

WORKING GROUP C

'Anti-trafficking and the OSCE – organization'

Presentation of Country Reports

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Suggestions for activities of the OSCE

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INTRODUCTORY REMARKS

- 1. Interesting and extensive country reports have been received from pS, as well as reports from OSCE institutions and other organizations. These all provide useful input and will help, I am sure, the discussion in the OSCE on the fight against trafficking forward. Not all pS have been able to present their country reports at the EF these days. That implies that their suggestions for measures or activities in the OSCE could not be taken into account for this presentation. But this in no way implies that their suggestions are not welcome in the continuing discussion in the OSCE on the struggle against trafficking after the EF.**
- 2. I will not mention which country suggested which measure. Not because that is a secret – it is not, the country reports are available to all of you, either in print or on the OSCE delegates web site – but because I think it is better to leave it to the representatives of the pS to present their own ideas and suggestions in their own words. I will merely touch upon these to give you an overview of ideas and suggestions that are presented in the country reports. For this purpose I have gone through the country reports of Azerbaijan, Switzerland, Albania, Liechtenstein, Slovakia, Canada, Sweden, Poland, Croatia, the Czech Republic, the USA, Armenia, Slovenia and Thailand. Also I have taken into account the contributions of ODIHR and the CPC.**
- 3. The theme of the overview is anti-trafficking and the OSCE-organization. So I will not go into domestic and other measures that**

countries have taken. These are extensively reported upon. And rightly so. They are important in the framework of the struggle against trafficking but they are not the topic of this working group.

- 4. I will not go into activities that the OSCE already is undertaking. For example, in the field of the combat of against the spread of light weapons, the OSCE document on Small Arms and Light Weapons is guiding our policies. In the field of the struggle against Human Trafficking, the OSCE, as we all know, is working on an Action Plan. The Witness Protection activities of ODIHR are highly valued by OSCE pS because of its great practical significance. The anti-trafficking unit of ODIHR performs a key function in the fight against human trafficking but, still, I will not dwell upon it. I will leave these and other current activities of the OSCE aside in this presentation, in order to concentrate on suggestions and proposals for new measures and activities that the OSCE might take up.**

ROLE OF THE OSCE

- 5. I note that in many country reports a distinction is made between the root causes and the symptoms of trafficking, each of which are calling for different answers and different emphasizes to be placed on suggestions for activities of the OSCE and on cooperation with other international organizations.**
- 6. There is a strong wish to keep the fight against trafficking high on its political agenda and to come up with appropriate follow up.**
- 7. Now, what functions should the OSCE have, according to the country reports; what role should it play? One might make a distinction between the OSCE as a forum for consultation in the combat against trafficking, the OSCE as an organization that helps build political commitment between the pS and the OSCE as an organization that is actively and practically working on the prevention of and the struggle against trafficking. This is not a watertight distinction but it helps to identify the achievements the OSCE should be striving for.**

DIALOGUE AND POLITICAL COMMITMENTS

- 8. In the country reports the general notion is that the OSCE should intensify a dialogue among pS to consolidate the efforts to address the challenge of trafficking. The OSCE should strengthen the**

cooperation between the pS and between the pS and the institutions of the OSCE. Awareness raising and mainstreaming are key words in this respect. Field missions are essential actors in the fight against trafficking. As a personal note I might add that trafficking is an OSCE wide issue, so the role of field missions may be important, but the issue of trafficking concerns citizens, the business communities and governments of all pS.

9. A lot of country reports also state that the OSCE should cooperate and coordinate its activities with international organizations, avoiding duplications and rivalry, but seeking for synergies. Just to give an example, it is often said that the OSCE should call upon its pS to comply with international standards such as the UN Anti-Trafficking Protocol. Some even go so far as to state that the compliance should be established at a certain date, e.g. by the signing or ratification of certain protocols and/or treaties. In many country reports the value of activities the civil society and NGO's are recognized.
10. Some country reports see specific possibilities for neighbouring states to work together, e.g. in the establishment of common rules and regulations and/or in the conduct of joint border operations in the fight against trafficking. Others speak about intelligence and information sharing among neighbouring countries in order to facilitate the fight against trafficking.
11. Others say that the OSCE might make models of end user certificates and of legislation against brokering activities, so as to stimulate pS to be active in this field.
12. In the framework of the struggle against trafficking some country reports deem it of the utmost importance to take measures in combating money laundering (well established legal framework, active approach of police and other law enforcement agencies). In the same vein the importance of cooperation with the UN Financial Taskforce on Money Laundering is stressed, as well as the compliance with the FATF-Recommendations. The OSCE might call upon its pS to comply with these regulations.
13. Country reports urge the OSCE to involve the private sector in its actions against trafficking and to improve the flow of information between public authorities and private business.
14. In some of the reports there is caution against too complex legislation and a plea for proportionality between laws and

regulations on the one hand, and the goals to be achieved on the other.

ACTIVITIES OF THE OSCE

- 15. There is the general notion of 'best practices' in many a country report. Then there is also the suggestion that the OSCE should analyze the best experiences of cooperation between countries and in other international organizations. These should be brought together and compiled in an OSCE best practices guide for pS. Best practices in the struggle against trafficking should also concern the cooperation between national governments and business communities on a national and on an international level. In this vein, one might think of suggestions to come to codes of conduct, national and international, in which standards are set. These might comprise, among others, information and training of staff, compliance procedures, plausibility checks of customers and end use control. With regard to suspicious orders and enquiries, a code of conduct might contain guidelines on how to detect these, for example by enquiring from previously unknown customers whose identity is not clear, being alert to transactions involving intermediaries whose identities are not clear, to unusual payments in cash, being alert to unusual requests concerning shipments or labelling of goods and so on and so forth.**
- 16. Border management and police cooperation have been identified as areas where the OSCE could play a valuable role in the combat against trafficking. (The role of the OSCE in helping to build modern custom services throughout the former Yugoslavia is recognized as a major contribution to the combat against trafficking.) Sound border management practices help to prevent trafficking. So the OSCE should take up its border management activities more expeditiously and intensify the activities of the various OSCE bodies, institutions and field missions. The OSCE should develop a more coherent approach to border issues. The OSCE should call on the pS to intensify international police cooperation. The exchange of general and operational information will help to accelerate the struggle against trafficking.**
- 17. PS should not shy away from undertaking a coordinated effort with the parliamentary assembly of the OSCE to keep trafficking on the**

national and international agenda and to ask parliamentarians to cooperate with its governments in developing adequate legislation.

18. Perhaps I am going a bit out of the scope of my presentation when I, once again, ask your attention for the suggestions that the Netherlands minister of Foreign Affairs, mr Jaap de Hoop Scheffer, in his role as CiO of the OSCE, has brought forward at the opening session. I am particularly referring to the suggestion for the nomination of an OSCE Special Representative for the combat against trafficking – he should keep the subject on the political agenda, national and international, strengthen the political commitment for this combat for example in monitoring and encouraging the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings that is currently being developed.

CONCLUDING REMARKS

19. Mr. Chairman, I would like to close my presentation with two points that may help to stimulate the discussion. First of all, there is the idea that the OSCE should come to a 'best practices guide'. As I already indicated, the idea is that the OSCE should analyze the best experiences of cooperation between countries and in other international organizations. These should be brought together and compiled in an OSCE 'best practices guide' for pS. Can the OSCE do that? Does it have the expertise and which part of the organization should take this up? A second point for discussion might be the involvement of the private sector, the business community. Can the OSCE play a role in the development of public private partnerships? Is this a route for the OSCE to explore further or should the OSCE leave that to other organizations that are, perhaps, better equipped and have more experience to work with the business community?

Thank you for your attention.