



Second day of the Fourteenth Meeting
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DECISION No. 14/06
**ENHANCING EFFORTS TO COMBAT TRAFFICKING IN HUMAN
BEINGS, INCLUDING FOR LABOUR EXPLOITATION, THROUGH
A COMPREHENSIVE AND PROACTIVE APPROACH**

The Ministerial Council,

Seriously concerned that all forms of trafficking in human beings remain widespread in the OSCE region and beyond, in spite of intensified national and international efforts to counter the phenomenon,

Considering that trafficking in human beings is a grave and heinous crime that violates human dignity and undermines the enjoyment of human rights and fundamental freedoms, and that feeds organized criminal networks,

Recognizing that law enforcement, prosecution of perpetrators, protection, rehabilitation, integration and reintegration of victims as appropriate, including their effective access to justice, as well as prevention, including by measures directed at the demand side, are important to effectively combat trafficking in human beings,

Underscoring that the complexity of trafficking in human beings requires a multidimensional and multi-actor response that should be co-ordinated at the national, regional and international levels,

Reiterating the support of the participating States for the ratification and implementation of the United Nations Convention against Transnational Organized Crime (Palermo Convention), and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children,

Reaffirming the significance of the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance endorsed by the Ministerial Council in Ljubljana in 2005, and its implementation by participating States,

Taking note of the outcome of the November 2006 Conference on Human Trafficking for Labour Exploitation/Forced and Bonded Labour, Prosecution of Offenders, Justice for Victims,

Recalling the International Covenant on Economic, Social and Cultural Rights, in particular articles 6 and 7 on the right to work and to the enjoyment of just and favourable conditions of work,

1. Calls on the participating States to continue engaging at a senior political level with the Special Representative on Combating Trafficking in Human Beings to enhance the implementation of the OSCE anti-trafficking commitments;
2. Urges the participating States to promote a comprehensive approach to combating all forms of trafficking in human beings through national, regional and international arrangements, co-operation and co-ordination between law enforcement personnel, labour inspectorates, social protection units, medical institutions, immigration and border service officials, civil society organizations, victim support services, and the business community and any other relevant actors, also including a gender-sensitive approach. To this end, the participating States are recommended to establish National Referral Mechanisms (NRMs), as well as to appoint national co-ordinators;
3. Urges the participating States, with the support of the OSCE structures and institutions if requested, to improve research and the system of data collection and analysis, with due regard to the confidentiality of data, and where possible to disaggregate statistics by sex, age, and other relevant factors as appropriate, in order to better assess the character and scope of the problem and develop effective and well-targeted policies on trafficking in human beings. To this end, participating States are recommended to consider appointing National Rapporteurs or similar independent monitoring mechanisms;
4. Urges the participating States, in co-operation with international organizations and NGOs when appropriate, to seek to diminish the risk for repatriated victims to be re-trafficked, particularly by addressing factors that make persons more vulnerable to trafficking in human beings such as poverty, discrimination, lack of access to education and economic opportunities, sexual abuse, and domestic violence and by conducting risk assessments to ensure that return of victims is done with due regard for their safety;
5. Underlines the importance of providing effective access to justice for victims of trafficking in human beings, including in the areas of counselling and information about their legal rights in a language that they can understand, as well as in providing the possibility to obtain compensation for damage suffered and calls on the participating States to implement their obligations under the relevant provisions of the UN Convention against Transnational Organized Crime (Palermo Convention) and its supplementing Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children;
6. Encourages the participating States to combat trafficking in human beings for labour exploitation in a more proactive manner, including by:
 - (a) Ensuring that their national criminal legislation trafficking in human beings for labour exploitation complies with the requirements of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the UN Convention against Transnational Organized Crime. To this end the participating States are encouraged to ensure that such crimes can be appropriately identified and prosecuted;

- (b) Ensuring that minimum labour standards are reflected in their labour laws, and that their labour laws are enforced, in order to reduce the potential of trafficking in human beings for labour exploitation;
- (c) Conducting training programmes for relevant officials, as well as other persons likely to come into contact with presumed trafficking victims, such as health workers, social workers, labour inspectors, and others, in order to improve their ability to identify trafficking victims and refer them to assistance and protection services;
- (d) Ensuring that information campaigns to raise awareness of trafficking do not contribute to further stigmatizing vulnerable groups which may lead to greater vulnerability to human rights abuses;
- (e) Promoting outreach strategies, including in co-operation with relevant NGOs, to provide information on trafficking in human beings for labour exploitation to migrant communities and to persons working in low wage labour and particularly vulnerable sectors such as agriculture, construction, garment or restaurant industries, or as domestic servants, in order to improve victims' access to assistance and justice and encourage persons with information on possible trafficking situations to refer victims to such assistance and to report to appropriate authorities for investigation when there are reasonable grounds to believe that a crime has occurred;
- (f) Developing and using advanced investigative methodology, in particular to allow cases of trafficking to be identified and prosecuted without relying only on victim testimony;
- (g) Sharing current operational best practices in police investigations of trafficking in human beings for labour exploitation, and ensuring that police working on trafficking in human beings have regular contact with their counterparts in other agencies responsible for investigating labour conditions as appropriate and have a multi-disciplinary approach to identifying and protecting the rights of victims of trafficking for labour exploitation;

7. Tasks the Permanent Council to consider ways to further strengthen efforts to combat trafficking in human beings, including for labour exploitation, taking into consideration the relevant OSCE commitments, the Action Plan on Combating Trafficking in Human Beings and the outcome of the November 2006 Conference on Human Trafficking for Labour Exploitation/Forced and Bonded Labour, Prosecution of Offenders, Justice for Victims.