



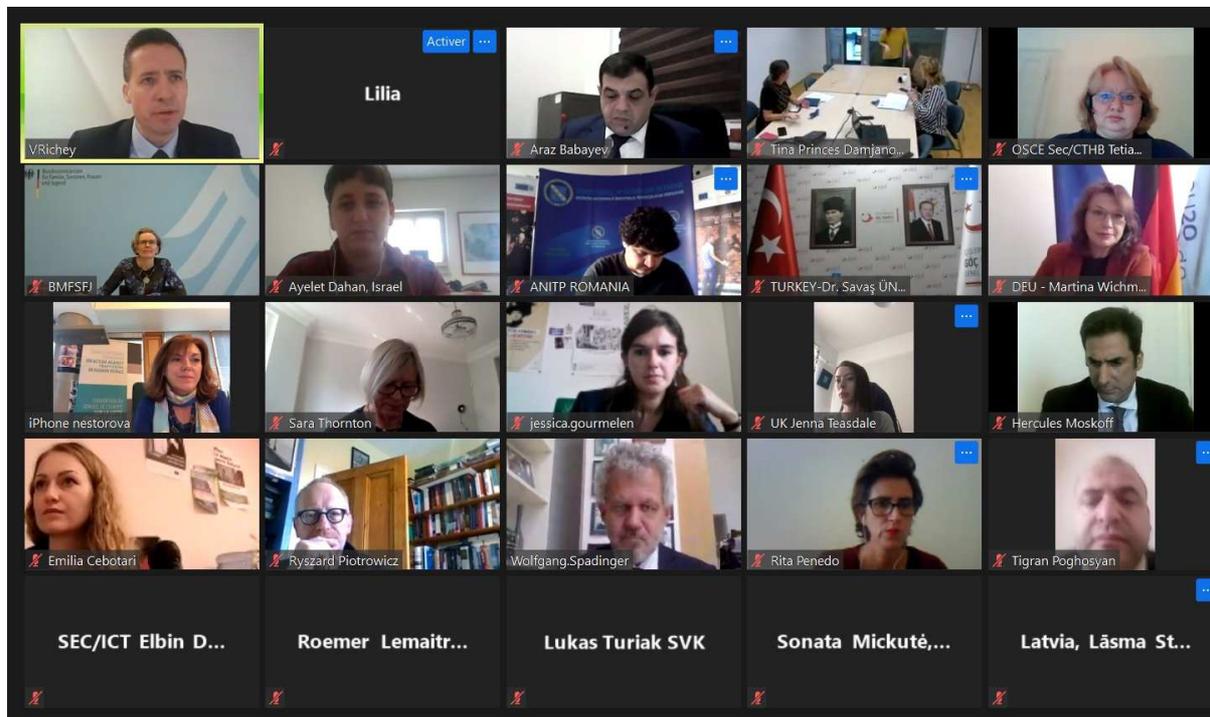
SUMMARY

Meeting of National Anti-Trafficking Co-ordinators and Rapporteurs or equivalent mechanisms

Co-organized by the Council of Europe and OSCE

3-4 November 2020

Zoom



The meeting was co-organized by the OSCE's Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and the Council of Europe (CoE) in line with co-operation modalities outlined in PC.EC/637 (2004) and PC.DEC/670 (2005). The objective of the meeting was to identify joint actions in addressing current human trafficking-related challenges in the region and foster the implementation of relevant OSCE commitments¹ and CoE standards², with particular focus on challenges and responses related to the COVID-19 pandemic. The virtual meeting was attended by over 110 participants from 51 OSCE participating States (42 of which are also CoE member States) and 2 OSCE Partners for Co-operation.

The meeting was opened by the Greek National Rapporteur on Trafficking in Human Beings on behalf of the Greek Presidency of the Council of Europe Committee of Ministers, the Head of the OSCE Albanian Chairmanship Task Force, the Executive Secretary of the Secretariat of the Council of Europe Convention on Action Against Trafficking in Human Beings, and the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (SR/CTHB). All four speakers stressed the importance of sharing best practices in light of the adverse short- and long-term impacts of the COVID-19 pandemic on global anti-trafficking efforts.

During the meeting, the participants discussed positive practices in the prevention of human trafficking, protection of the victims and prosecution of traffickers within the context of the pandemic, as well as victim access to international protection. The meeting comprised presentations on behalf of various participating States, in addition to updates from the OSCE and CoE on new resources, as well as on the European Commission's Third Progress report on the fight against trafficking in human beings.

Day 1. Session 1 - Towards better understanding of the challenges posed by the COVID-19 pandemic on anti-trafficking responses

During the first session, the panellists elaborated on numerous challenges posed by the COVID-19 pandemic on anti-trafficking responses. It was widely acknowledged that the pandemic had caused delays in identification of victims and significantly hindered access to services such as shelter and healthcare, thus increasing the likelihood of re-traumatisation or re-victimisation. Panellists noted that labour inspections and police checks had decreased due to diversion of resources, and there had been delays in the criminal justice system related to prosecution of traffickers, while victims' identification and access to assistance and support services had been hindered. Due to the travel and movement

¹ Including OSCE Action Plan to Combat Trafficking in Human Beings (PC.DEC/557), its 2005 and 2013 Addendums (PC.DEC/685 and PC.DEC/1107/Corr.1 respectively) and Ministerial Council Decisions on Strengthening Efforts to Prevent Trafficking in Human Beings (MC.DEC/6/17), Strengthening Efforts to Combat All Forms of Child Trafficking, Including for Sexual Exploitation, as well as Other Forms of Sexual Exploitation of Children (MC.DEC/7/17) and Strengthening Efforts to Prevent and Combat Child Trafficking, Including of Unaccompanied Minors (MC.DEC/6/18).

² Including Council of Europe Convention on Action against Trafficking in Human Beings (CETS No.197, 2005).

restrictions, there has been a notable shift of criminal activities online, including increased online sexual exploitation of children. These factors call for an effective adaptation of anti-trafficking efforts by international bodies, national authorities and civil society alike.

The OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings presented the statement³ issued in co-ordination with Albania's OSCE Chairmanship to the OSCE participating States on 3 April 2020 on the COVID-19 pandemic. The statement urged authorities to prioritize anti-trafficking efforts, as it is precisely when the global community is convulsed by a crisis of this magnitude that the obligation to combat the exploitation of vulnerable people becomes most acute. Building on the statement, on 30 April 2020 the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings issued a series of practical recommendations⁴ on short-term responses to COVID-19. They focused on preventive measures and on ways to keep protection services running, as well as on how to keep the criminal justice system functioning during these challenging months. These recommendations remain valid as governments and agencies continue to reflect them in their policies.

The President of GRETA referred to the statement issued by GRETA on 2 April 2020,⁵ calling for the effective protection of the rights and safety of trafficking victims during the COVID-19 pandemic, and for full application of the Council of Europe Convention on Action against Trafficking in Human Beings during the emergency measures. Further, in July, the Council of Europe launched a call for proposals by civil society organisations to prevent human trafficking and assist victims in the context of the COVID-19 pandemic, and four project proposals put forth by NGOs from Bulgaria, France, Germany and Serbia were selected. He also noted that GRETA had adapted its working methods and postponed several evaluation visits due to the pandemic. Both OSCE and GRETA underscored the importance of concerted action towards providing a framework for effectively addressing the impact of the COVID-19 pandemic on trafficking in human beings and anti-trafficking measures, and recognized the vital role of National Anti-Trafficking Co-ordinators and Rapporteurs or equivalent mechanisms in this regard.

Representatives from Germany, Spain and the Republic of Moldova shared experiences related to the pandemic and the fight against THB. In Germany, there was an increase in hidden prostitution online, accompanied by exploitative conditions and violence. Further, the situation of migrant workers in the meat processing industry worsened considerably, with fraud and deception in the recruitment of workers being reported, as well as insufficient or missing infection protection measures. Following an analysis

³ The full text of the Statement by the OSCE SR/CTHB can be found here: <https://www.osce.org/secretariat/449554>

⁴ The full text of the Recommendations by the OSCE SR/CTHB is available here: <https://www.osce.org/cthb/451186>

⁵ Statement by GRETA - [In time of emergency the rights and safety of trafficking victims must be respected and protected - News \(coe.int\)](https://www.coe.int/en/press/news/2020/04/02/greta-statement-covid-19)

of the situation in the meat processing industry, legislative steps were taken to improve occupational safety and health enforcement. In Spain, there has been a rise in internal trafficking and perpetrators are using digital platforms, such as Airbnb, to rent apartments where sexual exploitation takes place, which reduces the ability of law enforcement agencies to detect victims. In the Republic of Moldova, a decrease in the number of identified and assisted victims was observed in the first nine months of 2020.

Day 1. Session 2 - Need for enhanced anti-trafficking actions in light of the pandemic: positive practices in prevention of human trafficking, protection of the victims and prosecution of traffickers in the new context

Following on from the discussion on challenges related to the pandemic, the second session presented positive practices implemented by States to strengthen anti-trafficking efforts and recommendations for enhance anti-trafficking actions in the light of the pandemic.

The OSCE/ODIHR presented recommendations from the Global Survey by ODIHR and UN Women on “Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic” (2020)⁶, including:

- States should develop and/or effectively implement National Referral Mechanism (NRMs), which are essential to the functioning of anti-trafficking frameworks, including during states of emergency.
- States must provide adequate funding and support for anti-trafficking frontline governmental and non-governmental organizations to safeguard availability of all necessary services to victims of trafficking and survivors of trafficking, as well as research, prevention and awareness raising, and advocacy activities during and post-COVID-19 pandemic.
- States should fully recognize the acute vulnerabilities and specific needs of trafficked women and girls during and post-COVID-19 pandemic and mitigate exacerbated vulnerabilities of children to THB resulting from the COVID-19 pandemic and the economic downturn, including potential decrease of access to child protection systems, public healthcare, educational opportunities, as well as the experience of domestic violence and additional discrimination and stigmatization of marginalized populations.

Moving to national examples, UK’s Independent Anti-Slavery Commissioner noted that there had been a decrease in the number of identified victims of trafficking (down by 23% between April and June 2020) because there were fewer first responders on the ground and exploitation moved increasingly

⁶ See <https://www.osce.org/odihr/human-trafficking-COVID-19-report>

online. She highlighted efforts to combat labour exploitation through convening regular meetings with labour inspectors, NGOs and trade unions, ensuring that labour inspections continued despite the lockdown. In addition, the UK Independent Anti-Slavery Commissioner had briefed government procurement specialists on the risk of exploitation in supply chains, especially at a time when governments were compelled to procure large volumes of personal protection equipment. In Portugal, the Observatory on Trafficking in Human Beings conducted in-depth analyses on how the pandemic had exacerbated inequalities and other structural conditions that allow exploitation to take place. The results of the research had been used for training seminars and awareness-raising campaigns, mainly aimed at migrant workers in precarious situations. To raise awareness about the rise in online child exploitation during the pandemic, Estonia had launched a nationwide e-learning initiative in schools, led by law enforcement agencies and anti-trafficking experts.

There was a broad consensus among panellists that governments must invest more in social services, research and support to civil society organizations, for the sake of protecting the most vulnerable from exploitation. Panellists also emphasised the importance of implementing National Referral Mechanisms and enabling National Anti-Trafficking Co-ordinators to facilitate co-operation between different governmental agencies and non-governmental organisations.

[Day 2. Session 3 - Trafficking in human beings: findings of the Commission's Third Progress report and way forward for EU anti-trafficking action](#)

The EU Anti-Trafficking Coordinator presented the findings of the European Commission's "Third report on the progress made in the fight against trafficking in human beings" (2020), which establishes key challenges in combating trafficking in human beings and evaluates the results of anti-trafficking action. Information found in the report was gathered from national rapporteurs or equivalent mechanisms, civil society organizations and other relevant EU agencies.

The presentation emphasised the increase in online exploitation during the COVID-19 pandemic and continuing culture of impunity for perpetrators of human trafficking. On the positive side, some EU member States have criminalised the use of services of trafficked persons. It was stressed that co-operation between law enforcement and Internet providers or related stakeholders must be enhanced to tackle the rise in online exploitation. The EU Anti-Trafficking Coordinator stressed that all forms of human trafficking deserve the same attention. He underlined that the new EU Commission Pact on Migration and Asylum must be geared towards combating human trafficking. He also noted the need to modernise the EU legal framework in order to fine tune the provisions on the identification and protection of victims.

The discussion during the fourth session focused on guidelines issued by GRETA and the OSCE, as well as a national example from Italy, concerning access of victims of trafficking to international protection.

GRETA's First Vice-President presented the "Guidance Note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection" (2020)⁷. The guidance emphasizes that there should be a possibility for presumed victims of trafficking to apply for asylum while they are in the process of being identified. It also stresses the principle of non-punishment of trafficking victims for offences they were compelled to commit. Furthermore, the guidance emphasizes the need for risk assessments in order to prevent victims of trafficking being returned to the country where they first applied for asylum, pursuant to the Dublin Regulation, but where they face the risk of being re-trafficked. Particular emphasis is given to the position of child victims of trafficking, as well as identification of victims of trafficking amongst asylum seekers and irregular migrants who face forced removal or expulsion.

The OSCE updated participants on the "Uniform Guidelines for the Identification and Referral of Victims of Human Trafficking within the Migrant and Refugee Reception Framework in the OSCE Region" (2019)⁸, which offer practical measures for front-line professionals to conduct co-ordinated, harmonized and victim-centred identification of human trafficking cases within mixed migration flows. In preparation for these guidelines, the OSCE led several needs assessments, which indicated that current identification practices focus too heavily on smuggling of migrants and eligibility of persons to enter the asylum system. The presentation elaborated on essential conditions required for effective implementation of the guidelines, such as appointing local CTHB co-ordinators, setting up local multi-agency committees, and generally redressing lack of expertise through further training. Importantly, the guidelines promote an alternative 'social path' for identification, which ensures that victims' right to assistance is not conditional on their willingness to participate in legal proceedings.

The Department for Equal Opportunities of Italy presented the "Guidelines for the identification of victims of trafficking among applicants for international protection and referral procedures in Italy" (2016)⁹, developed together with the UNHCR. The guidelines aim to improve the capacity of Territorial Commissions for the recognition of international protection to detect victims of trafficking during asylum procedures and refer them to specialised anti-trafficking NGOs for formal identification, through adopting Standard Operating Procedures. Data shows that the implementation of these

⁷ See <https://rm.coe.int/guidance-note-on-the-entitlement-of-victims-of-trafficking-and-persons/16809ebf44>

⁸ See <https://www.osce.org/cthb/413123>

⁹ See <https://www.unhcr.it/wp-content/uploads/2018/02/Linee-Guida-identificazione-vittime-di-tratta.pdf>

guidelines has led to an increase in identified victims of trafficking among asylum seekers. The guidelines were updated in 2020, including updates on the legal framework and the inclusion of specific indicators for child trafficking.

Day 2. Session 5 - Update on new resources

During the final session, the CoE and OSCE briefed participants on new resources related to addressing labour exploitation, technology and trafficking, and financial investigations into trafficking of human beings.

The CoE presented GRETA's "Compendium of good practices in addressing trafficking in human beings for the purpose of labour exploitation" (2020)¹⁰, which highlights effective methods and strategies for combating this form of exploitation. The compendium is based on GRETA's country evaluation reports, and will form the foundation of a guidance note towards the implementation of the Secretary General's "Roadmap on strengthening action against trafficking in human beings for the purpose of labour exploitation" (2019)¹¹.

The OSCE presented the publication "Leveraging innovation to fight trafficking in human beings: a comprehensive analysis of technology tools" (2020)¹², co-authored by the OSCE Office of the SR/CTHB and Tech Against Trafficking. Whilst this publication addresses the misuse of technology by traffickers, it primarily aims to map existing technology tools used by different stakeholders to combat human trafficking across the OSCE area and beyond – the first known publication to provide a global analysis on the issue.

The OSCE then informed participants on the resource "Following the Money: Compendium of Resources and Step-by-step Guide to Financial Investigations Into Trafficking in Human Beings" (2019)¹³, which aims to give practitioners across the OSCE area, both in the private and public sectors, a single-source tool for conducting financial investigations into trafficking in human beings. It was stressed that national financial intelligence units should enhance assistance to law enforcement agencies in identifying trafficking victims and perpetrators, through provision of evidence for criminal proceedings, among other forms of assistance.

¹⁰ See <https://rm.coe.int/mpendium-of-good-practices-in-addressing-trafficking-in-human-beings-f/16809f9bef>

¹¹ See <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168098e630>

¹² See <https://www.osce.org/cthb/455206>

¹³ See <https://www.osce.org/cthb/438323>

The concluding remarks echoed previous presentations on the necessity for a comprehensive approach to combating human trafficking in light of increased vulnerabilities and challenges caused by the COVID-19 pandemic. The CoE reiterated the need for States to rethink migration and asylum policies, reinforce prevention through social protection and enforcement of labour standards, strengthen the criminal justice response, including through developing the capacity of law enforcement agencies to investigate technology-enabled human trafficking, and continue building public-private partnerships. The OSCE signalled its intention to focus future activities on ensuring criminal justice and countering impunity of human trafficking perpetrators, as well as protecting the rights of child trafficking victims and addressing labour exploitation in supply chains. The speakers reaffirmed the value of holding such meetings, involving multiple stakeholders, and recognising the intersection between the OSCE commitments and the CoE Convention in order to develop tangible solutions. The meeting concluded with thanking the panellists and participants for agreeing to continue the exchange on developing effective and efficient anti-trafficking responses in 2021.