

Organization for Security and Co-operation in Europe

Special Representative and Co-ordinator for Combating Trafficking in Human Beings in co-operation with the Finnish OSCE Chairmanship

DRAFT CONCEPT

“SUCCESSFUL PROSECUTION OF HUMAN TRAFFICKING – CHALLENGES AND GOOD PRACTICES”

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The 2003 OSCE Action Plan to Combat Trafficking in Human Beings (MC.DEC/2/03) draws upon the international recognition of human trafficking as a fundamental violation of the dignity and rights of human beings. It affects all 56 OSCE participating States, undermines democratic values and preys predominantly on persons marginalized through social, cultural or economic factors. The International Labour Organization estimates the total illicit profit of human trafficking at \$32 billion and assumes that over 12 million persons across the globe have become victims of labour and other forms of exploitation or live in slavery-like conditions, often – as a result of trafficking in human beings. Despite increased measures to fight human trafficking taken in the past decade, the challenge of trafficking in human beings to the civilized world remains high, and the data obtained provides no indications of a decline of the problem.

Human trafficking constitutes a multi-dimensional threat to international (and national) security and encompasses a wide variety of issues: protection of human rights and fundamental freedoms, strengthening of the rule of law, elimination of discrimination, overcoming of economic deprivation, fighting against corruption and organized crime, and development of adequate migration policies. It cuts across all the dimensions of OSCE's work and therefore requires a resolute, multi-faceted approach.

Participating States remain seriously concerned that human trafficking is widespread in the OSCE region and beyond (MC.DEC/8/07). Because of its links to trans-national organized crime participating States have recognized that fighting trafficking in human beings successfully requires close co-operation at the international and regional level through concerted efforts by Governments, law enforcement agencies, local authorities, civil society, the private sector and the media. It requires addressing the problem in its entirety, by paying equally due attention to preventive measures, adequate protection of and assistance to the victims, and prosecution of the criminals involved. Since the Ministerial Council endorsement of the 2003 Action Plan to Combat Trafficking in Human Beings participating States have implemented many of the recommended actions at the national level. To date, however, only a very limited number of victims, in comparison with estimates, have been identified and assisted, and few traffickers have been brought to justice and received appropriate sentences. This is why participating States have underlined the importance of effective law enforcement measures and efforts to prosecute

perpetrators, and to provide effective access to justice for victims of human trafficking (MC.DEC/14/06).

Drawing from the experience gained in the course of the last decade, international experts reiterate that successful prosecution of trafficking for both sexual and labour related exploitation requires a variety of measures, including: i) adequate national legislation with definitional clarity in conformity with international instruments, ii) effective identification of victims of all forms of trafficking, iii) proper victim protection and assistance programmes, iv) institutionalized co-operation between law enforcement officers, prosecutors, migration authorities, labour market actors, health service providers, and NGOs engaged in outreach work and rendering assistance to victims, and v) effective co-operation and mutual legal assistance between national law-enforcement agencies, prosecution services, and international bodies such as Europol, Interpol and Eurojust.

In order to address some of these challenges facing participating States, the Special Representative and Co-ordinator for Combating Trafficking in Human Beings in co-operation with the Finnish OSCE Chairmanship, organizes this conference aiming, in particular, at enhancing the participating States capacity to prosecute cases of all forms of human trafficking more successfully, taking due regard to the needs of trafficking victims for adequate protection and assistance.

The aim of the conference is to: i) further catalyze political will of participating States and Partners for Co-operation to combat all forms of trafficking in human beings, ii) advance the implementation of OSCE anti-trafficking commitments, and iii) increase the understanding of the need to involve all relevant anti-trafficking stakeholders to achieve sustainable results. In order to achieve these aims the conference will provide a forum for exchange of experiences and best practices, and help to identify challenges. It will serve also as a forum for networking among practitioners.

The first day (starting in the afternoon) of the conference will consist of high-level keynote addresses and an opening session with speakers from countries with significant experience in investigating and prosecuting cases of trafficking in human beings, presenting their respective national responses, best practices and lessons learned. The second day is planned to include panels on *e.g.* mechanisms of victim/witness co-ordination, trans-national co-operation, and case studies of both sex and labour related human trafficking.

The conference aims at bringing together senior government officials, law enforcement experts, prosecutors, judges, representatives from academia, international organizations, NGOs as well as diplomats from all 56 OSCE participating States and Partners for Co-operation.