



ODIHR PROJECTS 2003

ANTI-TRAFFICKING UNIT

OCTOBER 2002

ODIHR Anti-Trafficking Project Fund

Project Objectives

- to encourage the development and implementation of regional and national initiatives to prevent and to address trafficking in human beings.
- to empower OSCE field operations and the ODIHR to respond in a timely and flexible manner to ensure protection and direct assistance to victims of trafficking.
- to enhance co-operation between the ODIHR, OSCE field missions and other local actors in the fight against trafficking.

Background

The ODIHR established an Anti-Trafficking Project Fund in 2001 to encourage the development and implementation of projects and activities that address trafficking in human beings and associated human rights abuses. Field operations should be actively involved in implementation of the projects under this initiative. From mid-2001 to mid-2002 the Fund has supported seventeen projects in ten OSCE countries, as well as regional activities. Through administering the Fund, the ODIHR seeks to enhance its co-operation with the field and to address diverse and urgent anti-trafficking priorities, which may arise throughout the OSCE region. As the ODIHR and OSCE field missions engage in more and more anti-trafficking initiatives, another opportunity emerges the potential for us to exchange good practice, materials and expertise among ourselves and with our partners.

Approach

In co-operation with OSCE field missions, non-governmental organizations and host Governments, the ODIHR will continue to support projects to combat trafficking including by facilitating constructive engagement between State and NGO actors to influence institutional change. Where State authorities demonstrate their will to collaborate, the ODIHR will provide expertise and resources to carry out legislative review and reform projects, as well as necessary training of state authorities such as police, border guards, social workers, judges and prosecutors. High priority will be attached to co-ordinating with other key international agencies such as the International Organization for Migration and the Council of Europe to avoid duplication and encourage complementary efforts.

Projects could include, but are not limited to, the areas of:

- Prevention – public awareness raising or hotlines
- Legal review and reform
- Training of law enforcement and the judiciary
- NGO capacity building
- Co-operation between State and NGO actors

Preference will be given to projects that:

- have a concrete impact and are likely to show short-term results;
- include national partners and strengthen grassroots capacities for sustainable solutions;
- enhance co-operation between State and NGO actors;
- encourage regional networking and project development.

Timeframe

January-December 2003

Transforming International & Regional Anti-Trafficking Standards into National Legislation in Countries of Destination

Project Objectives

- to compile and update research on the status of anti-trafficking legislation in destination countries and to identify potential NGO partners (at the national level)
- to develop NGO advocacy materials to push for implementation of the UN anti-trafficking protocol and EU Council Framework Decision on Combating Trafficking in Human Beings in national legislation
- to more closely co-ordinate OSCE legislative review and reform efforts with the CoE, UNHCHR, EC, as well as with international and national NGOs

Background

At the closing of the Berlin Conference “Europe against Trafficking in Persons,” Ambassador Bettzuege and Ambassador Stoudmann expressed the commitment to follow-up with similar initiatives, which address the response to trafficking in countries of destination. The contrasting viewpoints and approaches presented by participants at the Berlin Conference illustrated that an appropriate, effective response to trafficking and the foundation of co-operation is an adequate legal framework. Such a legal framework should combat discrimination and inequality on the one hand, while also criminalising trafficking on the other hand. In doing so, States should provide for minimum penalties against traffickers and most importantly should adopt measures for victims’ assistance and protection.

The Bucharest OSCE Ministerial Council Decision No. 6/2001 calls upon OSCE participating States to sign and ratify the *UN Protocol against Trafficking in Persons*. EU member states will need to translate the international standards therein, as well as those elaborated in the *EU Council Framework Decision* into their national legislation. The recommendations from the Berlin Conference and the ODIHR’s *Reference Guide for Anti-Trafficking Legislative Review* will be valuable tools for adopting real action plans trying to ensure that human rights standards are guaranteed within national anti-trafficking legislation. The ODIHR seeks to support human rights NGOs in their advocacy efforts particularly in EU member states, which will serve as a model for accession states and others.

Approach

The ODIHR project manager together with a legal expert from Anti-Slavery International will be responsible for compiling and updating research on the current status of anti-trafficking legislation in destination countries in consultation with Anti-Slavery International and other relevant experts. These materials will be made available on www.legislationline.org. Efforts will be made to find strong NGO partners in selected EU member states that can initiate and implement advocacy campaigns in countries of destination.

Anti-Slavery International will develop awareness raising materials targeting decision makers and parliamentarians in EU member states. These materials will further elaborate on those presented at the Human Dimension Implementation Meeting’s side meeting (September 2001), which focused on legislative review and reform efforts. Preparation of these advocacy materials will be closely consulted with other relevant international agencies such as CoE, UNHCHR and the EC.

Timeframe

January – December 2003

Trafficking in Human Beings, Migration and the Informal/Unprotected Labour Market in Europe: A Challenge for Human Rights Protection in Countries of Destination

Project Objectives

- To raise awareness about the interrelation between labour migration, forced labour and trafficking in human beings
- To exchange research, information and experiences in the areas of labour migration policy and victim protection
- To develop recommendations and measures to protect victims of trafficking in countries of destination as well as to identify ways to promote legal means of migration in order to break the trafficking cycle

Background

The gap between the demand for cheap labour in Western Europe and the ready supply of such labour in post-socialist countries leads to an increase in undocumented and irregular labour migration into Western Europe. States often address this phenomenon by implementing restrictive migration policies to prevent entrance of migrant workers into the country and access to the labour market.

As a consequence, criminal networks offer facilitation to enter and access the Western labour market where there are plenty of jobs for migrant workers in the informal and unprotected labour sectors. The jobs for migrant workers can be described as the “3-D” jobs: dirty, degrading and dangerous.

The necessary facilitation of the migration process combined with a lack of adequate labour protections often results in serious violations of human rights including trafficking, exploitation and abuse. Even though the fight against trafficking in human beings has been recognised as a high priority by many governments and international organisations the supply and demand for undocumented migrant labour remains neglected in the ongoing political debates.

Approach

On October 15-16 2001, the ODIHR, in co-operation with the German Ministry of Foreign Affairs, organised the conference “Europe against Trafficking in Persons” in Berlin. The Berlin conference aimed to raise awareness about the situation in countries of destination and to demand a more appropriate response. Recommendations made at the meeting stressed that States should explore ways to promote legal migration, which would be better adapted to real conditions. Countries of destination should reconsider their migration policies with regard to finding alternative migration models.

As a follow up to the Berlin conference, OSCE ODIHR in co-operation with the International Labour Organization will organise a conference on migration and labour market policies in countries of destination. The ODIHR will approach the European Commission’s DG Employment and Social Affairs to encourage its co-operation and involvement. This conference will seek to address the root causes of trafficking and to design sustainable measures for victim protection in countries of destination. Key topics to be addressed include:

- I. Supply and demand factors for labour migration in Europe
- II. Ratification of the UN Convention Against Transnational Organized Crime as well as its protocols and the implementation of the EU Council framework decision by the OSCE member states: are human rights and labour’s rights guaranteed?
- III. Advocacy for the rights of migrant workers in Europe: possibilities to promote the UN Convention on migrant workers’ rights?
- IV. A European Convention to combat trafficking in human beings: a European human rights instrument supplementing the UN Convention Against Transnational Organized Crime?

Timeframe

Autumn 2003 (Italian Presidency of the EU)

Project Objectives

- To elaborate guidelines and principles for the design and improved implementation of National Referral Mechanisms (NRM) including an overview of the necessary legal framework to be established
- To promote and ensure the inclusion of human rights protections in NRMs, as well as the adoption of human rights based policies and approaches particularly in European Union member States
- To develop training methodology for state authorities, non-governmental organisations and international organisations involved in creating, implementing and monitoring NRMs

Background

In October 2001, OSCE/ODIHR in co-operation with the German Ministry of Foreign Affairs organised the conference “Europe Against Trafficking in Persons,” which focused on anti-trafficking measures and policies in countries of destination. The recommendations developed and agreed upon during the conference contain comprehensive victims’ protection provisions, including the development of a comprehensive NRM. A NRM should ensure the identification and deferential treatment of trafficked persons and their referral to specialised institutions, which can provide safety and offer medical, social, psychological and legal services.

To set up a NRM, all actors who may have contact with trafficked persons need to be identified and linked to a co-operative network. An independent agency should be constituted from existing domestic capacities of this network in order to assess the needs of individual trafficked persons and to refer them to specialised services. The design and implementation of a NRM needs to take into consideration international human rights standards, regional and national legislative frameworks and expertise in networking, teambuilding and project management. The creation of ownership and sustainability within national institutions demands a mandate, political skills and a shared underlying principle by the implementing actors.

The OSCE field missions in South Eastern Europe (SEE) have been actively working with local partners to create NRMs, its guidelines and legislative frameworks. In close co-operation with the Stability Pact’s Anti-Trafficking Task Force, the OSCE Mission to the FRY created and established a comprehensive NRM in Serbia. Furthermore, a detailed study “Trafficking in Human Beings in South Eastern Europe,” supported by the ODIHR, compiled and evaluated existing victims protection mechanisms in that region. The recommendations from this study present a valuable tool for further developments in setting up NRM. The ODIHR is therefore supporting follow-on activities in order to stimulate and monitor NRM in SEE. Consequently, the handbook containing guidelines and principles, as well as practical expertise, will enhance the monitoring activities of NRMs in SEE and the practical application of the ODIHR Reference Guide for Anti-Trafficking Legislative Review.

Approach

The handbook aims to provide guidance to national government structures, representatives of international organisations and non-governmental organisations. The ODIHR will appoint a group of three experts who have been actively involved in designing and implementing NRMs in SEE to produce the handbook. It will consist of three main parts:

- I. Guidelines & principles for designing a NRM based on human rights standards and existing good practice
- II. Legal provisions on victims protection and on models of co-operation between NGOs and state authorities
- III. Methodology for assessment of preconditions, subsequent establishment of NRMs and their further development through training and capacity building

Timeframe

January – June 2003

Monitoring of Responses to Trafficking in Human Beings in South Eastern Europe

Project Objectives

- to develop common policy approaches to trafficking in human beings in South Eastern Europe (SEE) based on international human rights standards and principles
- to regularly up-date and maintain an electronic database available on the web that presents an overview of the situation on trafficking in human beings, all involved actors and their contacts in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Federal Republic of Yugoslavia (Kosovo, Montenegro and Serbia), the former Yugoslav Republic of Macedonia, Moldova and Romania
- to support and monitor under the framework of the Stability Pact Task Force the establishment and further development of efficient and inclusive national referral mechanisms addressing all target groups as defined in the UN Anti-Trafficking Protocol

Background

In 2001/2002, within the framework of the Stability Pact Task Force on Trafficking in Human Beings (STPF), the United Nations Children's Fund (UNICEF), the United Nations Office of the High Commissioner for Human Rights (UNOHCHR) and OSCE/ODIHR supported the preparation of the joint report *Trafficking in Human Beings in South Eastern Europe*, which presents the current situation on trafficking in human beings in South Eastern Europe.

According to the key findings of the report only thirty-five percent of trafficked persons in SEE are recognised as such and only a fraction of this number receives long-term assistance and support. The report identifies obstacles to adequate protection and support of victims, and includes a set of recommendations for improving the current response by state authorities, non-governmental and international organisations. These recommendations include:

- the development of clear human rights standards for the treatment of trafficked persons,
- the development of special protection mechanisms for children under eighteen years,
- the further development and establishment of inclusive national referral mechanisms to identify and refer trafficked persons implemented jointly by state authorities, non-governmental organisations and international organisations.

Approach

An expert on anti-trafficking issues will elaborate policy papers/guidelines on trafficking in human beings in Southeastern Europe based on international human rights standards and principles. Particular focus will be given to special protection measures for children.

The expert will present bi-annual progress reports at the SPTF meetings on the implementation of anti-trafficking measures in the region including the adoption and implementation of the *UNOHCHR Principles and Guidelines on Human Rights and Human Trafficking*, special protection mechanisms for children as well as the development and implementation of national referral mechanisms.

Together with a project assistant the expert will regularly up-date an electronic database available on the web that presents an overview of the situation of trafficking in human beings, all involved actors and their contacts in each SEE country and anti-trafficking initiatives as initially outlined in the annexes to the UNICEF/UNOHCHR/ODIHR report *Trafficking in Human Beings in Southeastern Europe* published in June 2002.

Timeframe

October 2002 – September 2003 (12 months)

<p style="text-align: center;">ODIHR Consultation and Co-ordination Activities within the Framework of the Stability Pact Task Force on Trafficking in Human Beings</p>
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Project Objectives

- to consult and to co-ordinate activities with other key actors in South Eastern Europe in order to prevent and combat trafficking in human beings
- to design and to develop anti-trafficking strategies and common policy approaches to trafficking in human beings in the Balkans regions and beyond
- to promote a human rights focus when developing and implementing anti-trafficking initiatives in South Eastern Europe

Background

The Stability Pact Task Force on Trafficking in Human Beings (SPTF) based in Vienna seeks to support information sharing and targeted activities together with relevant international organisations, governments and non-governmental organisations. The SPTF is the principal co-ordinating body for anti-trafficking activities in South Eastern Europe and its Expert Co-ordination team consists of a number of international governmental and international non-governmental organisations.

The members of the SPTF Expert Co-ordination Team provide advice and expertise to the Chair of the SPTF with the aim of developing a common strategic approach to prevent and combat trafficking in human beings in South Eastern Europe. The OSCE/ODIHR with its human rights mandate clearly endeavours the promotion and implementation of a human rights perspective in the activities of this forum and co-chairs the area of “Relevant Legislative Reform” together with the Council of Europe.

Approach

Members of the SPTF Expert Co-ordination Team meet at least four times a year for discussion and strategy planning. South Eastern European Governments host two SPTF Meetings in the Balkans region annually. The OSCE/ODIHR participates actively in these meetings through which priorities are agreed upon, avoiding duplication and fostering joint initiatives.

Furthermore, the OSCE/ODIHR, together with the Council of Europe and other relevant partners, plans to provide technical assistance to governments and parliaments in their efforts to review and reform anti-trafficking legislation.

Other OSCE/ODIHR activities and projects in the Balkans region will continuously be co-ordinated with all relevant participants of the SPTF.

Timeframe

January – December 2003

Building NGO Capacity to Combat Trafficking in the Caucasus Region

Project Objectives

- to raise awareness about trafficking issues among women's NGOs and women leaders
- to empower already identified women's NGOs to enhance their current women's rights initiatives with prevention and awareness raising activities focusing on trafficking issues
- to promote the exchange of existing materials and expertise among NGOs

Background

Due to the international nature of the trafficking phenomenon, it is ideal to take a regional approach to analyse it and to develop a co-ordinated response. The Caucasus region presents a complicated picture of trafficking. Due to economic, social and post-conflict tensions, it is a region of origin, while due to its geographic location at the crossroads between Asia and Europe it is increasingly viewed as a region of transit as well. Some case studies also illustrate that it may even be a region of destination, for instance, for women from Central Asia. The purpose of this project is to develop strategies focusing on prevention and awareness raising, to involve local NGOs in capacity building in preventive work and assistance to victims, as well as to promote the exchange of expertise and materials on anti-trafficking issues.

In most of the countries of the Caucasus region, international agencies in partnership with local Governments and non-governmental organisations (NGOs) are currently researching the nature and extent of trafficking. This reporting and analysis will serve as the basis for co-ordinated action in the coming years. In addition to building on current research, the ODIHR seeks to strengthen NGO networking in the region and to train selected women's NGOs and women leaders on trafficking issues. These NGOs and leaders will then raise awareness in their communities about women's human rights and the risks of trafficking.

Approach

Taking into account necessary co-ordination of activities with other key agencies such as the International Organisation for Migration, the main priority area of activity for the ODIHR will be a continued focus on NGO capacity building. Training materials and best practices of previous ODIHR projects (such as those in Albania, Belarus, Kazakhstan and Ukraine) will be adapted and shared with partners in the Caucasus region to train NGOs and to empower them to carry out their own public awareness campaigns. Specifically, during 2002 the ODIHR will initiate an awareness raising pilot project in Armenia working closely with women's NGOs and women leaders. In 2003, it is envisioned that awareness raising activities will be expanded to all three countries of the Caucasus region in order to exchange research, training materials and good practice, with a view towards establishing a regional network of NGOs working to combat trafficking in human beings.

Timeframe

January 2002 - December 2003

<p style="text-align: center;">Building NGO Capacity to Prevent Trafficking and Assist its Victims RUSSIAN FEDERATION</p>

Project Objectives

- To train selected NGOs from the Russian Association of Crisis Centers (RACC) on how to provide information and assistance through existing counseling services and hotlines
- To support these NGOs in raising awareness about the risks of trafficking and the rights of Russian migrants abroad.
- To adapt and develop materials to be used in NGO information campaigns targeting at-risk groups.

Background

In 2000, the ODIHR organised a round table on trafficking together with the Russian Ministry of Foreign Affairs and leading NGOs in the field of victim assistance and protection. During this and subsequent meetings, it was agreed that a priority anti-trafficking activity in the Russian Federation (RF) should be raising awareness about the risks of trafficking and the rights of Russian migrants abroad.

One essential part of such an approach is to enhance the capacity of NGOs to prevent trafficking and to assist its victims. During the past few years, the crisis center movement in the RF has achieved success in making domestic violence more and more visible, so much so that battered women have started to tell their stories. In recent years, crisis centers across the RF have started to receive calls from victims of trafficking. These centers must receive training on how to identify and to assist victims of trafficking, as well as on how to implement preventative awareness raising campaigns.

Approach

The ODIHR in co-operation with La Strada Ukraine will develop and pilot an intensive training program on trafficking prevention and the provision of counseling services for selected NGOs from the RACC. Those RACC members who receive training will be provided with information and materials so that they can produce and disseminate culturally appropriate educational tools and implement public awareness campaigns. In addition to sensitizing the public about the risks of trafficking, these awareness campaigns will promote counseling and hotline services provided by NGOs.

Materials and methodology from years of awareness raising, hotline training, management and counseling work in Ukraine will be introduced to RACC members for their consideration and adaptation. Outreach efforts will be made as well to facilitate communication between NGOs and foreign Embassies in order to encourage regular exchange of up-to-date information regarding legislation in foreign countries and legal opportunities for study and work abroad.

Timeframe

January – December 2003

NGO-Government Round Table to Prevent and to Combat Trafficking in Human Beings BELARUS
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Project Objectives

- to raise awareness about trafficking in human beings as a human rights violation and criminal offence
- to consult with all relevant actors with the aim of elaborating a joint national plan of action to prevent and to combat trafficking based on an analysis of the most urgent priorities to be addressed, available resources and potential partnerships
- to establish a co-ordinated, sustainable mechanism for continued information exchange and collaboration between the Belarusian government, non-governmental organisations (NGOs), potential donors and international agencies.

Background

In recent years, there has been an increased awareness and commitment to address trafficking in human beings in Belarus on the part of governmental, non-governmental and international organisations. More and more actors with different mandates and resources are now planning to undertake new efforts to prevent trafficking, to prosecute perpetrators and to protect victims and their families. It is important at this stage to co-ordinate these efforts in order to ensure the most effective use of limited resources and to further develop a comprehensive national plan of action.

Approach

Phase I:

Consultations with Belarusian government, NGOs, relevant embassies and international organisations

The ODIHR and OSCE AMG will compile recent reporting from anti-trafficking projects and fact-finding missions in Belarus. During this assessment phase, a meeting of interested and active embassies and international organisations will be convened, as well as a series of consultation meetings with NGO and government experts.

One aim of this assessment phase will be to define priorities and future steps for the ODIHR and OSCE AMG to take in supporting anti-trafficking activities in Belarus. For instance, the OSCE could provide assistance on legislative review and training for professionals to ensure more effective implementation of existing legislation. Furthermore, taking into consideration the transnational nature of trafficking and the ODIHR's extensive work with many partners throughout the region, during this assessment phase, the ODIHR will also explore ways to enhance exchange of information regionally and the potential to develop more transborder projects.

Phase II: NGO-Government Round table

As a result of consultation with Belarusian experts, an agenda for a two-day NGO-Government round table will be designed. Tools from previous ODIHR activities such as the *Reference Guide for Anti-Trafficking Legislative Review* and the model national action plan elaborated under the framework of the Stability Pact Task Force will be used during the round table to raise awareness and to begin a focused dialogue. This dialogue will ensure the co-ordinated further elaboration and implementation of a national plan of action for Belarus to prevent and to combat trafficking in human beings.

Timeframe

2003