



# **DEMOCRACY AND HUMAN RIGHTS ASSISTANCE**

**Human Rights and Anti-Trafficking Programme (1300637)**

**FUNDED THROUGH  
EXTRABUDGETARY CONTRIBUTIONS**

Warsaw, September 2012

# Human Rights and Anti-Trafficking Programme (1300637)

Current budget: EUR 1,050,000<sup>1</sup>

## 1. Background

This programme furthers ODIHR's mandate to monitor and support the implementation of OSCE human dimension commitments and implement ODIHR's taskings under the OSCE Action Plan to Combat Trafficking in Human Beings. It is based on recommendations and lessons learned from the evaluation of ODIHR's anti-trafficking work from 2005-2011, completed in early 2012, and has been designed to ensure complementarity and co-ordination with the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR-CTHB) and other actors within the OSCE working on this topic.

## 2. Approach

The programme's objective is to contribute to the prevention of trafficking through assisting participating States and civil society in establishing effective mechanisms for protection, assistance and redress for victims of trafficking and vulnerable groups, and for strengthening accountability and impact of anti-trafficking measures to ensure that they do not adversely affect established rights. The medium term outcomes are expected to be: increased awareness of governments and civil society on ways to develop and implement effective identification, protection and assistance strategies at national level and between countries, including through effective National Referral Mechanisms (NRM) and mechanisms to monitor the human rights impact of anti-trafficking measures; increased understanding of governments and civil society about the right to seek and receive an effective remedy; enhanced outreach and legal representation for trafficked persons and vulnerable groups; enhanced awareness of human rights concerns in the return of victims of trafficking and improved implementation of procedural safeguards to ensure their safe and dignified return.

### 2.1 *Planned activities for 2012-2015 (funds permitting)*

#### Accountability, accessibility and justice: Promote human rights in strategies and measures to combat and prevent human trafficking

ODIHR will review and update the National Referral Mechanism (NRM)<sup>2</sup> framework to incorporate new commitments, lessons learned and emerging good practice and publish a revised handbook. In the context of NRM, country-specific mechanisms will be developed to monitor and review the impact of anti-trafficking measures and develop gender-sensitive and gender-specific approaches and strategies. ODIHR will also undertake follow up activities with national stakeholders in co-operation with various international or intergovernmental organizations and NGO partners.

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<sup>1</sup> For the period 1 August 2012 to 31 December 2015.

<sup>2</sup> ODIHR developed this framework in 2004 for policy makers and practitioners throughout the OSCE region, to assist participating States and other stakeholders in designing functioning systems that protect the rights of victims of trafficking. Please see *National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook*, 2004 ("NRM Handbook") at <http://www.osce.org/odihr/13967>.

### Strengthen human rights protection and assistance to trafficked persons in accessing justice and effective remedies

Building on the impact of its 2008 study on *Compensation for Trafficked and Exploited Persons in the OSCE Region*<sup>3</sup> ODIHR will continue to strengthen systems designed to support legal assistance to trafficked and exploited persons in order to improve victims' access to justice and effective remedies, including compensation. ODIHR will strengthen the capacity of relevant civil society actors to provide specialized legal assistance as well as to conduct victim identification, outreach work and peer education, as appropriate. ODIHR will continue to monitor and promote the right to an effective remedy, initiating a series of national/regional consultations on this theme.

### Implement safeguards for safe return: Ensure respect for human rights in the return of trafficked persons and vulnerable groups

To address existing gaps and challenges and to promote the development of human rights-based policies, procedures and practices on return by participating States and other stakeholders in the OSCE region, ODIHR is developing a guide on human rights in the return of trafficked persons ('return guide').<sup>4</sup> This will assist States, intergovernmental and civil society bodies in their role of developing, applying, evaluating and reforming national laws, policies and practices to ensure safe return, and will promote the adoption of suitable principles and guidelines at the international level.

#### 2.2 *Indicators of achievement (examples)*

- Participating States include a wide variety of actors, including civil society, labour inspectors, law enforcement, social services, in establishing/strengthening national systems to identify and assist trafficked persons, or in setting up systems to monitor the impact of anti-trafficking measures;
- Civil society organizations and legal practitioners are equipped to provide trafficked persons and vulnerable groups with specialized legal assistance that enables them to access justice and effective remedies;
- Policy makers and practitioners involved in decisions relating to return of victims are applying the principles and standards provided in the 'return guide' and related training tools.

#### 2.3 *Strategy/methodology*

ODIHR will aim for strong local ownership and sustainability in building the capacity of governmental and non-governmental actors to emphasize human rights protection in their responses to human trafficking. The same approach will enable victims to access justice and their rights. To avoid duplication and maximize effectiveness, programme activities will be co-ordinated, as appropriate, with all relevant OSCE bodies and field presences.

#### 2.4 *Assumptions and risks*

ODIHR depends on adequate funding and resources, a stable political environment over time in targeted participating States and an adequate framework for the work of civil society actors to

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<sup>3</sup> The study can be found at [www.osce.org/odihr/32023](http://www.osce.org/odihr/32023).

<sup>4</sup> For background to and discussion of key issues in relation to human rights protection in return see ODIHR's expert meeting reports at [www.osce.org/odihr/40795](http://www.osce.org/odihr/40795) and <http://www.osce.org/odihr/75467>.

proceed in participating States where ODIHR's work is carried out.

## 2.5 *Quality factors*

The programme builds upon ODIHR's long experience of victim protection issues and its earlier work on promoting NRMs, access to justice and compensation for trafficked persons and safe return. ODIHR will undertake its activities throughout the OSCE region, in countries of origin and destination, and will draw upon its wide network of contacts among national and international actors to enhance its effectiveness.