2004-2005 STRATEGY

Mandate: The scope of work of the ODIHR's Anti-Trafficking Unit has been promoted and developed in a variety of OSCE commitments including most recently:

- *The OSCE Action Plan to Combat Trafficking in Human Beings, 2003*
- *The Porto Ministerial Declaration, 2002*
- *Bucharest Ministerial Decision No. 6, 2001*
- *Vienna Ministerial Decision No. 1, 2000*

Staff: The ODIHR accepted its first secondment to work on anti-trafficking issues in 1999. In mid-2002 two post-table positions were approved, formalizing the core staff positions of the Unit. Currently there is also an expert secondment and a project assistant working full-time with the Unit. As part of the 2004 budget process, the ODIHR has requested the approval of an additional post-table position.

Programme Portfolio 2004- 2005:

- Anti-Trafficking Awareness Raising: Media and NGO Training Programme
- Anti-Trafficking Commitments: Technical Assistance Programme
- Standard Setting and Capacity Building Programme
- Countries of Destination: Promotion of Victim Protection Programme
- ODIHR Anti-Trafficking Contact Point Programme
- ODIHR Anti-Trafficking Project Fund

These programmes are designed to assist participating States in fulfilling their commitments as outlined in the *OSCE Action Plan to Combat Trafficking in Human Beings*. The programmes are planned for the coming two years and build on the ODIHR's previous work in this field.

In particular, the programmes seek to address the following priority themes:

RAISING AWARENESS

Since the very beginning of its anti-trafficking work, the ODIHR has contributed to research efforts and carried out awareness raising activities. Such work has included facilitation of NGO-government round tables, training and support to hotline consultants and direct work with the media. Effective awareness raising creates a foundation for our joint work based on international human rights standards and the realization that trafficked persons are victims of a crime. Awareness raising also empowers at-risk groups and decision-makers to make appropriate, informed choices.

In the *OSCE Action Plan to Combat Trafficking in Human Beings* the ODIHR is tasked to continue promoting and carrying out awareness raising initiatives in co-operation with relevant partners throughout the OSCE region, as well as to enhance training activities with regard to the responsibility of the media for dealing with the topic of trafficking in a sensitive manner and without reinforcing negative stereotypes. Training will stress the complexity of the trafficking phenomenon and the need for a comprehensive response.

PROMOTING VICTIM/WITNESS PROTECTION—NATIONAL REFERRAL MECHANISMS

In the short-term, the area that demands our most urgent and effective response is the need for better human rights protection for victims and at-risk groups, e.g. women, youth, migrant workers. This is one key area where we must focus our work—on how relevant actors can best identify who is a victim and on how these actors can best co-operate to fulfill the related aims of victim protection and successful prosecution.

In this regard, we are fortunate to have a common starting point—the definition of trafficking as found in the UN Anti-Trafficking Protocol. Yet, in practice, a common definition is not enough to clarify the responsibilities and competencies of law enforcement personnel, non-governmental organizations (NGOs) and others, who may come into contact with a trafficked victim. There is a compelling need for clearer guidance on how to identify a trafficked victim, how to investigate related crimes and how to co-ordinate assistance. In order to respond to human rights violations and break the cycle of abuse, a mechanism must be developed through which state actors can fulfill their obligations to protect and promote the human rights of trafficked persons in co-ordination and strategic partnership with civil society and other actors dealing with trafficked victims.

The ODIHR is currently finalizing the *Handbook on Guidelines and Principles to Design and Implement National Referral Mechanisms*. The ODIHR is prepared to assist participating States in establishing National Referral Mechanisms (NRMs). In this regard, while designing and implementing relevant trainings, the ODIHR will collaborate closely with OSCE field missions and the OSCE Strategic Police Matters Unit (SPMU). Specifically, the ODIHR will collaborate with the SPMU and other law enforcement experts to further develop guidelines to address specific themes requiring more attention such as the identification and interrogation of alleged trafficked persons. Furthermore, together with the SPMU, the ODIHR will continue to develop training materials targeted at law enforcement authorities.

CAPACITY BUILDING

Measures to develop, implement and monitor NRMs should include capacity building of all relevant agencies and strengthening of the legal framework. The ODIHR's work aims to assist and strengthen national institutions and civil society with a view to ensuring sustainable solutions for the future. The ODIHR designs, implements and supports a wide variety of capacity building initiatives including training of state authorities, professional exchanges and the provision of materials and publications.

Within the framework of OSCE commitments and the OSCE Action Plan, it is clear that the ODIHR and OSCE field missions will continue to play a crucial role in assisting in the development of curricula, trainings and institution building. As requested in the *Vienna Ministerial Decision* and the *OSCE Action Plan*, the ODIHR will work to assist the OSCE Secretariat and OSCE field missions to intensify anti-trafficking training for OSCE field personnel in order to enhance their capacity to monitor, report and respond to the problem of trafficking.

PROVIDING EXPERTISE IN THE FIELD OF LEGISLATIVE REVIEW AND REFORM

Under the framework of the Stability Pact Task Force on Trafficking in Human Beings (SPTF) the ODIHR, together with the CoE and UNODC, co-ordinates the area regarding "Legislative Review and Reform" and supports these efforts through exchange of expertise and complementary political lobbying. In addition to our work in South Eastern Europe and the Russian Federation, the ODIHR has provided expertise to the legislative review and reform efforts of OSCE field missions and participating States in the Caucasus and Central Asia.

The *ODIHR Reference Guide for Anti-Trafficking Legislative Review and Reform* is a valuable tool for raising awareness about the complexity of the trafficking issue and the need for relevant legislative changes. The ODIHR will continue to assist participating States in their efforts to reform domestic legislation and to bring it into compliance with international standards such as the UN Trafficking Protocol.

CO-ORDINATING EFFORTS AND MAINSTREAMING ANTI-TRAFFICKING ISSUES

In order for the ODIHR's anti-trafficking work to be most effective, enhanced information exchange and co-operation within the OSCE and with other relevant international organizations, governmental bodies and NGOs is of crucial importance. This co-operation results in complementary efforts avoiding duplication and maximizing the use of limited resources to combat trafficking in human beings throughout the OSCE region. It also leads to the creation of joint projects and furthers the development of international and national standards to prevent trafficking, to prosecute perpetrators and, most importantly, to protect the human rights of victims.

The ODIHR will continue contributing regularly to co-ordination mechanisms such as the SPTF and IGO Contact Group. Regarding internal OSCE matters, there is clearly an already recognized need for increased co-ordination among OSCE institutions and field missions on different thematic issues. The ODIHR will actively participate in such efforts.

ASSISTING IN STANDARD SETTING AND POLICY DEVELOPMENT

As the fight against trafficking is still a relatively new area in the human rights field, there is still much work to be done in developing and refining standards and policies. Internal OSCE meetings have recommended the development of a more coherent OSCE anti-trafficking policy, as well as the development of relevant guidelines. The ODIHR seeks to provide expertise to these processes, which should result in a more consistent, human rights based response, as well as greater visibility for the work of the OSCE in this field.

The ODIHR will continue to incorporate human rights based standards, guidelines and good practice in its on-going anti-trafficking work. The ODIHR will promote and assist in the development of progressive policies based on OSCE commitments and international human rights standards. This work will include co-operation with and assistance to NGOs in their advocacy work on the national and regional levels, particularly in countries of destination.

ODIHR ANTI-TRAFFICKING PROJECT FUND

The ODIHR established the Anti-Trafficking Project Fund in 2001 to encourage the development and implementation of OSCE field mission and ODIHR projects and activities that address trafficking in human beings and associated human rights abuses. OSCE field operations should generally be actively involved in the implementation of projects under this initiative. From mid-

2001 to mid-2003, the Fund has supported over 30 anti-trafficking projects in 13 OSCE countries, as well as a number of regional activities. Through administering the Fund, the ODIHR seeks to enhance its co-operation with the field (e.g. provide expertise, promote information sharing and exchange of best practices, formulate overall regional perspective, etc.) and to address diverse and urgent anti-trafficking priorities, which may arise throughout the OSCE region.

In most cases, direct beneficiaries will be local project partners such as anti-trafficking non-governmental organizations (NGOs), at-risk groups, trafficked persons and relevant government agencies. In this respect, many projects supported through the Fund facilitate contacts between OSCE and local actors who combat trafficking and promote the development of local capacity to combat trafficking and to assist victims.

FUNCTIONING AS A CLEARINGHOUSE

In addition to organizing annual co-ordination meetings with focal points from OSCE field missions and institutions, the ODIHR has increasingly made it a priority in its work to function as a clearinghouse for information, contacts, materials and good practice. In this way, the ODIHR seeks to build institutional memory and capacity, as well as to support developments in the field.

The ODIHR will allocate more resources to better management and exchange of information and good practice. In particular, an effort should be made to make materials available to the widest possible audience ideally on-line through resources such as www.legislationline.org and the soon to be introduced www.seerights.org.

MONITORING THE IMPLEMENTATION OF OSCE COMMITMENTS & NATIONAL ACTION PLANS

Upon request, the ODIHR and OSCE field missions have been very active in assisting participating States with the development of National Plans of Action. Furthermore, the ODIHR has structured and contributed to the Supplementary Human Dimension Meeting (2000) and Human Dimension Implementation Meetings (HDIM) with the aim of providing a forum for reviewing the implementation of commitments in this field. As a complement to the 2002 HDIM, the ODIHR supported the Co-Chairs of the Permanent Council's Informal Group on Gender Equality and Anti-Trafficking in Human Beings in soliciting country reports from participating States. These reports are now publicly available on the ODIHR web site.

In addition to supporting and organizing human dimension meetings, the ODIHR has also designed and implemented projects with a significant monitoring and assessment component. The most developed model is the SEE RIGHTS project, which the ODIHR implements in co-operation with UNICEF and the UNOHCHR. The model and methodology of the successful joint ODIHR/UNICEF/UNOHCHR initiative "SEE RIGHTS" will be adapted and applied in other OSCE regions to provide an up-to-date inventory, needs assessment and gap analysis with respect to anti-trafficking activities.