

Working Session 11: Humanitarian issues and other commitments, including:

- **Combating trafficking in human beings**
- **Refugees and displaced persons**
- **Persons at risk of displacement**

Rapporteur: Ms. Amélie Delaroche, Counsellor, Permanent Representation of France to the OSCE

No. of statements: 49

Delegations: 18

Civil Society:

OSCE Institutions: -

International Organizations: 1

Media: -

Rights of reply: 11

The first introducer, Amb. Madina Jarbussynova, OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings (OSR) noted that the OSCE remains a pioneer in the field of human trafficking and applies a human rights and victims-centred approach in countering anti human trafficking, basing its activities also on ODIHR's work on National Referral Mechanisms (NRMs). Despite some progress by the Participating States, she noted the major challenges in the implementation of relevant human dimension commitments and legislation. She called for all relevant stakeholders for regular communication between relevant actors, including those residing in countries of origin, transit and destination. She emphasized the need for a multidisciplinary and multi-agency approach to counter human trafficking. Convinced that adopting an all-inclusive approach will help translating human dimension commitments into concrete actions, the OSR co-operates closely with the OSCE executive structures, field missions, civil society and other relevant actors. The OSR stressed that four pillars serve as a key component to any national strategy to combat human trafficking: prevention, protection, prosecution and partnership. In her concluding remarks, the OSR reiterated her readiness to support participating States, with the help of current and incoming Chair-in-Office, and together with the OSCE executive structures.

The second introducer Mr. Yonous Muhammadi, President of Greek Forum of Refugees - himself an Afghan refugee who had been made prisoner by the Taliban regime and escaped - pointed to the critical situation in the Mediterranean region and at the challenges persons face when they decide to flee their countries: Mr. Muhammadi presented this as a choice of last resort and survival. The desire to survive is so strong, people are willing to risk their lives during the journey, and can become victims of smugglers and human traffickers. Mr. Muhammadi recommended devoting more attention to the root causes in the countries of origin, such as wars and conflicts, aggravated by corruption. He also pointed to the role played by NGOs at the "front line", often under-resourced, that provide services to refugees living in challenging and sometimes inhumane conditions (hot spots). Mr. Muhammadi called for solidarity, a common and effective asylum policy, durable and sustainable services provided by participating States, support to civil society and more dialogue and co-operation among all stakeholders.

In his concluding remarks, Mr. Muhammadi reiterated the key role of civil society in providing services and assistance to victims of human trafficking and also in the creation of policy and awareness-raising about trafficking. This is crucial as persons are not always aware they are being victims of trafficking.

State representatives expressed their support for the mandate and the work of the OSCE Special Representative and underlined their commitment to combat human trafficking, which for some participating States was presented as a national priority. They highlighted that human trafficking remains a huge challenge for the international community as a whole. Therefore, combating human trafficking needed to be addressed at international level with all actors (including the private sector), based on a multidisciplinary approach.

The need to early identify and protect victims of human trafficking and to prevent trafficking in human beings among the most vulnerable groups, especially unaccompanied minors and women (gender-sensitive approach), was underlined by several participants.

A number of delegations shared their good practices with the audience by presenting for example their national action plans for combating trafficking in human beings, laws on labour migrants, recent steps taken in combating sex tourism, reception arrangements for migrants and refugees in some specific regions, laws of rehabilitation of victims of trafficking, efforts to strengthen the capacity of the NRM etc.

The specific challenges with regards to the current migration and refugee crisis was stressed on a number of occasions. Some participants noted with concern that the international community is not sufficiently prepared to deal with the current humanitarian crises.

The situation of people residing in conflict territories was also mentioned. Many called upon the participating States to ensure the right of internally displaced people (IDPs) to a safe, dignified and voluntary return, as stipulated in the UN Guiding Principles on Internal Displacement. Some participating States called for the immediate withdrawal of occupying forces from their territories and the prohibition of discrimination when addressing the issues of displaced and vulnerable groups.

Many participating States also expressed their readiness to co-operate with ODIHR in strengthening its anti-trafficking activities.

The importance of close co-operation with civil society was underlined by all. Its role as a service provider but also in creating and implementing policies with State authorities, in raising awareness, or in uncovering new trend and cases, was highlighted.

Civil society representatives reminded participating States of their obligations as enshrined in the international legal regime and relevant protocols (e.g. CEDAW, Palermo protocols). They stressed the need for increased efforts by participating States to identify victims, such as undocumented migrants, workers in informal economy and sex-workers, as well as the need for better and adequate assistance to these persons and access to remedies for victims of trafficking.

Some participating States welcomed the OSCE Ministerial Council Decision 3/16 which embeds displacement of persons in the OSCE concept of comprehensive security.

One participating State informed it would launch call for action by international community to put the relevant Sustainable Development Goals (SDGs) into practice to fight modern slavery, a challenge that required a global and coordinated response.

Some other specific issues were raised, such as: the issue of the kidnapping of children residing in third countries, the challenges faced by some groups when applying for refugee status in other countries; the need to differentiate between economic migrants and political refugees, the forced displacement/deportation from some occupied territories where international community was not being granted access to, the cotton harvest in some participating States, the absence of legal standards to provide refugees with citizenship in some participating States or measures allowing for citizenship to be taken away; the role of the internet as a tool for recruitment but also to combat trafficking.

One NGO asked 2 participating States to grant political asylum to their representatives, who faced the risk of being sent back to their country of origin where their religious movement is banned and they face persecutions. One participating State was criticised by an NGO for not letting Muslim refugees in and inquired about one legislation. Another NGO criticised one participating State for granting visas to exploited workers from a country outside the OSCE region.

Recommendations made by participants during this session include (non-exhaustive list):

Recommendations to the OSCE participating States:

- Improve the implementation of their international commitments regarding trafficking of human beings;
- Include civil society as equal partners in decision making and policy development processes;
- Pay attention to new techniques used by traffickers;
- Devote more attention to the root causes of migration in the countries of origin;
- Show more solidarity in the migration crisis;
- Enhance awareness raising about trafficking;
- Ensure IDP's right to a safe, dignified and voluntary return;
- Sign the Palermo Convention and its Protocol;
- Strengthen international co-operation for addressing trafficking in Human Beings;
- Improve early identification and protection of victims taking gender specific measures and a child centred approach;
- Improve the effectiveness of investigations and prosecutions of perpetrators, including by strengthening police and judiciary cooperation against traffickers;
- Raise awareness among migrants, asylum seekers and refugees along migration routes about the risks that they can encounter;
- Ensure better victim protection by bringing policies and practices in line with a victim based approach;
- Mainstream combating of human trafficking when addressing crises and conflict;
- Look into the situation of migrants from sub-Saharan Africa and ensure effective operation of NRMs to protect these persons;
- Share best practices on the role of the Internet in combating human trafficking.

Recommendations to the OSCE institutions, executive structures and field operations:

- Further promote co-operation with civil society;
- OSCE executive structures and field operations should work closely together to enhance response to human trafficking on the ground;
- Pay close attention to the issue of human trafficking particularly in the context of conflict situations;
- Address trafficking in human beings from a cross-dimensional perspective, with human-rights centred and gender-based approaches, enhancing the focus of the OSR on implementation of the 2003 Action Plan on Combating Trafficking in Human Beings and its 2013 addendum.