

**DECISION No. 3/06
COMBATING TRAFFICKING IN HUMAN BEINGS**

The Ministerial Council,

Reaffirming the commitments that the participating States have adhered to in the field of combating trafficking in human beings,

Reaffirming 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 (PC.DEC/557/Rev.1 of 7 July 2005),

Recalling Decision No. 2/03 of the Eleventh Ministerial Council Meeting in Maastricht on combating trafficking in human beings, which established, under the aegis of the Permanent Council, the OSCE mechanism to provide assistance to participating States to combat trafficking in human beings,

Reaffirming the importance of having an appropriate structure with adequate administrative and financial resources that can operate at the political level,

1. Decides that the OSCE mechanism to provide assistance to participating States to combat trafficking in human beings, established under the aegis of the Permanent Council, shall be changed to form an integral part of the Secretariat. The structure will be headed by a prominent personality, who will act as a Special Representative and represent the OSCE at the political level, and will consist of contracted and seconded staff, including those of the present Anti-Trafficking Assistance Unit, appointed or assigned in accordance with the OSCE Staff Regulations and Rules;

The structure shall:

- (a) Assist OSCE participating States in the implementation of commitments and full usage of recommendations set forth in 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;
- (b) Ensure co-ordination of the OSCE's efforts in combating trafficking in human beings across all three dimensions of the OSCE and act as a focal point for the OSCE's efforts in this area;

- (c) Strengthen co-operation among the relevant authorities of the participating States and between the OSCE and other relevant organizations;
- (d) Raise the public and political profile of combating trafficking in human beings;
- (e) Operate in the whole OSCE area and as appropriate, assist the participating States, in a spirit of co-operation and following consultations with the relevant authorities of the participating States concerned, in aiming at the implementation of their commitments in combating human trafficking;
- (f) Provide and facilitate advice and technical assistance in the field of legislation as well as policy development, together, as necessary, with other OSCE structures engaged in this field;
- (g) Be ready to offer advice to senior level authorities representing the legislative, judicial, and executive branches in participating States and discuss with them the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum, and commitments in the field of combating trafficking in human beings. In specific cases calling for special attention, seek direct contacts, in an appropriate manner with the participating State concerned and discuss the providing of advice and concrete assistance, if needed;
- (h) Co-operate with national co-ordinators, national rapporteurs or other national mechanisms established by participating States for co-ordinating and monitoring the anti-trafficking activities of State institutions. It will also co-operate with relevant non-governmental organizations in the participating States. Furthermore, it will assume responsibility within the OSCE for hosting and facilitating meetings for the exchange of information and experience between national co-ordinators, representatives designated by participating States, or experts on combating trafficking in human beings;
- (i) Closely co-operate, in a co-ordinating role and in full respect of their mandates, with the Office for Democratic Institutions and Human Rights (ODIHR) and other OSCE institutions, relevant structures of the Secretariat including the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), the Strategic Police Matters Unit (SPMU), the Senior Gender Adviser, as well as, where appropriate, the OSCE field operations. Drawing on the expertise within the OSCE, the OSCE structures that undertake activities in this field will closely consult with each other and the Special Representative in order to avoid duplication, ensure complementarity and coherence and, as appropriate, seek to develop an integrated approach;
- (j) Co-operate and seek synergies with relevant international actors, including regional organizations, intergovernmental agencies and non-governmental organizations; continue to convene, chair and organize joint initiatives of the Alliance against Trafficking in Persons;

2. Calls on the Secretary General and the Chairmanship-in-Office to consult each other regarding the appointment of a prominent personality with relevant professional and political expertise:

- The Secretary General will appoint the personality as co-ordinator at the D2 level, with the consent of the Chairmanship, in accordance with Decision No. 15/04 of the Twelfth Ministerial Council Meeting in Sofia;
 - The Chairmanship-in-Office will confer on the co-ordinator the functions and title of Special Representative for Combating Trafficking in Human Beings in order to enable the incumbent to adequately represent the OSCE at the political level. The participating States will be consulted in accordance with Decision No. 8 of the Tenth Ministerial Council Meeting in Porto;
3. Affirms that the Special Representative will be politically accountable to, and will report regularly and when appropriate to the Permanent Council after consultation with the Chairmanship-in-Office and the Secretary General, as well as in accordance with Decision No. 13/05 of the Thirteenth Ministerial Council Meeting in Ljubljana;
 4. Agrees that from 2007 onwards the funding modalities will be changed, so that the current programme in the Unified Budget entitled “Special Representative on Combating Trafficking in Human Beings” will be part of the Main Programme now entitled “Anti-Trafficking Assistance Unit”;
 5. Decides that this decision amends Decision No. 2/03 of the Eleventh Ministerial Council Meeting in Maastricht and, if necessary, may be amended by the Permanent Council.

MC.DEC/3/06
21 June 2006
Attachment 1

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of the United States of America:

“The United States welcomes the decision on combating trafficking in human beings, which was adopted following expiration of silence on 21 June 2006. Combating trafficking in human beings is a high priority for our country. We urge that the position be filled quickly by the appointment of a highly-qualified individual.

The United States would like to stress that this decision in no way sets any precedent for the placement of other Chairman-in-Office representatives or other high-level positions.

I ask that this statement be attached to the journal of the day.

Thank you, Mr. Chairperson.”

MC.DEC/3/06
21 June 2006
Attachment 2

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Turkey:

“Turkey wishes to make the following interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations:

We have joined the consensus in order to make possible the adoption of this decision which establishes a new structure to provide assistance to participating States in combating trafficking in human beings. Combating trafficking in human beings is a priority for the OSCE and requires continuous follow-up at the political level. Established in response to this urgent need, the new structure is a *sui generis* institutional set-up whose effectiveness can only be tested by time and practice. Therefore, the structure can in no way constitute a precedent or establish a model for other possible new structures including ‘thematic missions’ without prior consultations and the elaboration of their conceptual and organizational framework as well as their mandates and functions.

Turkey requests that this statement be attached to the journal of the day.”