



## EUROPEAN UNION

### **OSCE Human Dimension Implementation Meeting Warsaw, 19 - 30 September 2016**

---

#### **Working session 7: Humanitarian issues and other commitments, including address by the OSCE Special Representative/Co- ordinator for Combating Trafficking in Human Beings**

---

Mr. Moderator,

I have the honour to speak in this working session on behalf of the European Union and its Member States.

Trafficking in human beings is a grave violation of human rights and children's rights, affecting women, men and children in many different forms, a serious form of organised crime with cross border dimension and a fast-growing, highly profitable business. It undermines the safety of the population. Being a criminal activity, it can erode the administrative and legal order of a State thus causing deficit of sovereignty.

Trafficking is a global phenomenon that should be tackled together: countries of origin, transit and destination need to work together and apply a multi-faceted approach, focusing on victims, increasing efforts to tackle demand and targeting the criminal networks behind the trafficking.

The EU has a comprehensive legal and policy framework in place to combat trafficking in human beings, with the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016, the EU Directive on Preventing and Combating Trafficking in Human Beings and Protecting Victims and the appointment of an EU Anti-Trafficking Coordinator in a central role. But trafficking in human beings is also addressed in the framework of the EU migration policy, through the EU Human Rights dialogues and in numerous assistance and cooperation instruments.



## EUROPEAN UNION

All EU Member States are signatories to the Council of Europe Convention on Action against Trafficking in Human Beings, which goes beyond the minimum standards agreed upon in existing international instruments and strengthens the protection afforded to victims, notably by encompassing all forms of trafficking and numerous forms of exploitation linked thereto, including sexual exploitation, forced labour, slavery or similar practices and the removal of organs. The EU supports the work of the Convention's monitoring mechanism and welcomes the increasing amount of ratifications of this key Convention, including within the OSCE membership.

Still, we can and should do more. In May this year, the European Commission adopted its first report on the progress in the fight against trafficking in human beings. While noting the progress made so far, the report also clearly identifies challenges and gaps still to be addressed on a number of different issues. The EU post-2016 policy framework is scheduled for the end of 2016, also taking into account two further reports, to be published by then.

The major global challenges of today - terrorism, conflict, climate change - make the world's population more vulnerable than ever to the risk of human trafficking. The correlation between THB and migration and forced displacement certainly requires further analysis and deeper commitment.

We therefore very much welcome the innovative project "Combating Human Trafficking along Migration Routes" that the Office of Ambassador Jarbussynova is conducting. We also fully support the work of the Informal Working Group Focusing on the Issue of Migration and Refugee Flows, more specifically on combatting crime.

Traffickers exploiting the refugee and migration crisis often target those in the most vulnerable situations, in particular women and children. This vulnerability increases even further in the case of unaccompanied migrant children. In its Communication of 10 February 2016 on the state of play of the European Agenda on Migration, the Commission set out a number of actions to prevent and address trafficking in the migration crisis, with a view to employing a comprehensive approach to the protection of all children in migration, including on the issue of combatting child trafficking.



## EUROPEAN UNION

The forms of exploitation of trafficking victims are numerous, which is reflected in the broad range of activities of the Special Representative and Co-ordinator and her Office, such as the Alliance against Trafficking in Persons, which this year focused on the important issue of trafficking for forced criminality and elaborated useful recommendations in this regard, or the Conference organised at the beginning of this month in cooperation with the German OSCE Chairmanship on the Prevention of trafficking in human beings for labour exploitation in supply chains.

We also wish to commend the work of the Special Representative and Co-ordinator in the context of the conflict in and around Ukraine, with another recent visit in August. Her engagement with the Ukrainian authorities and awareness raising of human trafficking and the risks encountered by the most vulnerable groups as a consequence of the current crisis deserve our full support.

I would like to quote Mr. Dimitri Avramopoulos, EU Commissioner for Migration, Home Affairs and Citizenship on the presentation of the report on progress in the fight against human trafficking in May. He said: "It is morally and legally unacceptable and inexcusable that in the EU of the 21st century, there are human beings who are bought, sold and exploited like commodities". We could replace the "EU" in this phrase by "OSCE-region".

We are determined to keep Trafficking in Human Beings high on our political agenda with countries around the World. Only with strong political will and commitment by the leaders and the governments in other countries the international dialogue and assistance can have any real impact.

The OSCE provides us all, participating States, Partners for Cooperation, civil society and other actors, with an excellent platform on which we can and should join forces in the fight against trafficking in human beings.



## EUROPEAN UNION

Mr. Moderator,

According to the UN Guiding Principles on Internal Displacement, "all authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons". These Principles also stipulate that every IDP has the right to liberty of movement and freedom to choose his or her residence. The right of IDPs to a safe, dignified and voluntary return must be ensured.

It is truly unacceptable that in the areas controlled by Russia-backed separatists in eastern Ukraine and in the Russia's illegally annexed Crimean Peninsula civilians continue to experience serious violations of human rights and fundamental freedoms in the economic, social, cultural and any other field of public life, including expression, religion or belief, association and peaceful assembly. Time and again we reiterate our call for full, immediate and unfettered access for international human rights actors to the Crimean Peninsula. As regards freedom of movement, a number of human rights activists, journalists, Crimean Tatars and other IDPs who fled to the mainland Ukraine cannot return back to Crimea as they fear for possible persecution. According to the latest UN OHCHR Report [issued in June 2016<sup>1</sup>] on the human rights situation in Ukraine, freedom of movement between mainland Ukraine and Crimea is further restricted as, in order to be able to move across the administrative border line, the residents of Crimea are required to re-register their vehicles which is conditioned upon the possession of a passport of the Russian Federation, thus forcing them to accept the citizenship of the Russian Federation and revoke their Ukrainian one.

Furthermore, despite the continued calls upon the Russian Federation to stop the "borderisation" along the administrative boundary lines with Georgian breakaway regions of Abkhazia and South Ossetia, it continues this process through various means, including by arbitrary detentions. The "borderisation" process divides families and impedes on the effective

---

<sup>1</sup> UN OHCHR Report on the human rights situation in Ukraine 6 February to 15 March 2016, June 2016, [http://www.ohchr.org/Documents/Countires/UA/Ukraine\\_14th\\_HRMMU\\_Report.pdf](http://www.ohchr.org/Documents/Countires/UA/Ukraine_14th_HRMMU_Report.pdf)



## EUROPEAN UNION

enjoyment of basic rights by the Georgian people, who face obstacles in accessing health care, employment, education and religious sites<sup>2</sup>.

In recent years we have faced an unprecedented flow of refugees and migrants to the EU. The EU and its Member States have been consistently working for a coordinated European response aiming at dismantling smuggling and trafficking networks and promoting safe and regular pathways to Europe such as resettlement. This approach allowed to preserve the EU without internal borders and to return to the regular functioning of the Schengen Area. We would like to underline that refugees need to be treated in a humane manner and all OSCE participating States have responsibilities and obligations under international law, in particular the Geneva Convention. In line with the European Agenda on Migration, human rights safeguards were enhanced through reinforced dialogues and cooperation with partner countries.

Our recommendations are the following:

- address THB from a cross-dimensional perspective, with human-rights centered and gender-based approaches given the multifaceted nature of this crime and the diversity of profiles of the victims, with a special focus on child trafficking;
- promote dialogue and cooperation with civil society;
- improve the effectiveness of investigations and prosecutions of perpetrators, including by strengthening police and judiciary cooperation against traffickers;
- we strongly encourage Participating states to sign the Palermo convention and its protocol to prevent, suppress and punish trafficking in persons;
- strengthen international cooperation for addressing THB;
- improve data collection on trafficking;
- create appropriate mechanisms for the early identification and protection of victims and to take gender-specific measures and a child-centered approach.

---

<sup>2</sup> CoE SG Consolidated report on the conflict in Georgia (October 2015 – March 2016)  
[https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016806450e4](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016806450e4)



## EUROPEAN UNION

As for refugees and displaced persons, our recommendation is the following:

- the OSCE participating States should ensure the right of IDPs to a safe, dignified and voluntary return, as stipulated in the UN Guiding Principles on Internal Displacement.

Thank you.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA\*, MONTENEGRO\* and ALBANIA\*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA and GEORGIA align themselves with this statement.

\* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.