



# Organization for Security and Co-operation in Europe

Director for Human Resources  
Vienna, 22 January 2004

## Staff Instruction No. 11/2004

**Subject: Preventing the Promotion/Facilitation of Trafficking in Human Beings**

### 1. Reference

PC.DEC/550/Corr.1 OSCE Code of Conduct Appendix 1 to the Staff Regulations and Rules, PC.DEC/557 OSCE Action Plan to Combat Trafficking in Human Beings, PC.DEC/426 Trafficking in Human Beings

### 2. Purpose

The purpose of this Staff Instruction is to set out the standards expected of all OSCE officials in furtherance of the PC.DEC/557 requirement that staff of OSCE Missions do not engage in or in any way knowingly facilitate trafficking in human beings and to fulfil the norms contained in part 4 of the OSCE Code of Conduct.

### 3. Applicability

This Staff Instruction applies to all OSCE officials when in Mission Areas. The Staff Instruction also applies to OSCE officials attending conferences and other events in their official capacity.

### 4. Effective Date

This Staff Instruction shall take immediate effect.

### 5. Definitions

For the purposes of this Instruction the following definitions shall apply;

(a) “trafficking in human beings” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others, or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in human beings to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring, receipt or use of a child for the purpose of exploitation shall be considered “trafficking in human beings” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “child” shall mean any person under eighteen years of age.”

(e) Sexual exploitation is defined as any exchange of money, employment, goods or services for acts of a sexual nature or other forms of humiliating, degrading or exploitative sexual behaviour.

## **6. Standards Expected of OSCE Officials**

**6.1** OSCE Officials shall abide by the following standards:

- (a) OSCE officials shall recognize and respect the inherent dignity of each individual and shall refrain from any behaviour which could harm a person physically or psychologically.
- (b) OSCE officials shall promote an environment that prevents trafficking in human beings including sexual exploitation through the adoption of high moral and ethical standards and the demonstration of these standards to others.
- (c) OSCE officials shall not engage in any activity that promotes trafficking in human beings including sexual exploitation.
- (d) OSCE officials shall not visit or patronize any establishment or premises including any bar, café, bath, massage salon or club which could reasonably be expected of having connections, in any way, with trafficking in human beings including sexual exploitation.
- (e) OSCE officials shall not establish or maintain professional or personal relationships with anyone who promotes or facilitates, or who could reasonably be suspected of promoting or facilitating trafficking in human beings including sexual exploitation.

**6.2** The standards set out above are not exhaustive. Any violation of these standards shall be regarded as serious misconduct and shall constitute grounds for disciplinary measures, up to and including summary dismissal. The public solicitation of any act of a sexual nature or other forms of humiliating, degrading or exploitative sexual behaviour shall be considered as an aggravating circumstance.

**6.3** OSCE officials shall have the duty to report to the Head of Mission any concerns that he or she may have regarding the involvement of another OSCE official in trafficking in human beings including sexual exploitation.

## **7. Duties and Obligations of Heads of Mission**

**7.1** Heads of Mission shall create and maintain a working environment that prevents the involvement of OSCE officials in the trafficking in human beings including sexual exploitation and shall put in place appropriate measures for this purpose.

**7.2** Such measures may include, but not be limited to, the provision of Mission specific instructions concerning local establishments that should not be visited by OSCE officials.

**7.3** Heads of Mission shall take appropriate action in accordance with the established disciplinary procedures as stipulated in Article IX of the staff regulations in cases where it is considered that any of the standards contained in this Instruction have been violated.

**7.4** The Secretariat shall be informed of any allegations of violations of this Staff Instruction and of the subsequent action taken. If allegations are confirmed by a disciplinary procedure, full documentation shall be forwarded to the Office of Internal Oversight which shall maintain data on investigations into offences related to trafficking in human beings by OSCE officials and all subsequent related actions taken thereon. Where the OSCE official is a seconded staff/mission member, the seconding State shall be informed accordingly as stipulated in Regulation 9.03.(d).