



Concept paper

High-level Conference

"Strengthening the OSCE Response to Trafficking in Human Beings" (Kyiv, 10 and 11 June 2013)

Background

As stated in the "Priorities for action" of the 2013 Ukrainian OSCE Chairmanship, Ukraine will promote the fight against trafficking in human beings with the aim of addressing all forms of this heinous crime that violates human dignity and undermines human rights and fundamental freedoms in the OSCE area.

The OSCE Action Plan to Combat Trafficking in Human Beings adopted in 2003 remains a strategic document that guides the anti-trafficking response in terms of the prosecution of offenders, prevention of the crime and protection for its victims. The OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings and all relevant OSCE structures are committed to promoting its full comprehensive implementation and to providing participating States with assistance whenever necessary.

Since 2003, however, trafficking in human beings has continued to evolve into a serious transnational threat entailing gross human rights violations. In addition, sophisticated new methods of recruitment, subtle coercion and abuse of the vulnerability of the victims as well as of marginalized groups and groups facing discrimination have developed.

To meet these challenges, specific new features and forms of trafficking in human beings that had not been identified a decade ago have to be recognized and properly addressed, drawing on innovative approaches advocated by the OSCE and other major international organizations, as well as best practices that have proved to be efficient in a number of participating States.

A new impetus for the anti-trafficking work of the OSCE

In order to enhance co-operation among participating States and to improve the response to trafficking in human beings, the Chairmanship will convene a high-level conference in support of its priorities for 2013.

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The conference will review the new forms of exploitation connected with trafficking in human beings and examine them through the lens of the "three Ps" (prosecution, prevention and protection) in line with the structure of the OSCE Action Plan to Combat Trafficking in Human Beings. It will also focus on areas that have not been specifically reflected in any Ministerial Council decisions (though mainstreamed in the political commitments), such as trafficking in human beings for sexual exploitation, treatment of the victims and international co-operation.

Child trafficking also requires a special focus, taking into account that the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance (adopted in 2005) is insufficient to tackle the child trafficking of today. According to the United Nations Office on Drugs and Crime Global Report on Trafficking in Persons 2012, a comparison of data obtained a few years ago with those obtained recently shows that trafficking in children is increasing.

The conference will prepare the ground for an OSCE-wide discussion on the elaboration of an addendum to the OSCE Action Plan to Combat Trafficking in Human Beings. Such an addendum will supplement and contribute added value to ongoing activities. It will also demonstrate a renewed high-level commitment to the 2003 Action Plan and relevant Ministerial Council decisions and declarations.

Organization of the conference

The conference and topics to be addressed will be organized as follows:

Day 1

Introduction (assessment of current trends in trafficking in human beings and forms of exploitation)

New features of trafficking in human beings for all forms of exploitation

- Trafficking in human beings for sexual exploitation; cases of trafficking amounting to torture
- Child trafficking (including for exploitation in begging)
- Trafficking in human beings for labour exploitation including domestic servitude
- Trafficking in human beings for exploitation in forced criminality (including exploitation as drug mules and to commit petty crimes)
- Trafficking in human beings for organ removal

Day 2

Sessions on measures to enhance prevention of the crime, protection of trafficked persons and prosecution of offenders will include the following topics:

- Measures to prevent trafficking in human beings for sexual exploitation and to improve the identification and humane treatment of the victims consistent with a human rights based approach; assistance and protection (including a non-punishment clause and provision of assistance to the victims of trafficking in

human beings irrespective of their willingness to co-operate with law enforcement; access to justice and remedies, including compensation). Prevention of re-trafficking

- Measures to enhance child protection systems embracing all vulnerable groups without any discrimination as a prerequisite for the prevention of child trafficking
- Measures to prevent trafficking in human beings for labour exploitation, to identify and protect victims and to engage the private sector as a new social partner to ensure proper public procurement and the elimination of forced labour from supply chains
- Mainstreaming of anti-trafficking measures into other relevant policy areas (including migration, labour rights, gender equality, non-discrimination and empowerment)
- Promotion of ethical standards and codes of conduct among medical staff as a means to prevent trafficking in human beings for organ removal
- Legal issues related to transplantation (review of current legislation)
- Reducing the vulnerability of people at risk, including by addressing discrimination
- Preventing trafficking in human beings through economic empowerment of at-risk groups, including women
- Increasing the role of the media in the prevention of trafficking in human beings in all its forms and in creating zero tolerance of exploitation in the society at large
- Role of legislation in the fight against all forms of trafficking in human beings
- Increasing financial investigations in the fight against money-laundering and corruption related to trafficking in human beings
- Increasing the identification and prosecution of cases of trafficking in human beings for labour exploitation with special attention to the economic sectors prone to forced labour
- Developing judicial co-operation, training for judges and prosecutors and enhancing the criminal justice response to trafficking in human beings
- Identifying links between trafficking in human beings and other forms of organized crime

Special session on international co-operation

- Enhancing international law enforcement and judicial co-operation between participating States to improve the criminal justice response and to strengthen victim protection through co-operation with non-governmental organizations, especially in transnational cases
- Promotion of transnational referral mechanisms to assist victims, including those entitled to international protection, and victim and witness protection
- Standards to observe for the safe and voluntary return of the trafficked persons to their countries of origin

Concluding session (recommendations)

Keynote speakers

Chairmanship, Secretary General, Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Director of the Office for Democratic Institutions and Human Rights; representatives of the Council of Europe, International Labour Organization, International Organization for Migration, United Nations Children's Fund, United Nations Office on Drugs and Crime, Office of the United Nations High Commissioner for Human Rights, United Nations High Commissioner for Refugees, International Criminal Police Organization, European Union, International Centre for Migration Policy Development, Eurojust and the Commonwealth of Independent States Executive Committee; other partners; high-level representatives of OSCE participating States; representatives of international non-governmental organizations (such as Save the Children, Terre des hommes, La Strada International, International Trade Union Confederation, Anti-Slavery International, International Centre for Missing and Exploited Children) and of national civil society organizations.

Participants

- Representatives of the OSCE participating States and Partners for Co-operation (national co-ordinators, national rapporteurs, parliamentarians, high-level government officials, other relevant authorities, experts, academia, media, national non-governmental organizations)
- OSCE representatives (executive structures of the Secretariat, Office for Democratic Institutions and Human Rights, field operations)
- International and regional organizations