Interparliamentary Assembly of the Commonwealth of Independent States (CIS) and CIS Executive Committee, *Proceedings of the Round Table on Combating Trafficking in Human Beings* (2012), <<http://www.osce.org/cthb/100640>>, accessed 11 November 2013: available in English and Russian.



Aspects of Combating THB, held at the CIS International Training Centre on Migration and Combating Trafficking in Human Beings in Minsk. The workshop was organized in co-operation with the OHCHR and the UNDP, aimed at building the capacity of the law enforcement representatives of the Member States of the UN Group of Friends United against Human Trafficking.

### International Organization for Migration



The OSR/CTHB maintained its strong co-operation with the IOM within the framework of the *Alliance against Trafficking in Persons* and on a bilateral level. IOM • OIM Throughout 2013, the OSCE and the IOM partnered in a number of projects and activities. In particular, this includes: co-operation on the OSR/CTHB's efforts to prevent human trafficking in the Mediterranean region<sup>142</sup>, an international seminar for judges on enhancing the criminal justice response to human trafficking in Haifa, Israel from 5-8 August 2013, and a joint OSCE-UNODC-IOM project on "Strengthening Understanding of the Link between Irregular Migration and Transnational Crimes Impacting Migrants in Irregular Situations" which was launched on 30 October 2013 at the Hofburg in Vienna.<sup>143</sup>

### NATO



During 2013, the OSR/CTHB continued to contribute its expertise to the training course on "Combating Trafficking in Human Beings (CTHB)" regularly organized by the Turkish Partnership for Peace Training Center based in Ankara. The Turkish PfP Training Center was recognized by NATO on 12 February 1999 and has been actively contributing to Partnership initiatives by conducting courses, mobile training activities and seminars for NATO, PfP, Mediterranean Dialogue, Istanbul Cooperation Initiative (ICI) and global partners countries. The OSR/CTHB participated as trainers at the training courses from 25 February-1 March 2013, and 7-11 October 2013.

<sup>142</sup> OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region* (Vienna, November 2013).

<sup>143</sup> For more details see also the complete table of events and related links in Annex 1 of the Report.

## 2 | Co-operation with civil society, trade unions and other non-state partners

The main platform for co-operation with NGOs is the *Alliance against Trafficking in Persons*, hosted by the SR/CTHB.<sup>144</sup> Civil society organizations and trade union representatives are key partners in all OSCE events on human trafficking and, whenever possible, the OSR/CTHB also contributes to civil society events at the national level.<sup>145</sup> As part of her country visits, the SR/CTHB hosts an NGO meeting where the main anti-trafficking NGOs are invited to exchange good practices and experiences which will contribute to the recommendations of the country report.

The OSR/CTHB regularly invites civil society organizations, lawyers working with victims and support providers to contribute as experts to reports and papers published by her Office as well as to the *Alliance against Trafficking in Persons* conferences, projects and technical seminars and to side events organized by the OSR/CTHB. In 2013, this importantly included also a side event dedicated to the launch of the SR/CTHB's *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*; a side event during the OSCE Human Dimension Implementation Meeting in Warsaw on the protection of victims of trafficking in human beings ten years after the Adoption of the OSCE Action Plan to Combat Trafficking in Human Beings; and a number of high-level and expert seminars on preventing trafficking in human beings and promoting victims' access to justice in the Mediterranean region at which civil society organizations and legal practitioners from participating States and from the Mediterranean Partner Countries (MPC) participated.<sup>146</sup>

Furthermore, the OSR/CTHB provided assistance to NGOs working with victims of human trafficking in a number of participating States, including through supporting projects with funding or partnership declarations. For example, in 2013, the OSR/CTHB continued to work with the NGO Child Rights Information Centre (CRIC) to implement the project "Prevention of Human Trafficking in Children without Parental Care in the Republic of Moldova", aiming at the social and professional integration of children at risk. The Project includes life skills education through ad hoc trainings, enrolment in vocational training courses, assistance in obtaining free of charge accommodation and material support, as well as support in finding appropriate employment. In 2013, more than 130 residential school students and graduates in the Moldovan districts of Bender, Orhei, and Leova were beneficiaries of the project.

A research project undertaken by the OSR/CTHB with the Ludwig Boltzmann Institute for Human Rights and the Helen Bamber Foundation has also proven to be an important partnership initiative with civil society organizations and academia. The Occasional Paper *Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment*, was developed and issued together with the two institutions, which both have longstanding expertise and

authority on this issue. On 25 June 2013, on the occasion of the *Alliance against Trafficking in Persons* conference, the SR/CTHB and the two partner institutions launched the research jointly as the fifth OSR/CTHB Occasional Paper. On 9 October 2013, the research was launched in the UK where one of the two partner organizations for this research, the Helen Bamber Foundation, is based.<sup>147</sup>

During her visit to the United States in September 2013, the SR/CTHB met with a group of NGOs and pro-bono lawyers working to combat THB for the purpose of domestic servitude, especially in diplomatic households. Also, the OSR/CTHB's Deputy Co-ordinator attended the 11<sup>th</sup> Annual Conference of the Freedom Network USA, a network of US anti-trafficking NGOs, entitled "Confronting Human Trafficking: Defining Priorities in 2013" held on 17-18 April 2013 in Arlington, USA.<sup>148</sup>

The OSR/CTHB also continued to promote the findings and tools developed by the European Action for Compensation for Trafficked Persons (Comp.Act), including in country visits and when participating at national events, emphasizing the valuable contribution of Comp.Act to the advancement of trafficked persons' access to justice and compensation – not just in the 14 countries included in the project from the start (Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Czech Republic, Germany, Ireland, Italy, the former Yugoslav Republic of Macedonia, Moldova, Poland, Spain, Ukraine and the UK) but throughout the OSCE region. Comp.Act has developed a number of practical tools that can be used and adapted for the whole OSCE region: a methodology for compensation research, an analysis of state compensation funds for victims of crime in several countries, a scheme for practitioners on the various national compensation mechanisms and guidance on how to do test cases and strategic litigation.<sup>149</sup>



**Parosha Chandran, barrister and expert consultant to the *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*, speaks during the OSR/CTHB side event on victim protection on 30 September 2013 during the HDIM in Warsaw.**

144 For more information on the *Alliance*, please see Part I, Chapter 3 (page 18) or go to <<https://www.osce.org/cthb/43587>>.

145 For a full list of external events at which the OSR participated, including events organized by non-state actors, please see Annex 1.

146 For information on the HDIM, see the event webpage at <[http://www.osce.org/hdim\\_2013](http://www.osce.org/hdim_2013)>, accessed 24 November 2013. On the OSR/CTHB's activities with the Partners for Co-operation, see the publication: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region* (Vienna, November 2013).

147 For more information, see Part I, Chapter 7 (page 26) in this report.

148 For more information on the 11<sup>th</sup> annual Freedom Conference, see: <<http://freedomnetworkusa.org/news-events/annual-conference/>>, accessed 14 November 2013.

149 For more details on the Comp.Act initiative and the reports and tools developed within its framework, please see: <<http://www.compactproject.org/>>.

# 3 | The Alliance against Trafficking in Persons

In 2004, upon the initiative of the first SR/CTHB, the OSCE established the *Alliance against Trafficking in Persons* – an informal and innovative platform for co-operation between the OSCE and other major international organizations and civil society and other non-state actors recognized for their active human rights stand in the fight against human trafficking. In 2011, reflecting the need to widen membership and include new anti-trafficking stakeholders, the *Alliance* expanded to include trade unions and employers' associations and migrant rights groups. In December 2012, the international NGO World Vision and, in December 2013, the Organization of American States (OAS) became the latest members of the *Alliance*.<sup>150</sup>

With the aim of developing joint strategies and setting a common agenda to eradicate modern-day slavery, the *Alliance* combines the efforts of its more than 30 partners. The *Alliance's* annual high-level conference and technical seminars held in Vienna provide participating States with cross-sector knowledge and analysis across and beyond the OSCE region and an insight into national, regional and global anti-trafficking issues and action.



Elisa Trossero from the International Center for Migration Policy Development (ICMPD) speaking during the AECT on 13 December 2013.



The *Alliance* Expert Co-ordination Team Meeting held at the Hofburg in Vienna on 13 December 2013.

The *Alliance* Expert Co-ordination Team (AECT) meetings are convened by the OSR/CTHB twice a year and serve as a consultative forum for the *Alliance* partners. They provide an opportunity to exchange work plans, identify gaps, share emerging facts, developments and challenges to determine priorities, review approaches, share good practices and plan joint actions. The AECT meetings were held on 11 March 2013 and 13 December 2013. Throughout 2013, in the spirit of the original *Alliance*, existing partnerships were consolidated and efforts to reach out to new partners undertaken. The SR/CTHB also consulted with the AECT members on current developments in anti-trafficking action and shared with them her analysis of the situation and challenges ahead. The regular meetings of the AECT helped advance a common strategic approach, renew the reciprocal commitment to join efforts, and secure synergies in advocacy and field work. Particularly noteworthy in this context are the SR/CTHB's *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*, which were developed in consultation with the *Alliance against Trafficking in Persons* Expert Co-ordination Team.<sup>151</sup>

## THE ALLIANCE AGAINST TRAFFICKING IN PERSONS

### International organizations and agencies

- \* UNHCR \* UNICEF \* UNODC \* UN OHCHR
- \* UN WOMEN \* ILO \* IOM \* IFRC \* Interpol
- \* Council of Europe \* European Commission \* ICMPD
- \* Council of Baltic Sea States (CBSS) \* Europol \* NATO
- \* Organization of American States (OAS)

### Non-governmental organizations

- \* Amnesty International \* Anti-Slavery International
- \* Churches Commission for Migrants in Europe (CCME)
- \* ECPAT \* Human Rights Watch (HRW) \* International Centre for Missing and Exploited Children (ICMEC)
- \* La Strada International \* Platform for International Cooperation on Undocumented Migrants (PICUM)
- \* Save the Children \* Terre des hommes International Federation \* World Vision

### Social partners and others

- \* International Trade Union Confederation (ITUC)
- \* International Organisation of Employers (IOE)
- \* Bureau of the Dutch Rapporteur on Trafficking in Human Beings

<sup>150</sup> The full list of the *Alliance* partners and references to the activities of the relevant organizations are available at: <<http://www.osce.org/cthb/43587>>, accessed on 11 November 2013.

<sup>151</sup> OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) in consultation with the Alliance against Trafficking in Persons Expert Co-ordination Team, *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking* (Vienna, April 2013).





**ANNEXES:**  
TABLES OF EVENTS,  
ADDENDUM AND  
REFERENCES

# 1 Tables of events

## OSCE events organized or attended by the SR/CTHB and her office

Organizer	Title	Date	Location	Link
OSCE	Annual Heads of Mission Meeting	16–18 January	Vienna	
OSCE OSR/CTHB, the Italian Chamber of Deputies	Seminar on Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region	8 February	Rome	<a href="http://www.osce.org/cthb/98654">http://www.osce.org/cthb/98654</a> <a href="http://www.osce.org/cthb/108481">http://www.osce.org/cthb/108481</a>
OSCE OSR/CTHB	<i>Alliance</i> Expert Coordination Team (AECT) Meeting	11 March	Vienna	<a href="http://www.osce.org/node/44718">http://www.osce.org/node/44718</a>
OSCE, Australia's Department of Foreign Affairs and Trade	Conference on Improving the Security of Women and Girls	18-19 March	Adelaide, Australia	<a href="http://www.osce.org/ec/100186">http://www.osce.org/ec/100186</a>
OSCE, Delegation of the Republic of Serbia as Chair of the Human Dimension Committee	Human Dimension Committee (HDC) Meeting	16 April	Vienna	
OSCE OSR/CTHB	Expert meeting on Human Trafficking in the Mediterranean: promoting access to justice	10 May	Vienna	
OSCE	952 <sup>nd</sup> Meeting of the Permanent Council	16 May	Vienna	
OSCE, Delegation of Switzerland as Chair of the Mediterranean Contact Group	Mediterranean Contact Group Meeting on THB	17 May	Vienna	
OSCE Gender Section	Annual Meeting of Focal Points for Gender Issues	27-28 May	Baden, Austria	
OSCE OSR/CTHB	Evaluation / Monitoring Workshop for the Project "Preventing Human Trafficking in Children without Parental Care in the Republic of Moldova"	31 May-2 June	Chisinau	<a href="http://childrights.md/index.php?option=com_content&amp;view=article&amp;id=255&amp;Itemid=110">http://childrights.md/index.php?option=com_content&amp;view=article&amp;id=255&amp;Itemid=110</a>
OSCE Chairmanship in Office in co-operation with OSR/CTHB	High-Level Conference "Strengthening the OSCE Response to Trafficking in Human Beings"	10-11 June	Kyiv	<a href="http://www.osce.org/cio/101883">http://www.osce.org/cio/101883</a>
OSCE OSR/CTHB	Second Workshop on Prevention of Trafficking of Human Beings for Domestic Servitude in Diplomatic Households	12-13 June	Kyiv	<a href="http://www.osce.org/cthb/102673">http://www.osce.org/cthb/102673</a>
La Civiltà Cattolica	Lectio magistralis	17 June	Rome	<a href="http://www.laciviltacattolica.it/incontri/">http://www.laciviltacattolica.it/incontri/</a>
OSCE OSR/CTHB	Side Event: Launch of <i>Fifth Occasional Paper Trafficking in Human Beings Amounting to Torture and other Forms of Ill-Treatment</i> , 13 <sup>th</sup> <i>Alliance against Trafficking in Persons</i> Conference "Stolen Lives, Stolen Money: The Price of Modern-Day Slavery"	25 June	Vienna	<a href="http://www.osce.org/cthb/103004">http://www.osce.org/cthb/103004</a> <a href="http://www.osce.org/cthb/103152">http://www.osce.org/cthb/103152</a> <a href="http://www.osce.org/cthb/103085">http://www.osce.org/cthb/103085</a>
OSCE OSR/CTHB	Side Event: CIS Programme of Co-operation in CTHB: Implementation Experience, Good Practices, Challenges, Perspectives, 13 <sup>th</sup> <i>Alliance against Trafficking in Persons</i> Conference "Stolen Lives, Stolen Money: The Price of Modern-Day Slavery"	25 June	Vienna	<a href="http://www.osce.org/cthb/103004">http://www.osce.org/cthb/103004</a>

Organizer	Title	Date	Location	Link
OSCE OSR/CTHB	13 <sup>th</sup> <i>Alliance against Trafficking in Persons</i> Conference “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery”	25-26 June	Vienna	<a href="http://www.osce.org/event/alliance13">http://www.osce.org/event/alliance13</a> <a href="http://www.osce.org/cthb/103117">http://www.osce.org/cthb/103117</a>
OSCE OSR/CTHB	Side event: Presentation of the SR's Recommendations on the Non-Punishment Provision 13 <sup>th</sup> <i>Alliance against Trafficking in Persons</i> Conference “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery”	26 June	Vienna	<a href="http://www.osce.org/cthb/103004">http://www.osce.org/cthb/103004</a> <a href="http://www.osce.org/cthb/101002">http://www.osce.org/cthb/101002</a>
OSCE OSR/CTHB	Annual Meeting of OSCE Anti-trafficking Focal Points	27-28 June	Vienna	
OSCE, Delegation of the Republic of Serbia as Chair of the Human Dimension Committee	Human Dimension Committee Meeting; Launch of 6 <sup>th</sup> Occasional Paper on Trafficking for the Purpose of Organ Removal	9 July	Vienna	<a href="http://www.osce.org/cthb/103447">http://www.osce.org/cthb/103447</a> <a href="http://www.osce.org/cthb/103393">http://www.osce.org/cthb/103393</a>
OSCE Mission to Moldova	Combating Human Trafficking: Referral Mechanisms and Co-operation	10-11 July	Tiraspol	<a href="http://www.osce.org/moldova/43611">http://www.osce.org/moldova/43611</a>
OSCE Chairmanship in Office	OSCE Youth Summit	31 July-1 August	Yalta, Ukraine	<a href="http://www.osce.org/cio/103774">http://www.osce.org/cio/103774</a>
OSCE Project Co-ordinator in Uzbekistan	Training on Human Trafficking for Diplomatic and Consular Personnel	19-20 September	Tashkent	<a href="http://www.osce.org/uzbekistan/93796">http://www.osce.org/uzbekistan/93796</a>
OSCE ODIHR	Human Dimension Implementation Meeting, Working Session 10, Combating Trafficking in Human Beings – Implementation of the OSCE Action Plan to Combat Trafficking in Human Beings	30 September	Warsaw	<a href="http://www.osce.org/hdim_2013">http://www.osce.org/hdim_2013</a>
OSCE OSR/CTHB	HDIM Side Event: Ten Years after the Adoption of the OSCE Action Plan to Combat Trafficking in Human Beings: Victims' Rights Protection – Where do we Stand? Cases, Challenges, the Way Forward	30 September	Warsaw	<a href="http://www.osce.org/cthb/106271">http://www.osce.org/cthb/106271</a>
OSCE OSR/CTHB	Expert Consultation Meeting on “Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region”	7 October	Vienna	<a href="http://www.osce.org/cthb/108481">http://www.osce.org/cthb/108481</a>
OSCE OSR/CTHB	Third Workshop on Prevention of Trafficking of Human Beings for Domestic Servitude in Diplomatic Households	8-9 October	The Hague	<a href="http://www.osce.org/cthb/106964">http://www.osce.org/cthb/106964</a>
OSCE Mission to Bosnia and Herzegovina	Presentation of the Non-Punishment Paper at the Annual Meeting of Bosnian Prosecutors	9-11 October	Neum, Bosnia and Herzegovina	<a href="http://www.osce.org/cthb/101002">http://www.osce.org/cthb/101002</a> <a href="http://www.osce.org/bs/cthb/106688">http://www.osce.org/bs/cthb/106688</a>
OSCE OSR/CTHB, Ludwig Boltzmann Institute of Human Rights and Helen Bamber Foundation	Launch of Occasional Paper <i>Trafficking in Human Beings Amounting to Torture and other Forms of Ill-treatment</i>	9 October	London	<a href="http://www.osce.org/cthb/103085">http://www.osce.org/cthb/103085</a>
OSCE and Council of Europe	18 <sup>th</sup> Meeting of the Co-ordination Group	25 October	Vienna	

Organizer	Title	Date	Location	Link
OSCE	OSCE Mediterranean Conference "Enhancing the Role of Women in Public, Political and Economic Life"	28-29 October	Monaco	<a href="http://www.osce.org/ec/103342">http://www.osce.org/ec/103342</a> <a href="http://www.osce.org/cthb/108481">http://www.osce.org/cthb/108481</a>
OSCE, IOM, UNODC	Mapping seminar "Strengthening co-operation among countries of origin, transit and destination in combating irregular migration and related transnational organized crimes". Launch of the joint project "Strengthening understanding of the link between irregular migration and transnational crimes impacting migrants in irregular situations"	30-31 October	Vienna	<a href="http://www.osce.org/spmu/107660">http://www.osce.org/spmu/107660</a>
OSCE ODIHR	Supplementary Human Dimension Meeting on the Implementation of the Action Plan on Improving the Situation of Roma and Sinti	7-8 November	Vienna	<a href="http://www.osce.org/odihr/106276">http://www.osce.org/odihr/106276</a>
Amadeus International School Vienna and Gnessin School of Music Moscow, under the auspices of the OSCE	Greetings from Moscow and Vienna. Young musicians against human trafficking	10 November	Vienna	<a href="http://www.muth.at/en/programm/?show_id=206">http://www.muth.at/en/programm/?show_id=206</a>
OSCE Office in Baku	Regional Workshop on Non-punishment and protection mechanisms for trafficked persons	26-27 November	Baku	<a href="http://www.osce.org/baku/108251">http://www.osce.org/baku/108251</a>
OSCE Chairmanship in Office	Ministerial Council	5-6 December	Kyiv	<a href="http://www.osce.org/event/mc_2013">http://www.osce.org/event/mc_2013</a>
OSCE OSR/CTHB	<i>Alliance</i> Expert Co-ordination Team Meeting	13 December	Vienna	<a href="http://www.osce.org/cthb/43587">http://www.osce.org/cthb/43587</a>
OSCE	978 <sup>th</sup> Meeting of the Permanent Council	19 December	Vienna	

#### Events attended by the SR/CTHB and her office in 2013

Organizer	Title	Date	Location	Link
Superior Council of Magistrates (CSM), Italy	The Regulation of Migration and Trafficking in Human Beings under the National, European and International Profile	28 January	Genoa, Italy	
Lex Operators, European Union, European Commission's Daphne Programme, University of Bologna	All Together for Women Victims of Intimate Partner	22-23 February	Bologna, Italy	<a href="http://fra.europa.eu/en/news/2013/final-conference-all-together-women-victims-intimate-partner-violence-project">http://fra.europa.eu/en/news/2013/final-conference-all-together-women-victims-intimate-partner-violence-project</a>
CIS IPA, CIS IPA Permanent Commission for Security and Defence	Meeting of the Joint Commission on Harmonising Legislation for Combating Terrorism, Crime and Narco-Business	26-27 February	St. Petersburg	
NATO Partnership for Peace Training Centre	Combating Trafficking in Human Beings (CTHB) Course	28 February	Ankara	
UN Office of the High Commissioner for Human Rights (OHCHR)	Regional Consultation on the Right to Effective Remedies for Trafficked Persons	1 March	Geneva	<a href="http://www.ohchr.org/EN/Issues/Trafficking/Pages/FirstRegionalConsultation.aspx">http://www.ohchr.org/EN/Issues/Trafficking/Pages/FirstRegionalConsultation.aspx</a>
Superior Council of Magistrates of Italy, Training and Study Centre for the Judiciary of the Netherlands, The Polish National School of Judiciary and Public Prosecution	Towards a European Approach to Judicial Training on Trafficking in Human Beings, Seminar for Judges and Prosecutors of the Member States of the European Union and Turkey	14-15 March	Krakow, Poland	<a href="http://www.ja-sr.sk/files/announcement%20thb%20seminar%20amsterdam.pdf">http://www.ja-sr.sk/files/announcement%20thb%20seminar%20amsterdam.pdf</a>



Organizer	Title	Date	Location	Link
Center for the Study of Democracy and the European Commission	Assisting and Reintegrating Children Victims of Trafficking / Improving Policy and Practice in the Member States of the European Union	20 March	Sofia	<a href="http://www.csd.bg/artShow.php?id=16437">http://www.csd.bg/artShow.php?id=16437</a>
Russian Union of Journalists	Presentation of a Manual "Media against Trafficking in Human Beings" for Media Students and post-graduates by the OSCE, RUJ and Moscow State University	28-29 March	Moscow	<a href="http://www.osce.org/cthb/100409">http://www.osce.org/cthb/100409</a>
OECD	Meeting of the OECD Task Force on Charting Illicit Trade (TF-CIT): Sharing Data and Information	2-3 April	Paris	<a href="http://www.oecd.org/gov/risk/oecdtaskforceonchartingillicittradetf-cit.htm">http://www.oecd.org/gov/risk/oecdtaskforceonchartingillicittradetf-cit.htm</a>
Ministry of Foreign Affairs of the Russian Federation and the Investigative Committee of the Russian Federation under the auspices of the Russian Presidency in the Council of the Baltic Sea States	International Conference on Combating Trafficking in Human Beings	15-16 April	St. Petersburg	<a href="http://www.osce.org/cthb/100764">http://www.osce.org/cthb/100764</a>
Freedom Network USA	Confronting Human Trafficking: Defining Priorities in 2013	17-18 April	Washington DC	<a href="http://freedomnetworkusa.org/wp-content/uploads/2013/03/Freedom-Network-AgendaX.pdf">http://freedomnetworkusa.org/wp-content/uploads/2013/03/Freedom-Network-AgendaX.pdf</a>
International Institute of Economic History F. Datini	Serfdom and slavery in the European Economy 11 <sup>th</sup> -18 <sup>th</sup> Centuries	18 April	Prato, Italy	
University of Teramo, Master in International Cooperation against Transnational Organized Crime	Lecture on International Co-operation in Financial Investigations and anti-money laundering measures	18 April	Teramo, Italy	
European Commission, TAIEX	Multi Country Workshop on the Fight Against Seasonal Sexual Exploitation	17-18 April	Podgorica	<a href="http://ec.europa.eu/enlargement/taieux/dyn/taieux-events/detail_en.jsp?EventID=51376">http://ec.europa.eu/enlargement/taieux/dyn/taieux-events/detail_en.jsp?EventID=51376</a>
University of Rome	Supersfruttamento e lavoro paraschiavistico – Le politiche di contrasto della tratta di esseri umani	19 April	Rome	
Ministry of Interior of the Czech Republic and La Strada	Discovering Trafficking for the Purpose of Forced Labour and Labour Exploitation	22-23 April	Prague	<a href="http://ec.europa.eu/anti-trafficking/entity.action?path=Events/Discovering_trafficking">http://ec.europa.eu/anti-trafficking/entity.action?path=Events/Discovering_trafficking</a>
Ministry of Interior of Italy, in co-operation with CBSA Canada and ICE USA	Workshop on New Dynamics of Nigerian Organized Crime	23 April	Rome	
UNODC Commission on Crime Prevention and Criminal Justice	Presentation of OSR Recommendations on the Non-punishment of Victims of Trafficking at the 22 <sup>nd</sup> session of the Commission on Crime Prevention and Criminal Justice	25 April	Vienna	<a href="http://www.unodc.org/unodc/en/commissions/CCPCJ/session/22.html">http://www.unodc.org/unodc/en/commissions/CCPCJ/session/22.html</a>
EUROMED	EUROMED Migration III Irregular Migration Training	26 April	Vienna	
McCain Institute for International Leadership	The Sedona Forum 2013: How to Promote Freedom and Democracy Effectively	26-28 April	Sedona, USA	<a href="http://mccaininstitute.org/work/the-sedona-forum/">http://mccaininstitute.org/work/the-sedona-forum/</a>
Jackson Hole Center for Global Affairs	Global Business Roundtable	30 April	Jackson Hole, USA	<a href="http://www.jhcg.org/gbr.html">http://www.jhcg.org/gbr.html</a>
Ministry of Internal Affairs of Romania, National Agency against Trafficking in Persons	Integrated approach for Prevention of Labour Exploitation in origin and destination countries	14-15 May	Bucharest	<a href="http://ec.europa.eu/anti-trafficking/entity.action?path=Events%2FInternational_conference">http://ec.europa.eu/anti-trafficking/entity.action?path=Events%2FInternational_conference</a>
Public Health Services Trieste	Training Course "Delitti Intrafamiliari e Salute Mentale"	17 May	Trieste, Italy	
Russian Union of Criminologists	Roundtable on Combatting Trafficking in Human Beings	16-19 May	Moscow	

Organizer	Title	Date	Location	Link
UN OHCHR	Consultative Meeting on Strengthening Partnerships with National Rapporteurs on Trafficking in Persons and Equivalent Mechanisms	23-24 May	Berlin	<a href="http://www.ohchr.org/EN/Issues/Trafficking/Pages/ConsultativeMeetingonStrengtheningPartnershipswithNationalRapporteursonTrafficking.aspx">http://www.ohchr.org/EN/Issues/Trafficking/Pages/ConsultativeMeetingonStrengtheningPartnershipswithNationalRapporteursonTrafficking.aspx</a>
Group of Friends United Against Human Trafficking, CIS International Centre on Migration and Combating Trafficking in Human Beings	Workshop on Law Enforcement Aspects of Combating Human Trafficking	29-30 May	Minsk	<a href="http://undp.by/en/undp/news/belarus/29u.html">http://undp.by/en/undp/news/belarus/29u.html</a>
International Centre for Migration Policy Development ICMPD	Expert Seminar Capacity Building for Combating Trafficking for Labour Exploitation - Stepping Up the Fight against Trafficking for Labour Exploitation	3-4 June	Vienna	<a href="http://www.icmpd.org/News-Detail.1668.0.html?&amp;cHash=d858edb548&amp;tx_ttnews%5Btt_news%5D=159">http://www.icmpd.org/News-Detail.1668.0.html?&amp;cHash=d858edb548&amp;tx_ttnews%5Btt_news%5D=159</a>
EU Agency for Fundamental Rights (FRA)	Expert meeting on Severe forms of Labour Exploitation (SELEX)	4-5 June	Vienna	<a href="http://fra.europa.eu/en/event/2013/fra-expert-meeting-severe-forms-labour-exploitation">http://fra.europa.eu/en/event/2013/fra-expert-meeting-severe-forms-labour-exploitation</a>
Solidarité Avec Les Enfants du Maghreb et Mashreq (SALEMM)	Table Ronde "La protection et l'inclusion sociale des jeunes: les synergies entre les pays de la Méditerranée"	12 June	Turin, Italy	
Konrad-Adenauer-Stiftung (KAS), East Asian Institute (EAI), European Policy Centre (EPC), European Union Centre Singapore (EUC)	EU-Asia Dialogue, Sharing Policy Innovation and Best Practices in Addressing Common Challenges, International Workshop "Human Trafficking – Challenges to Europe and Asia"	13 June	Vienna	<a href="http://www.kas.de/wf/doc/kas_30531-1522-1-30.pdf?120320151906">http://www.kas.de/wf/doc/kas_30531-1522-1-30.pdf?120320151906</a>
La Civiltà Cattolica	Lectio magistralis	17 June	Rome	<a href="http://www.laciviltacattolica.it/it/incontri/">http://www.laciviltacattolica.it/it/incontri/</a>
UK Foreign and Commonwealth Office	Side event on Victim Return and Reintegration Care, 13 <sup>th</sup> <i>Alliance against Trafficking in Persons</i> Conference "Stoles Lives, Stolen Money: The Price of Modern-Day Slavery"	26 June	Vienna	<a href="http://www.osce.org/cthb/103004">http://www.osce.org/cthb/103004</a>
Austrian Institute for International Affairs (oiip)	Dialogue Forum in the framework of the Regional Implementation Initiative: Research goes Politics	27 June	Vienna	<a href="http://thbregionalinitiativeoiip.wordpress.com/">http://thbregionalinitiativeoiip.wordpress.com/</a>
President of the Chamber of Deputies of Italy	Panel Discussion on Human Trafficking	18 July	Rome	<a href="http://www.osce.org/cthb/103751">http://www.osce.org/cthb/103751</a>
FRONTEX	Anti-Trafficking Training for Border Guards, Training of National Trainers	9-11 July	Lubeck, Germany	<a href="http://www.frontex.europa.eu/training/specialised-training">http://www.frontex.europa.eu/training/specialised-training</a>
Israel's Agency for International Cooperation Development (MAS-HAV) in co-operation with OSCE, UNODC, IOM, the Institute of Advanced Judicial Studies, and the Israeli Ministry of Justice	International Seminar for Judges: The Critical Role of the Judiciary in Combating Trafficking in Human Beings	5-8 August	Haifa, Israel	<a href="http://www.unodc.org/unodc/en/human-trafficking/2013/international-seminar-on-the-critical-role-of-the-judiciary-in-combating-trafficking-in-human-beings.html">http://www.unodc.org/unodc/en/human-trafficking/2013/international-seminar-on-the-critical-role-of-the-judiciary-in-combating-trafficking-in-human-beings.html</a>
The Italian Carabinieri in Partnership with the European Police College (CEPOL), France, the Netherlands, Romania and Spain	European Union Police Services Training 2011 – 2013	16-27 September	Nairobi	<a href="http://www.eupst.eu/html/news.html">http://www.eupst.eu/html/news.html</a>
UNFPA UNODC	National Workshop "International standards to ensure the availability and quality of services to protect and support victims of human trafficking and smuggled migrants"	17-18 September	Tashkent	<a href="http://www.unfpa.org/tm/en/pressroom/news/local-news/unfpa-in-cooperation-with-unodc-with-eu-funding-conduct-a-series-of-workshops-to-improve-social-services-for-victims-of-human-tr/">http://www.unfpa.org/tm/en/pressroom/news/local-news/unfpa-in-cooperation-with-unodc-with-eu-funding-conduct-a-series-of-workshops-to-improve-social-services-for-victims-of-human-tr/</a>

Organizer	Title	Date	Location	Link
Commission on Security and Co-operation in Europe (U.S. Helsinki Commission)	OSCE Efforts to Combat Human Trafficking: Outlook and Opportunities	17 September	Washington D.C.	<a href="http://www.osce.org/cthb/105156">http://www.osce.org/cthb/105156</a> <a href="http://www.csce.gov/indexcfm?FuseAction=ContentRecords.ViewDetail&amp;ContentRecord_id=1109&amp;ContentRecordType=P&amp;Contentype=P&amp;CFI">http://www.csce.gov/indexcfm?FuseAction=ContentRecords.ViewDetail&amp;ContentRecord_id=1109&amp;ContentRecordType=P&amp;Contentype=P&amp;CFI</a>
Historians Against Slavery	Crossing Boundaries, Making Connections: American Slavery and Anti-slavery Now and Then Conference	19-21 September	Cincinnati, USA	<a href="http://historiansagainstsavery.org/confprogram.htm">http://historiansagainstsavery.org/confprogram.htm</a>
Austrian Institute for International Affairs (oiip)	Round Table on Preventing and Combating Trafficking for Labour Exploitation from Theory to Practice – Tackling the Missing Components	20 September	Vienna	<a href="http://thbregionalinitiativeoiip.wordpress.com/">http://thbregionalinitiativeoiip.wordpress.com/</a>
European Commission	Meeting of the Informal EU Network of National Rapporteurs or Equivalent Mechanisms	2-3 October	Brussels	
On the Road	Violence in Transit Conference	4 October	Rome	
Unchosen	Unchosen Human Trafficking Shorts Film Competition Awards Ceremony	8 October	London	<a href="http://www.unchosen.org.uk/film-competition.html">http://www.unchosen.org.uk/film-competition.html</a>
French Embassy in Moldova and the Committee for Combating THB of the Republic of Moldova	Regional Conference on Combating Trafficking in Human Beings in South-East Europe: for a better protection of children	8-9 October	Chisinau	<a href="http://www.hamogelo.gr/4-2/1696/High-level-Conference-puts-spotlight-on-trafficking">http://www.hamogelo.gr/4-2/1696/High-level-Conference-puts-spotlight-on-trafficking</a>
NATO	Combating Trafficking in Human Beings / OSCE Perspective	10 October	Ankara	
Wilton Park	Wilton Park Meeting “Combating Human Trafficking: Business and Human Rights”	10 October	London	<a href="https://www.wiltonpark.org.uk/conference/wp1270/">https://www.wiltonpark.org.uk/conference/wp1270/</a> <a href="http://www.osce.org/cthb/107034">http://www.osce.org/cthb/107034</a>
Human Trafficking Foundation	Human Trafficking Foundation Media Awards Ceremony	15 October	London	<a href="http://www.humantrafficking-foundation.org/events">http://www.humantrafficking-foundation.org/events</a>
Counter Child Trafficking Global Online Conference	Global Online Conference	16-18 October	web-based	<a href="http://counterchildtrafficking.org/agenda/maria-grazia/">http://counterchildtrafficking.org/agenda/maria-grazia/</a>
Caritas Italiana / On the Road	EU Anti-Trafficking Day, Punto e capo sulla tratta, presentazione del 1° Rapporto di ricerca sulla tratta di persone e il grave sfruttamento	18 October	Rome	
Federal Ministry for European and International Affairs of Austria	EU-Anti-Trafficking Day, Panel Discussion: Combatting the Trafficking in Human Beings for the Purpose of Labour Exploitation – The National and International Dimension	21 October	Vienna	<a href="https://www.da-vienna.ac.at/jart/prj3/diplomatische_akademie/main.jart?rel=en&amp;reserve-mode=active&amp;content-id=1280839495333&amp;veranstaltungsart2=open&amp;date=2013-10-21">https://www.da-vienna.ac.at/jart/prj3/diplomatische_akademie/main.jart?rel=en&amp;reserve-mode=active&amp;content-id=1280839495333&amp;veranstaltungsart2=open&amp;date=2013-10-21</a>
Ministry of Foreign Affairs of Portugal	International Conference on Trafficking in Human Beings	25 October	Lisbon	
Special Services for National Security, Hungary and the Geneva Centre for the Democratic Control of Armed Forces DCAF Geneva	European Internal Security and Migration Dynamics: Forced and Irregular Migration in Schengen and the European Neighbourhood	29-30 October	Budapest	
UNODC	Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Working Group on Trafficking in Persons, Side Event on The Right to Effective Remedies for Trafficked Persons, Side Event on THB for the removal of organs	7-8 November	Vienna	

Organizer	Title	Date	Location	Link
Aspire. Manufactory of Change	Manufactory of Change Seminar 2013	9 November	Vienna	<a href="http://www.aspire.co.at">www.aspire.co.at</a>
FRONTEX	Anti-Trafficking Training Border Guards / Training of National Trainers	19-20 November	Madrid	
The Ministry of Interior of the Republic of Poland, the Governments of Iceland, Liechtenstein and Norway, the Council of Europe and IOM	Putting Victims First: Conference on Protecting and Promoting the Rights of Victims of Trafficking	26-27 November	Warsaw	<a href="http://www.victimfirst.pl/">http://www.victimfirst.pl/</a>
University of Vienna	Lecture at the Master of Arts in Human Rights	28 November	Vienna	
House of Commons, Centre for Social Justice, Home Secretary's Special Adviser on Modern Slavery, Human Trafficking Foundation	Modern Slavery Bill Evidence Review	2 December	London	
UNODC	Expert Group Meeting on trafficking in persons for the purpose of organ removal	4-5 December	Vienna	

# 2 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later

## Permanent Council Decision PC.DEC/1107

The Permanent Council,  
Reaffirming the relevant OSCE commitments of 2000–2008 and in particular the 2003 OSCE Action Plan to Combat Trafficking in Human Beings,

- ▶ Recalling the 2011 Vilnius Ministerial Declaration on Combating All Forms of Human Trafficking,
- ▶ Deeply concerned by the significant growth in all forms of trafficking in human beings (THB), both transnational and internal, seriously alarmed by the increase in child trafficking, trafficking for the purpose of sexual and labour exploitation, for the removal of organs, forced begging, exploitation in forced criminality, and reiterating the particular need to take more vigorous measures against all forms of THB,
- ▶ Drawing on best practices developed by the OSCE participating States as well as by relevant international organizations,
- ▶ Recognizing the role of relevant NGOs in providing assistance and protection to the victims of trafficking in human beings,
- ▶ Taking note of the High-Level Conference on Strengthening the OSCE Response to Trafficking in Human Beings held in Kyiv in June 2013 under the Ukrainian OSCE Chairmanship,
- ▶ Decides to adopt the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later; to attach the Addendum annexed to this decision to the OSCE Action Plan to Combat Trafficking in Human Beings as its integral part; and to recommend the endorsement of the Addendum by the Kyiv Ministerial Council.

## Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later

### I. Purpose of the Addendum

1. The Addendum complements the Action Plan adopted in 2003 and supplemented in 2005, and provides the participating States with an updated toolkit to combat all forms of trafficking in human beings (THB). The Addendum helps to address the current and emerging THB trends and patterns, as well as the most pressing challenges related to the prosecution of the crime, its prevention, and protection of trafficked persons.
2. In its structure the Addendum follows the example of the Action Plan by addressing the “three Ps” (Prosecution, Prevention and Protection) in three separate sections. In addition, it is complemented by a new section on Partnerships.

### II. Investigation, law enforcement and prosecution

Recommended action at the national level

1. Criminalizing and prosecuting all forms of THB
  - 1.1 Taking necessary measures for the criminalization of all forms of trafficking, and for the full implementation of relevant national legislation;

- 1.2 Enhancing the criminal justice responses to human trafficking, including the prosecution of traffickers and their accomplices, while ensuring that victims are treated in a manner that respects their human rights and fundamental freedoms and that they are provided with access to justice, to legal assistance and to effective remedies and other services as applicable.

### 2. Financial investigations

- 2.1 Promoting the use of financial investigations linked with THB-related offences; enhancing the capacity of anti-money-laundering authorities and other relevant structures to identify financial activities linked to THB; enhancing the capacities, where necessary, for tracing, freezing and confiscating the instrumentalities and proceeds of THB, in accordance with national law; and considering, where applicable, using confiscated proceeds to fund anti-trafficking initiatives and victim support, including the possibility of obtaining compensation.

### 3. Promoting transparency and accountability

- 3.1 Developing, where necessary, and promoting full implementation of national legislation criminalizing corruption related to THB, including by public officials;
- 3.2 Taking measures, in this respect, where appropriate, to increase the transparency of investigation and prosecution of all THB-related cases.

### 4. Capacity-building and training

- 4.1 Promoting regular training courses, as appropriate, in accordance with national legal systems, for officials mentioned in Chapter III, paragraph 5.1 of the Action Plan to Combat Trafficking in Human Beings, on all recent trends and aspects of THB, including methods used by traffickers to abuse legal process and methods to coerce their victims, the use of the Internet and other information and communication technologies (ICTs) for committing THB related crimes, as well as training on the use of financial investigation techniques linked with THB related cases, and exchange of best practices.

### Action for OSCE institutions and bodies

1. The Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB), in co-ordination with other relevant OSCE executive structures and in accordance with their respective mandates, will continue to raise awareness in co-operation with participating States and to promote, upon their request, the exchange of best practices developed by participating States and relevant international organizations in the protection of victims and prosecution of THB, including the use of THB-related financial investigations and anti-money-laundering measures.
2. Relevant OSCE executive structures, in line with their respective mandates and upon the request of the participating States, will give assistance, where appropriate, in the plan-

ning and implementing of different activities in the sphere of awareness-raising and training in anti-trafficking strategies, in particular in capacity-building for law enforcement efforts to prevent and combat THB.

### III. Prevention of trafficking in human beings

Recommended action at the national level

1. Prevention of all forms of trafficking
  - 1.1 Taking further measures to eliminate discrimination against women in the field of employment and to ensure equal opportunity for men and women for economic participation and equal access to social protection, thereby decreasing their vulnerability to THB;
  - 1.2 Promoting targeted awareness-raising and public education in order to ensure respect for the human rights and fundamental freedoms of persons vulnerable to THB. Special attention should be put on children in child institutions/orphanages, children in alternative care, runaway youth, unaccompanied and separated children, children with disabilities, children belonging to national minorities, children without any citizenship, children without birth registration, child asylum-seekers, refugees and IDPs, and children left behind by migrating parents;
  - 1.3 Ensuring that all child victims of THB are provided with access to justice and remedies, including the possibility of obtaining compensation, ensuring the protection of children's rights, promoting access to education and health care for vulnerable children, and developing and implementing the appropriate programmes and measures taking into consideration the best interest of the child;
  - 1.4 Taking measures, where appropriate, to enhance capacities for monitoring, detecting, investigating and disrupting all forms of trafficking in human beings facilitated by ICTs, in particular by the Internet, including trafficking for sexual exploitation;
  - 1.5 Strengthening efforts to address the root causes of all forms of trafficking in human beings, in line with relevant OSCE commitments;
  - 1.6 Considering incorporating, or, as applicable, implementing, "zero-tolerance" policies or other similar standards in government procurement of goods and services;
  - 1.7 Encouraging the private sector, trade unions and relevant civil society institutions, to promote codes of conduct to ensure the protection of the human rights and fundamental freedoms of workers throughout the supply chain in order to prevent the exploitative situations that foster trafficking in human beings;
  - 1.8 Encouraging accessible complaint mechanisms and relevant information for workers to enable them to notify the authorities on abusive practices that foster trafficking in human beings, and taking measures to prevent such abuses;
  - 1.9 Promoting clear criteria, in compliance with the national law, for the official registration of recruitment and placement agencies, and monitoring the activities of such agencies in an effort to prevent all forms of THB and exploring possibility of removing the recruitment fees charged to employees;
  - 1.10 Promoting measures to prevent THB for domestic servitude, inter alia in diplomatic households, to protect domestic workers and inform them of their rights as employees and how to report abuses; ensuring that the victims of THB receive relevant assistance regardless of the employer's status; recognizing the responsibility of the participating States, that their own diplomatic personnel respect local laws, in particular with regard to the employment of domestic workers;
  - 1.11 Developing and implementing policies and actions, including law enforcement co-operation between participating States, to prevent the tourism industry from being used for all

forms of trafficking in human beings, in particular for sexual exploitation of children;

- 1.12 Promoting policies to raise awareness on THB, including for the purpose of organ removal, through developing partnerships with health care and medical professionals, with associations in the medical profession, with transplant organizations and with relevant NGOs, where necessary, and other relevant mechanisms; and as appropriate, developing in this regard partnership with transplant organizations, promoting legal organ donation methods/channels.

#### 2. Capacity-building and training

- 2.1 Encouraging the development and introduction of training programmes on THB-related issues for:

- Social workers, labour inspectors and other government service providers;
- Personnel employed by various commercial carriers, in particular airline attendants and staff working on other means of transportation by land and sea, aimed at the identification of trafficked persons, as well as the introduction of measures designed to prevent THB, including co-ordination between commercial carriers and the State law enforcement agencies or through other appropriate mechanisms;
- Media professionals, including through modules on the use of non-discriminatory language and countering stereotypes and understanding the impact news reports have on victims of THB while covering THB issues;
- Medical professionals and social welfare services, aimed at assisting victims of trafficking, including victims of THB for the removal of organs as well as on the ethical principles related to organ transplantation, trafficking victim identification and trauma suffered by victims of trafficking;
- Personnel of the tourism and hospitality industry;
- Personnel of human resources units of private sector companies.

#### Action for OSCE institutions and bodies

1. The SR/CTHB will continue to make use of country visits to assist participating States, upon their request, in the implementation of OSCE commitments and support them in the conduct of their national anti-trafficking measures and activities. The SR/CTHB will provide participating States with country visits' reports and, upon their request, technical assistance and expertise, in co-operation with OSCE field operations and other OSCE executive structures, where appropriate.
2. The relevant OSCE executive structures will update, within existing resources, the relevant internal regulations to ensure that no activities of the OSCE executive structures, including contracts for goods and services, contribute to any form of THB.
3. The relevant OSCE executive structures will update the relevant internal regulations to ensure that the OSCE personnel understand their duties and responsibilities and receive relevant training, in particular with regard to the employment of domestic workers.
4. The OSR/CTHB, in co-operation with relevant OSCE executive structures, will continue to promote the exchange of best practices aimed at the prevention of THB for domestic servitude, inter alia in diplomatic households, and protection of the victims.
5. The Gender Section of the Secretariat will, where appropriate, assist participating States, upon their request, with promoting gender equality for men and women including through training and the use of tools for raising public awareness thus contributing to the prevention of all forms of THB.
6. The relevant OSCE executive structures, within existing re-

sources, will propagate the OSCE Action Plan and its Addendums in order to raise the profile of THB prevention amongst the general public, in civil society, and in the government and private sectors.

7. The relevant OSCE executive structures will provide assistance to the participating States, upon their request and within existing resources, in the development of training modules for various stakeholders mentioned in Chapter III, paragraph 2.1.
8. The OSR/CTHB, in co-ordination with other relevant OSCE executive structures and in accordance with their respective mandates, will contribute within available resources to the international efforts aimed at providing evidence-based data on patterns, forms and flows of THB for which a lack of reliable data persist.

#### IV. Protection and assistance

Recommended action at the national level

1. Identification and assistance
  - 1.1 Recommending that relevant State authorities identify individuals as trafficked persons, who have suffered human rights abuses, as soon as there are reasonable grounds to believe that they have been trafficked, and, in accordance with national law, ensure that victims of THB are provided with assistance even before the investigation is initiated; ensuring that this assistance is not made conditional on the victim's willingness to participate in legal proceedings, without prejudice to the national regulations on the conditions of the residence of the victim in the territory of the State;
  - 1.2 Taking appropriate measures, in accordance with national legislation, so that relevant NGOs, trade unions and social welfare services, through a National Referral Mechanism (NRM) or other relevant structures, may initiate referrals for the assistance of victims of all forms of trafficking, regardless of their nationality, and co-operate with relevant authorities by providing information in the victims of THB identification process;
  - 1.3 Ensuring that the process for decisions regarding all referrals of the victims of trafficking is fair, transparent and respects the human rights and fundamental freedoms of the victims, and that the decisions can be reviewed, in compliance with national law;
  - 1.4 Facilitating, where appropriate, simplified procedures for relevant NGOs to obtain permits from the competent authorities to access State facilities, including social service and immigration reception centres, prisons and detention facilities, to contribute to the timely identification of trafficked persons;
  - 1.5 Enhancing the capacity of police, social workers and other public authorities who may come in contact with children and other individuals trafficked and exploited in forced and organized begging to ensure prompt response to their particular needs, with the objective to immediately remove, where possible, victims from harmful and exploitative situations.
2. Access to justice and appropriate remedies
  - 2.1 Facilitating access for victims of trafficking, on an individual basis, to relevant legal counselling and legal assistance in order to enable them, in accordance with national laws, to use the opportunities of obtaining appropriate remedies, including compensation for material and moral damage suffered;
  - 2.2 Establishing, where necessary, or facilitating access of victims of THB, regardless of their legal status or nationality, to a State compensation fund or other relevant mechanisms in accordance with national law;
  - 2.3 Recognizing the need of victims of THB to have adequate time to recover from trauma, and providing, in conformity with domestic law and international obligations, a reflection

delay, granting temporary or, where applicable, permanent residence permits to victims of THB, as well as the possibility of victims obtaining work permits during their stay and raising awareness of such opportunities;

- 2.4 Providing the safety of immediate family members of foreign citizens who have been victims of THB, in cases of criminal prosecution of traffickers, in accordance with national law and where appropriate legal framework exists, and/or by using the existing channels of law enforcement co-operation;
- 2.5 Ensuring that the necessary assistance is provided in the process of safe return and, through co-operation, where possible, in the reintegration of former victims of trafficking by the authorities, social services or NGOs, as appropriate, of the country of origin;
- 2.6 Taking adequate measures to ensure that, where appropriate, identified victims of THB are not penalised for their involvement in unlawful activities to the extent that they have been compelled to do so.

#### Action for OSCE institutions and bodies

1. The relevant OSCE executive structures will continue, within existing resources, to promote a comprehensive, including human rights-based, approach in the best interest of the victim to combating all forms of THB and will assist participating States, upon their request, in the implementation of relevant commitments, taking into account the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the United Nations Global Plan of Action to Combat Trafficking in Persons, and, where appropriate, the Council of Europe Convention on Action against Trafficking in Human Beings.
2. The T/NTD/SPMU will facilitate, within existing resources, the exchange of best practices developed in the participating States regarding the protection of witnesses and trafficked persons before, during and after criminal proceedings.
3. The Office for Democratic Institutions and Human Rights (ODIHR), within existing resources, will collect and provide participating States with relevant information on best practices related to identification, assistance to and return of trafficked persons to the countries of origin.

#### V. Partnerships

Recommended action at the national level

1. Acknowledging that while the primary responsibility for combating and preventing trafficking in human beings rests with participating States, the link of this phenomenon to transnational organized crime requires co-operation at the international and regional level, involving the private sector and relevant NGOs.
2. Enlarging, where appropriate, multi-disciplinary partnership in the framework of NRMs, such as national co-ordinator/co-ordination mechanisms or other national structures, to facilitate dialogue and co-operation between public authorities, NGOs, trade unions and other relevant institutions engaged in anti-discrimination programmes and protection of the rights of women, children, members of ethnic, national and religious minorities, and migrants to contribute to the identification of trafficked persons and advance the protection of the rights of potential, presumed and actual victims of THB.
3. Strengthening international co-operation between NRMs or other relevant national structures and continuing to work towards an enhanced comprehensive and co-ordinated approach to prevent and combat trafficking in THB and to protect and assist victims of trafficking in cross border cases through the appropriate national and international mechanisms.

4. Encouraging co-operation between law enforcement authorities, other relevant State structures and the private sector to combat THB-related money-laundering activities.
5. Strengthening international co-operation between relevant agencies in countries of origin, transit and destination, including the OSCE Asian and Mediterranean Partners for Co-operation, in compliance with the provisions of OSCE Ministerial Council Decision No. 5/11 “Partners for Co-operation”, and in particular by establishing joint investigation teams, where appropriate.
6. Encouraging the private sector, including the banking sector, credit card companies, ICT companies and Internet service providers, to contribute to the prevention of all forms of THB and disrupting trafficking networks, inter alia, by providing THB-related information to the relevant authorities, and encouraging private legal sector entities to provide legal assistance to victims of THB, as applicable.

#### **Action for OSCE institutions and bodies**

1. The SR/CTHB will continue, within the existing mandate and resources, to strengthen the work of the Alliance against Trafficking in Persons as a framework for the dedicated co-operation of relevant major international organizations and NGOs.
2. The SR/CTHB will further promote and facilitate, within existing resources, all forms of co-operation among OSCE participating States, including at the bilateral and regional level, where appropriate, and collaboration with major international bodies and entities engaged in combating trafficking in human beings, as well as relevant NGOs.
3. The SR/CTHB will further engage, within existing resources, in action-oriented co-operation with the Mediterranean and Asian Partners, in view of preventing all forms of trafficking in human beings, of protecting victims of trafficking and of contributing to better prosecution against traffickers in countries of origin, transit and destination.

#### **Interpretative statement under paragraph iv.1(a)6 of the rules of procedure of the organization for security and co-operation in Europe**

By the delegation of the Russian Federation:

- ▶ “We join in the consensus concerning the Permanent Council decision on the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later and should like to make the following comments.
- ▶ Trafficking in human beings for the purpose of sexual or labour exploitation, including trafficking in children and trafficking for the purpose of obtaining organs, tissues and cells, has taken on global proportions. A comprehensive approach is required to combat this threat, including preventive measures, effective crime investigation, prosecution of the perpetrators, protection of victims and establishment of socio-economic conditions that would make it impossible for trafficking in human beings to take place.
- ▶ We note that the draft Addendum to the Action Plan to Combat Trafficking in Human Beings will make it possible to broaden the scope of the OSCE’s commitments in this area, in the first instance with respect to combating forms of trafficking that involve sexual exploitation, including the exploitation of children, and trafficking in human beings for the purpose of obtaining organs.
- ▶ At the same time, it is regrettable that the decision does not reflect some new forms of trafficking that present a real threat to health and life, notably trafficking for the purpose of obtain-

ing human tissue and cells. This reduces the effectiveness of the efforts by OSCE participating States to confront new challenges and threats, develop appropriate policies and identify suitable ways of reacting.

- ▶ The Russian Federation is of the opinion that in combating all forms of trafficking in human beings the OSCE should give due attention to the investigation, collection of information and exchange of effective experience in preventing trafficking for the purpose of obtaining human tissues and cells.
- ▶ We are also of the opinion that in preventing trafficking in human beings additional vigorous measures are needed to eliminate the demand for “human traffic” in countries that are main recipients of this traffic.
- ▶ We request that this statement be attached to the Permanent Council decision and to the journal of the today’s meeting of the Permanent Council.”

#### **Interpretative statement under paragraph iv.1(a)6 of the rules of procedure of the organization for security and co-operation in Europe**

By the delegation of the Holy See:

- ▶ “The consensual adoption of the Addendum to the ‘OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later’ does not mean that non-consensual publications or tools mentioned in the text are official documents of the Organization. Therefore, they must not be considered endorsed by all participating States.
- ▶ According to the above mentioned, the Holy See expresses its reservation in regards to Article 5 under Chapter III entitled ‘Prevention of Trafficking in Human Beings’, subtitle ‘Actions for Institutions and Bodies’ and does not agree with each single tool or all their parts developed or used by the Gender Section of the OSCE Secretariat.”

#### **Interpretative statement under paragraph iv.1(a)6 of the rules of procedure of the organization for security and co-operation in Europe**

By the delegation of the Republic of Azerbaijan:

- ▶ “In connection with the Permanent Council decision adopted on combating trafficking in human beings and in accordance with paragraph IV.1(A)6 of the Rules of Procedure of the OSCE, I would like to make the following interpretative statement:
- ▶ Agreement achieved on PC decision on “Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later” required considerable efforts and serious concessions by some delegations, including by the delegation of Azerbaijan.
- ▶ In joining the consensus on this decision, the delegation of Azerbaijan emphasizes that, under Section III, paragraph 1.5 of the decision, while mentioning “root causes of all forms of trafficking in human beings” the Republic of Azerbaijan refers to the PC Decision No. 557, dated 24 July 2003 on “OSCE Action Plan to Combat Trafficking in Human Beings” which enumerates the agreed definition of the root causes of trafficking in human beings inter alia as follows: poverty, weak social and economic structures, lack of employment opportunities and equal opportunities in general, violence against women and children, discrimination based on sex, race and ethnicity, corruption, unresolved conflicts, post-conflict situations,



illegal migration and the demand for sexual exploitation and inexpensive, socially unprotected and often illegal labour.

- ▶ I request that this statement be attached to the Permanent Council decision adopted and included in the journal of today's meeting”.

**Interpretative statement under paragraph iv.1(a)6 of the rules of procedure of the organization for security and co-operation in Europe**

By the delegation of Armenia:

“Mr. Chairperson,

- ▶ Upon adoption of the Permanent Council decision on the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings the delegation of the Republic of Armenia would like to state the following:
- ▶ Armenia considers root causes of trafficking mentioned in the decade long documents non-inclusive and not entirely reflective of the current realities particularly in the light of new forms of human rights violation and lack of rule of law.
- ▶ The factual evidence of the last ten years does not suggest that the unresolved conflicts contribute to the trafficking in human beings in our region.
- ▶ This decision tasks the SR/CTHB to promote bilateral and regional co-operation on THB-related issues. We see that the contribution of SR/CTHB can be particularly useful in addressing co-operation among those countries that do not have consular representation.
- ▶ We would like to request that this interpretative statement be attached to this decision and included in the journal of the Permanent Council.

Thank you.”

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## Photo captions

Photos on page 5:

(top boxes) from left to right Maria Grazia Giammarinaro, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, the OSCE flags in front of the Hofburg in Vienna, the OSCE Conference Centre.

Photos on page 11:

(top boxes) from left to right, Helga Konrad, first OSCE Special Representative for Combating Trafficking in Human Beings (2004-2006), Maria Grazia Giammarinaro, current OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2010 - ) and Eva Biaudet, second OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (2006-2009).

Photo on page 13:

The OSCE Secretariat in Vienna

Photos on page 15:

(top boxes) from left to right, Lamberto Zannier, OSCE Secretary General, Leonid Kozhara, OSCE Chairperson-in-Office, Minister of Foreign Affairs of Ukraine, Ambassador Ihor Prokopchuk, Head of the Permanent Mission of Ukraine to the OSCE.

Photos on page 17:

(top boxes) from left to right, OSCE SR/CTHB Maria Grazia Giammarinaro with State Secretary Florea Oprea of the Romanian Ministry of Internal Affairs and with the Mayor of Rome, Ignazio Marino.

Photos on page 19:

(top boxes) from left to right, OSCE flag, Hofburg in Vienna, OSCE SR/CTHB Maria Grazia Giammarinaro

Photos on page 21:

(top boxes) from left to right, OSR/CTHB Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking, publication cover, OSCE SR/CTHB Maria Grazia Giammarinaro chairing a side event on victim protection during the 2013 OSCE Human Dimension Implementation Meeting in Warsaw, an image from an OSCE-supported exhibition which opened on 18 October 2013 at the Kyrgyzstan's Theatre of Fine Arts.

Photos on page 23:

(top boxes) from left to right, OSR/CTHB report Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude, images from the OSR/CTHB workshop on preventing trafficking in human beings for domestic servitude in diplomatic households held in Kyiv on 12-13 June 2013.

Photos on page 25:

(top boxes) from left to right, OSR/CTHB report Trafficking in Human Beings for the purpose of organ removal in the OSCE region, publication cover, the Hofburg, the flags of the OSCE at the Hofburg, Vienna.

Photos on page 27:

(top boxes) from left to right, OSR/CTHB fifth Occasional Paper Trafficking in Human Beings Amounting to Torture and other Forms of Ill-Treatment, publication cover, OSCE sign at Hofburg, OSCE SR/CTHB Maria Grazia Giammarinaro

Photos on page 29:

(top boxes) from left to right, OSR/CTHB report Enhancing co-operation to prevent trafficking in human beings in the Mediterranean region, publication cover, map highlighting the OSCE Mediterranean Partners for Co-operation, Ambassador Thomas Greminger, Head of the Permanent Mission of Switzerland to the OSCE, the United Nations and the other International Organizations in Vienna, and Chairperson of the Mediterranean Contact Group.

Photos on page 31:

(top boxes) from left to right, forestry industry, construction industry.

Photos on page 32:

(top boxes) from left to right, Vera Gracheva, OSR/CTHB Co-ordination Advisor speaking at the launch of the manual Media against Human Trafficking, at the Moscow Journalists' Club, media coverage during an OSCE event at the Hofburg, Vienna, OSR/CTHB Deputy Co-ordinator Ruth Freedom Pojman speaking at the launch of the manual Media against Human Trafficking, at the Moscow Journalists' Club.

Photo on page 33:

Map with OSCE Secretariat and structures, other institutions and field presences

Photos on page 35:

(top boxes), from left to right SR/CTHB Maria Grazia Giammarinaro, the flags of the OSCE in front of the Hofburg in Vienna.

Photo on page 51:

A practical training exercise during the European Union Police Services Training held from 16-27 September 2013 at the International Peace Support Training Center in Nairobi, Kenya.

Photo on page 53:

(top boxes), SR/CTHB Maria Grazia Giammarinaro

Photo on page 61:

OSCE event at the Hofburg in Vienna

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OSCE/Sarah Crozier, Russian Union of Journalists

Photo page 32, column 2: Russian Union of Journalists

Photo page 35 top left to right: OSCE/Alfred Kueppers,

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Photo page 36, column 2: OSCE/Ursula Froese

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Photo page 40: Zürich State Police

Photo page 44: OSCE/Igor Schimbator

Photo page 47: OSCE Centre in Bishkek/Graziella Pavone

Photo page 49: OSCE Project Co-ordinator in Uzbekistan

Photo page 51: Renato Raggi

Photo page 53: OSCE/Alfred Kueppers

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Photo page 58: OSCE/Agnieszka Rembowska

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## Annual Reports:

- 2013: Combating Trafficking and Exploitation: Human Rights, Social Justice and the Rule of Law
- 2012: Combating Trafficking as Modern-day Slavery: Non-Discrimination and Empowerment
- 2011: An Agenda for Prevention: Trafficking for Labour Exploitation
- 2010: Combating Trafficking as Modern-day Slavery: A Matter of Rights, Freedoms and Security
- 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:

- 2013: Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region
- 2013: Trafficking in Human Beings amounting to Torture and other Forms of Ill-treatment
- 2010: Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude (EN/RU/FR)
- 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



## Other Publications:

- 2013: Enhancing Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region
- 2013: Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking (EN/AZ/BS/HY/MK)
- 2010: Analysing the Business Model of Trafficking in Human Beings to Better Prevent the Crime, OSR / UN.GIFT (EN/RU)
- 2009: Guide on Gender-Sensitive Labour Migration Policies, Gender Section / OCEEA / OSR
- 2008: Compensation for Trafficked and Exploited Persons in the OSCE Region, ODIHR

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