
Second day of the Twenty-Fifth Meeting
MC(25) Journal No. 2, Agenda item 7

DECISION No. 6/18
**STRENGTHENING EFFORTS TO PREVENT AND COMBAT CHILD
TRAFFICKING, INCLUDING OF UNACCOMPANIED MINORS**

The Ministerial Council,

Gravely alarmed by the prevalence of trafficking in children, including those who are unaccompanied, in all its forms, including for the purpose of sexual exploitation, forced labour, forced criminality, forced marriage, and the removal of organs,

Reaffirming all OSCE commitments to combat child trafficking, contained in, in particular, Ministerial Council Decision No. 13/04 on the special needs for child victims of trafficking for protection and assistance; Ministerial Council Decision No. 15/06 on combating sexual exploitation of children; Ministerial Council Decisions No. 6/17 on strengthening efforts to prevent trafficking in human beings and No. 7/17 on strengthening efforts to combat all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children; and also the OSCE Action Plan to Combat Trafficking in Human Beings (2003) and its 2005 and 2013 Addenda,

Noting the relevant provisions of pertinent international instruments, including the UN Convention on the Rights of the Child and the UN Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography; the UN Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO),

Deeply concerned about the large number of unaccompanied children who are vulnerable to human trafficking in recent years,

Acknowledging that the adoption of a victim-centred and trauma-informed approach that takes into account the respective gender-specific concerns of girls and boys and the best interests of the child, is paramount to effectively prevent and protect children from being subjected to trafficking in human beings,

Recognizing that collaboration among States, first line responders and civil society, can further help safeguard children, including those who are unaccompanied, from being subjected to human trafficking,

Recalling that in Ministerial Council Decision No. 7/17, the participating States expressed concern about the vulnerability of unaccompanied minors to human trafficking and encouraged participating States to raise public awareness of the vulnerabilities of children in migration flows, to all forms of child trafficking, and to increase the capacity and broaden the scope of first line responders to identify child victims of trafficking and provide such children with protection, as well as with appropriate assistance, effective remedies and other services as applicable under domestic law,

Commending participating States that adopt special legislative and other measures for the early identification, reception and protection of children vulnerable to human trafficking, including unaccompanied minors,

Recognizing the importance of the contribution of civil society, including religious organizations, in *inter alia* assisting the work of national authorities in preventing and combating all forms of child trafficking, through national anti-trafficking mechanisms, including National Referral Mechanisms, as appropriate,

Noting the 17th Alliance against Trafficking in Persons conference on “Trafficking in Children and the Best Interests of the Child” (2017) and the first OSCE Supplementary Human Dimension Meeting on “Child Trafficking: From Prevention to Protection” (2018),

Calls on the participating States to:

1. Adopt relevant measures so that all child victims of human trafficking are treated in line with the principle of non-discrimination, and in accordance with their individual needs and taking into account their best interests, providing opportunities for them to be heard, as appropriate, and upholding and protecting their human rights;
2. Adopt a victim-centred and trauma-informed approach that takes into account the respective gender-specific concerns of girls and boys and the best interests of the child, and fully respects the human rights and fundamental freedoms of children subjected to human trafficking;
3. Provide, as relevant, government service providers and agencies that come into contact with children with adequate guidance and training on how to properly identify, report, assist, and protect child victims of trafficking in an age-appropriate and manner that takes into account the respective gender-specific concerns of girls and boys, and consider the provision of relevant training to private sector actors that come into contact with child victims of trafficking;
4. Take measures to provide child victims of trafficking, when necessary, with a qualified and trained guardian or equivalent and/or a legal representative as a matter of priority, in order to safeguard the interests of child victims of trafficking, including those who are unaccompanied, and that their guardians and/or legal representatives are involved in procedures concerning their assistance and in finding durable and sustainable solutions for them;
5. Address the situation of child victims of trafficking, including those unaccompanied, within a child protection framework;

6. Promote national anti-trafficking mechanisms, including National Referral Mechanisms where they exist, and child protection systems where appropriate, that recognize the needs and rights of child victims of trafficking; incorporate victim-centred, trauma-informed and age-appropriate assistance; apply a multidisciplinary approach, respecting human rights, that takes into account the respective gender-specific concerns of girls and boys, and reflects, as appropriate, input and recommendations from survivors of human trafficking when providing immediate assistance and looking for durable and sustainable solutions; as well as establish referral channels that are appropriate for children;
7. Provide that, to the extent possible, any assessment of the needs of a child victim of trafficking takes into account his or her interests and views and the need for care, protection and safety;
8. Upon identification of a child as a victim of trafficking, or when there are reasonable grounds to believe that a child may have been subjected to trafficking, take appropriate action to keep the child safe, in particular by preventing sexual and other abuse, preventing re-victimization, in accordance with national laws, provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so, and by providing suitable rehabilitation, reintegration and/or repatriation programmes, where appropriate;
9. Encourage law enforcement, or other relevant authorities, as appropriate, to co-operate with one another by collecting and exchanging information, in accordance with their respective domestic laws, including concerning the protection of personal data, about child victims of trafficking and those at risk of being subjected to human trafficking, for the purpose of strengthening their protection and addressing the issue of missing children;
10. Strengthen national, regional and international co-operation for preventing and combating child trafficking, particularly with regard to reporting and sharing information, about child victims of trafficking, including those unaccompanied, in accordance their respective domestic laws, including concerning the protection of personal data;
11. Consider the appointment of a national focal point to whom enquiries can be addressed by officials from other countries regarding child victims of trafficking, including those who went missing and/or whom they plan to return to in their respective country of origin;
12. Promote efforts to prevent child trafficking, countering the culture of impunity, and reducing and addressing the demand which fosters all forms of exploitation;
13. Task the relevant OSCE executive structures, in accordance with their mandates, within available resources and in co-ordination with the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, to continue assisting participating States, upon their request, in addressing all forms of child trafficking, by *inter alia* maximizing the existing knowledge basis and ensuring at the same time that no duplication of efforts and funded programmes occurs.

MC.DEC/6/18
7 December 2018
Attachment

Original: ENGLISH

**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:

“Mr. Chairperson,

The Holy See, while joining the consensus on the Ministerial Council decision on strengthening efforts to prevent and combat child trafficking, including of unaccompanied minors, wishes to make the following interpretative statement, under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

The family has a completely original, indispensable and irreplaceable role in raising children. Parents, in particular, have the primary responsibilities, rights and duties for rearing and guiding their children.

Therefore, the Holy See, reaffirming the importance of the Convention on the Rights of the Child, deems – in the light of the rights of the child and of those of his or her parents and family, enshrined in the above-mentioned Convention – that any assessment of the needs of a child, and any appropriate action to keep the child safe, cannot occur without respecting the primary and inalienable rights of the parents.

Appropriate arrangements and measures should be put in place to ensure that the principle of the best interests of the child and the role of the family, as the fundamental group of society concerned with the protection and well-being of children and adolescents, are a primary consideration in regard to all decisions having a fundamental impact on the life of a child.

We request that this interpretative statement be attached to the decision and annexed to the journal of the meeting under this item.

Thank you, Mr. Chairperson.”