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United States Mission to the OSCE

Working Session 3: Combating Trafficking in Human Beings, with a Particular Focus on Trafficking in Children

As prepared for delivery by Ambassador Cynthia Efirid
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Moderator,

Over the past decade, the OSCE has emerged as the premier platform among its 56 participating States for promoting partnership and technical expertise to combat trafficking in persons. Much has been accomplished by the international community over the past ten years, in particular Protocol to Prevent, Suppress and Punish Trafficking in Persons, the so-called Palermo Protocol, supplementing the United Nations Convention against Transnational Organized Crime. To date, all but five OSCE participating States have ratified the Palermo Protocol. Of note, are a number of important OSCE political commitments, such as the Action Plan to Combat Trafficking in Human Beings, as well as the establishment of the position of Special Representative and Coordinator for Combating Trafficking in Human Beings in 2003. We welcome the substantial initiatives undertaken by OSCE institutions and field missions which have resulted in greater victim assistance, identification, and liberation from circumstances of exploitation. In this regard, we want to thank Dr. Maria Grazia Giammarinaro, the Special Representative for her dedicated efforts and her passionate commitment to the protection of victims and the prosecution of human traffickers.

The United States is committed to a comprehensive and multidisciplinary effort to combating trafficking in persons. As we gain insights, we continue to strengthen our laws. The Trafficking Victims Protection Act which was passed in 2000 was reauthorized in 2003, 2005 and 2008. One of the latest examples of our government's continued interest is the Bill introduced by Senators Cardin, Boxer, and Brownback, the Child Protection Compact Act to address child trafficking, exploitation and enslavement. Accordingly, we remain committed to achieving the goals of the OSCE Action Plan to Combat Trafficking in Human Beings and to

implementing subsequent recommendations of the Alliance Against Trafficking conferences coordinated by the OSCE Special Representative. Recently, the Alliance addressed the vulnerabilities of domestic workers. Working in obscurity, domestic workers - in large majority women and children - are particularly vulnerable to trafficking. Working in obscurity, domestic workers, especially children, are particularly vulnerable to trafficking. We support the efforts of the international community under the leadership of the International Labor Organization and the OSCE to improve the global standards for domestic workers. In this regard, we note sadly that we as diplomats are guiltless of abusing or trafficking domestic workers. The United States shares these priorities and welcomes the new ground offered by this session's emphasis on protecting children from being trafficked for labor exploitation. We view this and the upcoming companion session in Astana as historic opportunities to expand OSCE commitments to prevent the exploitation of children.

In the broader context of global trafficking, there were 4,166 successful prosecutions of traffickers globally in 2009, only 335 of which were related to forced labor. This increase in prosecutions is welcomed by the United States but is still inadequate for the scope of the problem. These numbers also show how labor trafficking often elude law enforcement, particularly the hidden crisis of children exploited for labor. Full ratification and true implementation of the relevant international instruments remains essential to combating the trafficking of children for labor exploitation. Yet 5 OSCE States have yet to ratify the International Labor Office Convention on the Worst Forms of Child Labor (C.182, 1999).

Unfortunately, as our effectiveness increases, we discover new trends in trafficking in persons that require even greater cooperation, namely the feminization of trafficking and exploitation of children. Traffickers consistently find the most vulnerable to exploit in the many atrocious forms of servitude, among whom children are in greatest jeopardy. These victims often remain without a voice due to a failure to identify them as victims, to the complexity of legal processes, and in some instances due to their being conditioned to side with their abusers. In particular, children of varying legal status – or without nationality as in the case of stateless children - within our States are exceptionally vulnerable when they lack access to appropriate social services that can promote a stable childhood. Basic education often eludes these children and they are more likely to be subjected to sexual and labor exploitation. Such labor exploitation can manifest itself as internal trafficking for forced begging within the borders of OSCE States or for manufacturing or agricultural work.

We must note here the valuable role NGOs and civil society play in identifying and assisting victims of trafficking. Collaboration between state and civil society organizations is a core principle of the National Referral Mechanisms. Yet, in many OSCE countries, NGOs are not recognized as having an active role in the identification of trafficked persons, leaving law enforcement structures as the only entity to determine the status of victims. This often results in victims not being identified because they did not come to the attention of law enforcement officials. To improve victim identification and protection, we must form bold new partnerships among government, law enforcement, and civil society to fight human trafficking.

The feminization of trafficking can destabilize families and lead to children becoming unaccompanied or separated migrants, asylum-seekers, or result in them being stateless or undocumented. Poverty, unemployment, and discrimination increase the vulnerability of women and girls and result in their overrepresentation as 56 percent of the world's trafficking victims. In some regions of the world, women and girls are more than 70 percent of all migrants departing in search of livelihoods or in response to disaster and political strife. This has a profound impact on families, subjecting children to even greater vulnerability. Trafficked persons including a high percentage of children are often either not identified as victims of crime, or are misidentified as irregular migrants and expelled. Any indication of a child being trafficked must trigger all the protection obligations to secure the best interest of the child and durable solutions for his or her wellbeing.

Some cultural traditions in the OSCE region perpetuate the exploitation of children for labor. Cotton crops in Central Asia are still largely reliant on child labor. I remind the distinguished delegates here that in the past, the United States had a full family involvement in agricultural harvests. However, labor standards were established in the United States thus preventing work from conflicting with basic education. The future of the OSCE region rests with our children, who deserve our full commitment to ensure that their lives are free from the risk of exploitation. The United States calls upon OSCE institutions and field operations to work with governments in countries with a tradition of child labor in order to find alternatives that respect the rights of children to a healthy and productive childhood.

The Helsinki Final Act 1975 affirmed the universal significance of human rights and universal freedoms. In the context of the OSCE, combating human trafficking is a cross-dimensional issue. As such, OSCE commitments call for zero tolerance of trafficking for exploitation in all its forms, and prevention through

addressing discrimination, gender mainstreaming, educational opportunities, and the consideration of the best interests of children and youth. Trafficking is a transnational threat to security that requires cooperation between participating States.

As Secretary Clinton stated: “*Modern slavery – be it bonded labor, involuntary servitude, or sexual slavery – is a crime and cannot be tolerated in any culture, community, or country ... [It] is an affront to our values and our commitment to human rights.*” Today we have an obligation to strengthen a movement and to make significant improvements to the global standards against this crime.

We offer the following recommendations:

In the next coming weeks, we will delve deeper into specific mechanisms and best practices to combat human trafficking, including child trafficking, the focus of this working session. We propose to aim at showcasing at the Astana Summit the work accomplished to date. Indeed the Astana Summit presents a groundbreaking opportunity to reaffirm at the highest political level our commitments to combat human trafficking and protect its victims and to map out the scope of our work for the coming years.

Thank you.