



Organization for Security and Co-operation in Europe

4th International Helvi Sipilä Seminar – “She Says NO to Violence”, 4 March 2009

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Keynote Speech by Ms. Eva Biaudet, OSCE Special Representative for Combating Trafficking in Human Beings - “Trafficking of Women and Girls in the OSCE region”

Excellencies, Ladies and Gentlemen, Dear Colleagues and Friends,

I want to start by warmly thanking the Finnish Federation of University Women for inviting me to speak at this important event honouring Helvi Sipilä, one of the pioneers in advancing women’s rights – both in Finland and globally. I also want to thank Director Hannan and Minister Wallin for their inspiring words. Being a former Finnish Parliamentarian and Minister, and having worked for a long time promoting gender equality and fighting discrimination in all its forms, I am especially delighted that Minister Wallin is here today, which I hope reflects the Finnish governments determination to work even harder fighting violence against women and human trafficking both in Finland and abroad.

Dear friends, I am very pleased be able to share with you all a few thoughts on one of the most pressing human rights issues and threats to human security we face in the 21st century – human trafficking, and in particular trafficking of women and girls. Although my presentation draws first of all on experiences from the OSCE region, consisting of 56 participating States – covering most of the northern hemisphere from Vancouver in the west to Vladivostok in the east – I am sure that most of what I will say is relevant also for the rest of the world.

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Violence against women and girls takes many different forms in today’s societies – one of the most brutal manifestations being trafficking for different disgusting purposes; including sexual exploitation, labour exploitation, petty crimes, organized begging, the removal of organs, and illegal adoption.

Human trafficking is of course all about organized crime and the huge profits traffickers can make by selling and exploiting human beings as commodities. But in my opinion it is even more about discrimination and indifference. Trafficking exists because of our failures to protect vulnerable people from abuse and exploitation, and because of our failures to effectively address violence against women and girls in general. Trafficking victims usually face multiple forms of discrimination – because of their gender, because of their nationality or because of the colour of their skin – simply because they represent “the other, the less worthy”.

Although we still know far too little about the phenomenon of human trafficking and all of its trends and patterns to have a full picture, we do know something. We know for example that sexual exploitation by far is the most commonly identified form, making up 80% of all identified cases. We also know that the vast majority, again almost 80% of the victims identified worldwide have been women and girls. Women are in fact heavily represented in all categories of modern day slavery – not only as victims of sexual exploitation or domestic servitude, but quite surprisingly, for example also in labour exploitation taking place in the agricultural sector.

One of the things that worries me most is that so much brutal violence is present in all different forms of trafficking. According to a recent study based on interviews with trafficked women, over 90% of them had been physically assaulted or forced into sexual acts. Sexual abuse is very much present in all forms of trafficking and is used as a modus operandi for breaking down the will and strength of victims. The story of identified victims is the same all over – almost all of them have been threatened with increased debt, beatings, or death, and too often these threats involve their children and families.

The most recent report of the US Government on human trafficking refers to a research which found that over two thirds of women exploited in prostitution suffer from post-traumatic stress disorder, equivalent to battered women seeking shelter or refugees suffering from state-organized torture. Indeed, the effects on the mind of trafficking victims easily make them lose their memory – they have difficulties in telling about their exploitation consistently or they simply appear un-collaborative. Still, most governments do not yet recognize that victims need sufficient time to recover from the trauma they have suffered, before they are prepared to co-operate with law enforcement, not to mention testifying against their traffickers.

What can we then say about the factors making people vulnerable to trafficking? Social and economic marginalisation, gender based violence and discrimination, and restrictive migration policies we know are among the key reasons that put women and girls at risk. Within the OSCE region, women belonging to ethnic minorities such as Roma, are particularly vulnerable. But all in all, our evidence-based knowledge is sadly still quite limited especially concerning what makes people vulnerable and the interplay between so called push and pull factors. A lot more knowledge and data gathering is needed before we will know the scope and patterns of human trafficking. For this reason, I have strongly advocated for the establishment of National Rapporteurs or equivalent reporting mechanisms in every country. They have already proven their validity in many OSCE States and I believe they can represent the next step towards successfully combating modern day slavery. Countries need a reporting function because State policies have to be based on evidence – not mere assumptions. Furthermore, the effectiveness of State responses has to be assessed based on analysis of the impact of efforts undertaken. I am very pleased that my home country Finland just has passed legislation whereby this important national mechanism is established and I call on others countries to follow this example.

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Ladies and gentlemen, I will now move on to make a few remarks that in particular concern children. The reality in the OSCE region – which on the whole is one of the most prosperous regions on our planet – is all but beautiful when it comes to how children are treated. In this region – where countries continue to emphasize respect for human rights in official rhetoric – there are numerous examples of child victims that have been treated as adults and have received no adequate protection. Instead these girls and boys have been criminalised or they have simply been expelled as illegal migrants to a future with great risks of re-trafficking and reprisal from traffickers. A typical example from many OSCE-countries is teenage girls with forged documents who are exploited in prostitution. When these children are confronted with the police, the police fail to identify them as victims – they are expelled if they are irregular migrants or just left to be further exploited if their stay is legal.

The most horrifying example of lack of protection I have encountered so far is the case of a minor girl exploited in prostitution. Instead of receiving protection and assistance she was prosecuted and sentenced to jail for infecting over hundred men with HIV. In my view this blatant human rights violation illustrates the lack of knowledge and understanding that still exists, I dare to say, in very

many countries. It is an alarming account of detrimental attitudes from the side of law enforcement officials, prosecutors and judges – from the very people who should protect people from exploitation.

Another especially vulnerable group is foreign unaccompanied children, who often arrive in European countries as asylum seekers. These children are generally only perceived as smuggled and therefore do not receive adequate protection. Research however shows that they often are likely to be on the way to be exploited for example in the sex-trade or domestic servitude. Based on our universally accepted human rights treaties, these children should of course be afforded an equal level of protection and rights as nationals of the country in question, including the right to medical treatment and education – but we all know this is not a regular practice today.

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Ladies and gentlemen, when looking at human trafficking from a gender perspective, we also have to carefully analyze who the persons are that are being convicted for trafficking or related offences? As with any type of organised crime it is of course difficult to indict or convict the main criminals and profiteers. The current situation in many States is, however, that an increasing amount of women are prosecuted and sentenced for human trafficking. In some countries women comprise a clear majority of convicted traffickers. This of course raises serious concerns since we know that many of these women used to be trafficking victims themselves. In such cases there is a need to carefully analyze the line between ongoing exploitation and having been turned into an exploiter. As the methods of trafficking rings become more and more sophisticated, I have the impression that women who have been trafficked and are in an especially vulnerable position are used for dangerous activities where the risks of getting caught are high, while the higher level perpetrators are not brought to justice.

Another thing that has caught my attention when visiting OSCE countries is that government officials and representatives of the judiciary quite often have shown their ignorance and negative attitudes, especially towards victims of sexual exploitation. The perception still sadly prevails that the victims are themselves to blame for the exploitative and inhuman conditions they are facing. In one country, when referring to several reported cases of intimidation of victims by prosecutors, judges and trial attorneys, the Prosecutor General categorically refused to recognise any such problems. I believe this example illustrates the difficulties ahead of us too well.

To give you another example of failing protection and lack of understanding, I will mention a case from an EU country. As a result of a large police operation, several hundred women who had been exploited in prostitution were arrested and detained on the grounds of their irregular immigration status. Some of these women had been locked in apartments, kept in debt bondage, and abused under severe physical and psychological conditions. Despite this inhuman treatment, they were not recognised as victims but simply treated as criminals. No victim referrals were made and the women were summarily deported.

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What we clearly see in the whole OSCE area is that the modus operandi of traffickers is becoming more and more sophisticated. To illustrate just how sophisticated these methods have become, I want to give you an example from a country I recently visited. To scare and discourage victims to report to the police, traffickers use accomplices dressing up in fake police uniforms. These false policemen enter the clubs where sexual services are sold. They are friendly with the traffickers, buy sex and behave aggressively towards the victims. Imagine for a moment that you were the victim - would you feel encouraged to report to the police after having been so severely humiliated?

Not the least because of such practices, trafficking victims often have very little trust in authorities and fear coming forward. In order to lower the threshold for victims to report exploitation, attitudes towards victims have to change and also the provisions for granting reflection delays and residence permits have to become clearer and more consistent. Residency procedures and access to services should not be dependent on the victim's willingness to participate in criminal proceedings. In fact, based on experience from for example the USA and Italy where there has been quite of lot prosecutions, we know that unconditional assistance to victims, regardless of their willingness to act as informers or witnesses, brings positive results also for trafficking investigations and prosecutions. Victims are much more likely to be reliable and valuable witnesses if their decision to co-operate with law enforcement has been voluntary.

Since we quite recently have faced violent conflict also within the OSCE region, in Georgia, I want briefly to refer to its relevance to human trafficking. A sad but well known fact is that trafficking thrives during and after conflicts. Especially women and children become vulnerable to abuse as a result of chaos, displacement and hate-based violence. Based on our experiences from the Balkans,

Afghanistan and Africa, we also know there is an increased risk of trafficking in areas where international military and peace-keeping operations and civilian contractors are deployed. Being here at the UN, it is important to remind ourselves that sometimes peace-keeping personnel, civilian contractors or even international humanitarian workers have been directly involved in human trafficking. It is time for us to accept that our continued negligence to address trafficking during and after conflicts, and especially the cruel sexual exploitation of women and children, undermines our efforts to create security, and is incompatible with our promotion of human rights and equality.

Ladies and gentlemen, my final points concern the need to increase political will to fight human trafficking and the need to reduce demand for cheap labour and sexual services that fosters modern day slavery. Without comprehensive measures in countries of destination to reduce demand, we will never reach the tipping point in our fight to eradicate trafficking of women and girls from our societies. There is an urgent need to develop legislation that makes people truly accountable for exploitation. The criminalisation of demand is of course only one way – but can be a most effective measure in this regard. But most importantly, there is an urgent need to lift the fight against human trafficking higher up on national political agendas and start a serious discussion about whether we want to protect all our fellow human beings from abuse and exploitation, and not remain indifferent. The choice is ours – the only question is if we want to make it.

Thank you for your attention!