



## OSCE Human Dimension Implementation Meeting 2008

Working Sessions 14 and 15: Focus on identification, assistance, and access to justice for the victims of trafficking  
(8<sup>th</sup> October 2008)

### EU Statement

Thank you Mr. Chairman.

I wish to thank you for giving me the opportunity to address the issue of the fight against trafficking in human beings.

Trafficking in persons is a serious impediment for the enjoyment of human rights that are perpetrated nowadays. It feeds on and perpetuates social exclusion and gender inequalities. Such a crime seriously and often permanently scars the lives of its victims, most of whom are women and children.

This is why all the OSCE structures and institutions involved in fighting this plague deserve to be commended for consistently keeping the focus on it along the years, promoting co-ordinated efforts of the participating states and the international community, following the lines set by the 2003 OSCE action plan and MC decisions.

Sharing the OSCE's commitment to countering trafficking, as well as its comprehensive human rights-based approach, we fully support the ministerial decision 8/07 'combating trafficking including for labour exploitation'. The decision properly stresses the relationship between countering trafficking and enforcing labour laws as well as the need for a greater involvement of workers, employers' organizations and labour administrations. By this approach, as well as by focussing on protecting the victims, it makes a valuable contribution to the OSCE acquis in this field.

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Let me seize this opportunity to congratulate Ms. Eva Biaudet for the latest success of the OSCE event 'successful prosecution of human trafficking challenges and good practices', jointly organised with the Finnish chair. The event duly emphasized how proper identification, assistance and access to justice of victims, not only constitute an essential part of a comprehensive human rights approach, but also contribute to effective prosecution of traffickers, thus proving the close interdependence of the main pillars of the fight against this phenomenon.

In these two years as special representative she has shown energy and determination in leading the organization's efforts in such a difficult field.

The OSCE action deserves particular praise for its unflinching commitment to keep victims and their rights at the centre of the international and national efforts to tackle trafficking. The 7<sup>th</sup> alliance against trafficking in persons conference, 'assistance to trafficked persons: we can do better', as well as the 8th alliance conference 'child trafficking: responses and challenges at a local level', hosted by the SR, both testifies to it and to the powerful impulse the organization is giving to the alliance.

Mr. Chairman,

The fight against this phenomenon is a key EU priority in strengthening justice, freedom and security. The entire EU effort in pursuing this priority is informed by a human rights approach, in which protection of victims features as one of its three pillars alongside prevention and strong prosecution.

Concerning protection of victims and access to justice, directive 2004/81/ec provides for residence permits to be issued to third country nationals victims of trafficking who cooperate with authorities, as well as for adequate information on the permit and a reflection delay. It constitutes a valuable instrument to support a vulnerable group.

Fully embodying this human rights approach, the 'EU action plan on best practices, standards, procedures for combating and preventing trafficking in human beings' has proved to be an effective and balanced tool in the fight against thb. It stresses the need to guarantee victims protection at all stages in the process alongside the importance of appropriate referral mechanisms, and underlines the need to consolidate cooperation with civil society organizations in the field of victims protection.

Its review mechanism is essential to assess implementation as well as to chart the way forward. In this respect, the EU Commission decision 2007/675 setting up a group of experts on trafficking testifies both to our will to draw on the very positive experience of the first experts group and to further the reflection on the topic.

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Facing such a complex challenge the EU has developed a multidisciplinary perspective, by integrating actions against organized crime, migration issues, public order and labour issues, complemented by a particular attention to vulnerable groups as children and women. In fact, the development of instruments addressing the peculiarities of these groups valuably contributes to a more effective identification, protection and assistance to victims as well as to improve prevention.

In this perspective, let me recall that the road-map for equality between women and men (2006-2010) considers the fight against thb an essential area of intervention. The porto conference on 'trafficking in human beings and gender' has contributed to the efforts to promote the development of legislation and policies based on a gender perspective and focused on these vulnerable groups, as recommended by the EU action plan.

The same philosophy inspires our action through EU funds and programmes: daphne, now in its third phase, on combating violence against children and women., the financial programme 'prevention of and fight against crime' that includes the fight against trafficking among its priorities., the 'thematic cooperation program with third countries in the development aspects of migration and asylum'.

Concerning EU's relations with third parties, provisions on fighting trafficking have become a regular feature in the European neighbourhood programmes, in partnership agreements and in regional strategies.

This external dimension of the EU action aims at strengthening the international effort in this field by seeking synergies with other international organizations such as the council of Europe, the OSCE, the ILO, the OIM and the UN. With the OSCE we have established during the years a thorough and effective cooperation. We work together within the framework of the alliance against trafficking in persons. The OSCE missions on the ground regularly share know-how and cooperate with the union, in implementing EU funded projects (eg.tacis programme in the Caucasus) and creating fruitful synergies with programmes under the aegis of the enp.

Mr. Chairman

On the 18th of october 2007 the union has celebrated its first anti-trafficking day in Brussels. This event not only helped raise awareness of the phenomenon among the general public, but provided the EU with the opportunity to reflect on how to improve its action, with a particular emphasis on the need to keep victims at the centre of the EU approach.

' The recommendations on the identification and referral to services of victims of trafficking in human beings', elaborated within the expert group with a significant contribution of ODIHR and the SR office and presented by the EU Commission during the anti-trafficking day, address this need. They are

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significant and relevant for the OSCE as well as for the EU, not least because they contribute to the implementation of the OSCE commitments in the areas of identification, assistance and protection.

These recommendations are intended to create a non-binding European standard for the human rights approach. The action plan, normative tools such as directive 2004/81 on the residence permit to third-country nationals who are victims of trafficking, and programmes such as daphne exemplify of the EU efforts towards a balanced and victims centred approach.

The EU council, also taking stock of the results of the Porto conference and of the anti-trafficking day, in its conclusions of the 8th-9th of november 2007, invited member states to enhance measures to protect victims, in particular those set out in directive 2004/81, taking into consideration the promotion of human rights and a gender perspective. Furthermore, the council recognized the need for a special attention to be devoted to the situation of child victims of trafficking. The need for all ms to promote regular training for all bodies and officers that give or might give support to victims was also stressed.

All the above testifies to the firm EU commitment to a human rights approach, which puts victims and their rights at the core of an effective effort to tackle one of the most heinous crimes, that are massively perpetrated nowadays. They indicate the way forward for ms, with a particular emphasis on the need for a renewed effort towards a more effective implementation of existing norms and other documents.

EU recommendations are circulated separately.

The candidate countries Turkey, Croatia\* and the former Yugoslav Republic of Macedonia\*, the countries of the Stabilisation and Association Process and potential candidate countries Albania, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova and Armenia align themselves with this statement.

\*Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process

Thank you Mr Chairman

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