

Warsaw Human Dimension Conference

Side event

The Nexus between Disabilities and Human Trafficking

12th October 2023 2.00 – 3.00pm

Sofitel Victoria Warsaw Królewska St. 11, 00-065, Warsaw

Background

In November 2000, just a couple of days after the United Nations adopted the Palermo Protocol, which established the universally recognized definition of human trafficking, the OSCE adopted its first Ministerial Council Decision addressing trafficking in human beings (THB)¹. The MC Decision called upon all participating States to sign and ratify the Protocol and to develop comprehensive and co-ordinated responses, which include prevention of trafficking, protection of victims and prosecution of traffickers. Three years later, the OSCE adopted its Action Plan to Combat Trafficking in Human Beings² which provides the framework for OSCE activities in support of the anti-trafficking efforts of OSCE participating States, and kick-started a series of subsequent Ministerial Decisions that enriched the OSCE policy framework on combating trafficking.

While this testifies to the global and regional commitment to criminalize and eradicate human trafficking, there are important elements that remain structurally overlooked in international treaties, national legislation and strategies to combat human trafficking. One such aspect is the nexus between disability and human trafficking. Although the vulnerability of persons with disabilities to human trafficking is acknowledged in various documents,³ the provisions often remain insubstantial and fail to offer comprehensive strategies for effective responses.

However, research, court cases and testimonies from survivors indicate that disability as a vulnerability factor to trafficking in human beings, as a feature for exploitation or as a result of human trafficking, is of real concern and needs to be addressed. The OSCE 2021 Survey Report⁴ for example, identified specific targeting of people with developmental/physical disabilities by traffickers as an emerging trend. According to information provided by OSCE participating States in the survey regarding trafficking involving persons with disabilities, 13

¹ [Ministerial Decision No.1: Enhancing the OSCE's Efforts to Combat Trafficking in Human Beings, November 2000 | OSCE](#)

² https://www.osce.org/actionplan#_blank

³ The 2013 Addendum to the OSCE Action Plan requires special attention to, among others, children with disabilities in promoting targeted awareness-raising and public education. Furthermore, in [Decision No. 15/05](#) on Preventing and Combating Violence against Women, participating States expressed concerns at the particular targeting or vulnerability of women and girls, and reiterated the need for protection of these groups, including women with disabilities. CEDAW [General Recommendation No. 38 on Trafficking of Women and Girls in the Context of International Migration](#) makes specific references to trafficking of women and girls with disabilities. The CRPD Committee in its [General Comment No. 3](#) on women with disabilities noted that “Women with disabilities may be targeted for economic exploitation because of their impairment, (...) For example, women with physical or visible impairments can be trafficked for the purpose of forced begging because it is believed that they may elicit a higher degree of public sympathy”.

⁴ [Survey Report 2021 of Efforts to Implement OSCE Commitments and Recommended Actions to Combat Trafficking in Human Beings | OSCE](#)

out of 41 responding States (31%) reported cases in their judicial processes or under investigation, and in five of these thirteen countries, NGOs stated that they had reports of traffickers targeting people with disabilities. This highlights the subsequent need for the development of robust and concrete measures addressing the unique challenges faced by persons with disabilities in the context of human trafficking.

The lack of knowledge about the unique challenges faced by persons with disabilities amidst conflicts further underscores the urgency of investing in research and data collection. Wars and conflicts further exacerbate the vulnerabilities of persons with disabilities, including heightened exposure to risks of human trafficking. As an example, a 2023 OCHA report estimates that 15% of 15.4 million individuals in Ukraine in need of protection services have a disability, and that women and girls with disabilities are at high risk of human trafficking.^[1] While disaggregated data on persons with disabilities leaving the country is not available, the UNHCR estimates that 13% of families fleeing the war have at least one member with a disability.^[2] Furthermore, the nature of war often exposes individuals to various forms of physical and psychological trauma, which can result in severe and/or permanent impairments and possible lifelong disabilities. According to the OHCHR, in the first year of the war, 13,287 people in Ukraine sustained complex injuries linked to the war.^[3] Disability-inclusive anti-trafficking strategies are therefore urgently needed to identify the distinct vulnerabilities and to mitigate the risks of human trafficking faced by persons with disabilities amidst conflict.

To strengthen the evidence base of key issues faced by persons with disabilities as victims of trafficking, the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings is currently conducting research on the intersection between disabilities and human trafficking in the OSCE region. The research aims at providing an overview of the links existing between disabilities and trafficking in human beings, how persons with disabilities are affected by trafficking, and to what extent legal standards, policy frameworks and anti-trafficking measures integrate concerns associated with disabilities.

Objective of the side event

The negligence to recognize the intersection of disabilities and human trafficking in international law, policy and practice as well as the limited availability of disaggregated data related to persons with disabilities who are also victims of trafficking, contributed to the lack of visibility, a lack of knowledge and understanding as well as good practices. The proposed side event aims to shed light on this critical issue, accelerate actionable solutions, raise awareness among stakeholders and inform the above-mentioned research.)

^[1] [Ukraine Humanitarian Needs Overview 2023 \(December 2022\) \[EN/UK\] - Ukraine | ReliefWeb](#)

^[2] [Document - Lives on Hold: Profiles and Intentions of Refugees from Ukraine #1 \(unhcr.org\)](#)

^[3] [Türk deplores human cost of Russia's war against Ukraine as verified civilian casualties for last year pass 21,000 | OHCHR](#)

Moderation:

Susanne Baberg, OSCE

Key-note address:

Kendall Alaimo, Anti-human trafficking activist, Clinical educator, Professionally trained artist and Human trafficking survivor

Speaker:

- 1) Siobhán Mullally, UN Special Rapporteur on Trafficking in Persons, especially women and children
- 2) Tea Jaliashvili, First Deputy Director, OSCE Office for Democratic Institutions and Human Rights (ODIHR)
- 3) Dragana Ciric Milovanovic, Director, Europe Regional Office, Disability Rights International
- 4) Andrea Salvoni, Acting Co-ordinator, OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings