



EUROPEAN UNION

OSCE Human Dimension Implementation Meeting Warsaw, 10 - 21 September 2018

EU statement – Working Session 14: Humanitarian issues and other commitments, including combating trafficking in human beings, refugees and displaced persons, persons at risk of displacement

Mr. Moderator

I have the honour to speak on behalf of the European Union and its Member States. The European Union and its Member States advocate for an interdisciplinary approach by the OSCE to humanitarian issues, including combating trafficking in human beings, protection of refugees and displaced persons, as well as persons at risk of displacement.

Combating trafficking in human beings remains a key priority of the European Union. This grave violation of their human rights continues to be a highly profitable business, which erodes the administrative and legal order of the states concerned. It is also a serious form of organized crime explicitly prohibited by the EU Charter of Fundamental Rights as well as by the European Convention on Human Rights, and remains a transnational threat to human security.

The OSCE has repeatedly put trafficking in human beings high on its agenda, and rightfully so. This topic is one that directly affects the fundamental rights of many and the lives of countless women, men and children. Tackling this global phenomenon requires all OSCE participating States to come together and work on a common approach driven by the same principles and the same respect for human rights.

The EU has set-up a comprehensive legal and policy framework that is anchored in human rights and that is victims centred, as well as age and gender specific. This includes providing protection to the victims as well as taking into account their diversity of profile, with a special focus on child trafficking. Dialogue and cooperation with civil society should be vital parts of this approach. It further acknowledges the need for cooperation and partnerships with



EUROPEAN UNION

countries of transit, origin and destination. This includes additional support for Western Balkan countries, Turkey and African countries. A new set of priority actions were adopted on 4 December 2017 and they are anchored around the following areas:

- disrupting the traffickers' business model and to untangle the trafficking chain;
- providing better access to and realising the rights for victims;
- intensifying a coordinated and consolidated response, which entails action on the external dimension.

The EU will monitor progress on the actions set out in the communication of 4 December 2017 and report on progress to the European Parliament and the Council by the end of 2018.

Mr Moderator,

The commitment of the OSCE and its participating States towards combatting trafficking in human beings is a solemn and cross-dimensional one. Today's challenges – terrorism, conflict, climate change – significantly increase the risk of human trafficking. It is positive that we work towards more analysis of this correlation between trafficking in human beings, migration and forced displacement, whilst not forgetting about persons at risk of displacement.

Within its own actions the EU advocates a strong common asylum policy and a new policy on legal migration as pathways to take in refugees and displaced people. We remain committed to a comprehensive approach to migration and to an effective control of external borders to stem and prevent illegal flows, whilst pursuing the reform of the Common European Asylum System and the full and non-discriminatory implementation of the EU-Turkey Statement in all its aspects and towards all Member States. We will continue to strengthen and make full use of the operational capacities of the European Border and Coast Guard and other agencies. The IOM and the UNHCR will remain important partners, including to facilitate voluntary returns and improve reception conditions. The disruption of the business models of human smugglers and traffickers also remains a key objective.

At the OSCE level we welcome the efforts undertaken for the implementation of the 2003 OSCE Action Plan to Combat Trafficking in Human Beings and its 2013 Addendum. We



EUROPEAN UNION

also welcome the work undertaken by the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Ambassador Jarbussynova, whose innovative project “Combating Human Trafficking along Migration Routes” has been most appreciated. We fully support the further implementation of the 2016 Ministerial Council decision on the OSCE's role in the governance of large movements of migrants and refugees, more specifically on combatting crime.

The EU welcomes the adoption of the Decision on strengthening efforts to prevent trafficking in human beings as well as of the Decision on strengthening efforts to combat all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children during the 2017 Ministerial Council in Vienna. We furthermore highly value the meeting of the High-level Alliance against Trafficking in Persons Conference on 23-24 April and the thematic Joint Meeting of the Three Committees on 9 July on this issue.

Regarding refugees and displaced persons as well as persons at risk of displacement the EU believes that the OSCE can play an important role. The OSCE's contribution to this issue should however continue to focus on complementarity with other fora, including but not limited to the United Nations High Commissioner for Refugees and the International Organization for Migration (IOM). The EU encourages the introduction of conceptual clarity regarding refugees and displaced persons as well as persons at risk of displacement.

Regarding Internally Displaced Persons (IDPs) we remain committed to provide humanitarian aid and to tackle the root causes of their displacement. We also call upon the participating States to ensure the right of IDPs to a safe, dignified and voluntary return, as stipulated in the UN Guiding Principles on Internal Displacement. We regret the continuous increase of IDPs across the OSCE region, in particular during the crisis in and around Ukraine. It is unacceptable that serious violations and abuses of human rights and fundamental freedoms continue in areas controlled by Russia-backed separatists in eastern Ukraine as well as on the Crimean Peninsula since its illegal annexation by the Russian Federation. We repeat our call for full, free and unrestricted access for international human rights actors to the Crimean Peninsula. The humanitarian situation in areas of eastern Ukraine not currently controlled by the government has also worsened due to insufficient access and international



EUROPEAN UNION

humanitarian access and funding, as well as mine-contamination and indiscriminate shelling of civilian infrastructure.

The European Union furthermore calls upon the Russian Federation to lift the obstacles to the freedom of movement for people living on both sides of the administrative boundary lines with Georgian breakaway regions of Abkhazia and South Ossetia. The current obstacles are unacceptable and severely harm the exercise of basic rights by the conflict-affected people, including access to health care, quality education, agricultural lands, cemeteries and religious sites. The EU also calls for constructive engagement by all actors concerned in addressing the property rights of IDPs and refugees as well as their right to choose a durable solution, including return.

The circumstances generated by these types of conflict turn out to be a fertile soil for trafficking in human beings. This disproportionately affects women and girls, who make up 98% of victims of forced commercial sexual exploitation. Trafficking in human beings should therefore also be considered as violence against women and girls. Effective measures should be taken to discourage those taking advantage of or using the services of the victims of human trafficking from doing so, as discussed in the 2016 European Commission study on the gender dimension of trafficking in human beings. Overall we call for more efficient awareness raising on the gender aspects of trafficking in human beings, involving civil society and other stakeholders.

Mr. Moderator,

Let me conclude by repeating the EU's desire for the OSCE to act as a platform for elaborating a comprehensive OSCE response addressing the protection of the rights of internally displaced persons. We mustn't relinquish our efforts to keep trafficking against human beings high on our political agenda. Trafficking remains a serious challenge in the OSCE region, in spite of all efforts to combat it so far. We therefore need strong political will and commitment in order to tackle the different aspects of this issue. In this optic we value the goals set for the OSCE and its participating States in the 2018 Ministerial Council Decisions on strengthening efforts to prevent trafficking in human beings and on strengthening efforts to



EUROPEAN UNION

combat all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children.

As we mentioned before, it is key to maintain a constant dialogue with civil society and partner countries alike to make sure that synergies are created. The European Union and its Member States will remain committed to pursue an effective response, involving close coordination and cooperation among all actors of society.

Recommendations

- The OSCE should continue to address trafficking in human beings from a cross-dimensional perspective, with human-rights centered and gender- and age-based approaches given the multifaceted nature of this crime and the diversity of profiles of the victims, with a special focus on child trafficking.
- Participating states should continue to disrupt the traffickers' business model and to untangle the trafficking chain. Providing better access to and realising the rights for victims as well as intensifying a coordinated and consolidated response should also be encouraged.
- Dialogue and cooperation with civil society should be enhanced.
- The effectiveness of investigations and prosecutions of perpetrators should be improved, including a strengthening of police and judiciary cooperation against traffickers.
- The OSCE should equally strengthen international cooperation for addressing THB and contribute to improving data collection on trafficking in human beings in coordination with relevant international organizations. In doing so it should avoid duplication of efforts and promote the adherence to international standards, enshrined not least in the Palermo Protocols, which we encourage all participating States to sign, including its Protocol to prevent, suppress and punish trafficking in persons.



EUROPEAN UNION

- The OSCE participating States should ensure gender- and age-specific provision of specialized services to victims of trafficking that is proportionate to their needs, which are different according to the form of trafficking to which they have been subjected and, hence, gender-specific.
- Regarding refugees and displaced persons as well as persons at risk of displacement we should make sure that conceptual clarity is introduced everywhere. We also call upon the participating States to ensure the right of IDPs to a safe, dignified and voluntary return, as stipulated in the UN Guiding Principles on Internal Displacement.

Thank you.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as the REPUBLIC OF MOLDOVA, GEORGIA, ANDORRA and SAN MARINO align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.