



Organization for Security and Co-operation in Europe

**Concluding Remarks - OSCE Special Representative and Co-ordinator for Combating
Trafficking in Human Beings**

**“Technical Seminar on Trafficking for Labour Exploitation Focusing on the
Agricultural Sector”**

Vienna, 27-28 April 2009

Dear Colleagues and Partners,

We have learned a great deal in these two days, and given the richness of the exchange of information and dialogue among us, I will refrain from making final recommendations. Instead, I will rather make some concluding remarks. We will share with you the results at a later date as part of our Occasional Paper series with a view to continue assisting interested governments in strengthening their efforts in accordance with the OSCE Action Plan, and subsequent Ministerial Council Decisions.

Based on the information and discussions we have had, we are still at the beginning of this process. This is an exciting challenge for us, and already now we have enough to conclude that this form of trafficking exists in the OSCE region and needs to be addressed. Please let me share with you some preliminary conclusions:

1. More than ever I believe that we need to continue our learning process in order to understand how different forms of trafficking is manifest in each sector, as such we need more evidence based information, good analysis and most of all, strong political will to adequately address this problem through the implementation of good practices, at best we can learn from each other. We also learned that besides specific vulnerable groups (e.g., women, children, irregular migrants, to name a few), there are a number of systemic problems, which render people more vulnerable to exploitation (e.g., subcontracting, isolation, lack of access to information, discrimination, multi-dependencies on the employers, etc.). Overall, we already have at our disposal a number of tools, such as the UN Protocol, OSCE commitments, ILO Conventions, Council of Europe Convention (when appropriate) to name a few, which when implemented can bear concrete results in relation to Prevention, Protection and Prosecution. Here I would like to stress that the examples we heard in this seminar are in fact from countries that despite having problems, are making strong efforts to address this issue, and I am truly thankful to all of you for sharing your experiences with the other OSCE participating States, hopefully supporting to increase their efforts and capacities.
2. It cannot be repeated enough that we truly need a multi-disciplinary approach in which co-operation, collaboration, networking, exchange information, and monitoring of the situation on an on-going basis towards the identification and implementation of concrete actions is an intrinsic part of daily practices at the national level by all stakeholders, including civil society and trade unions. The need for training of stakeholders, in particular front line workers, be it nurses or front desk personnel (e.g.

in police stations), were echoed by most of the speakers, as well as the need to strengthen the work in relation to ensuring labour rights in accordance with national legislation and international instruments. Indicators of trafficking are important as practical tools but the knowledge on how to use these tools is also. The vision of a just and secure OSCE region, free from trafficking in human beings, starts at the national level. We in the OSCE are merely the facilitators of a process that is owned by the participating States, represented by you, the policy makers and practitioners on the ground.

3. The need to transform this knowledge into practice through practical implementation is a must, otherwise the identification and assistance of those in need will not happen! In addition, policy makers may consider the effectiveness of current practices, especially when there is clear evidence of abuse and exploitation of procedures. For example, when prohibitive recruitment fees takes place or when workers that are tied to a single employer through a work permit cannot escape sexual violence or otherwise of severe exploitation, in order to avoid foreseeable problems;
4. We saw that the way the agriculture sector is organized demands rethinking and adaptability in our practices, in particular the need to involve key stakeholders, such as NGOs and social partners, as well as the general public, including the Media in order to raise awareness for better prevention and identification. After all "*THB does not exist in a vacuum... while being prevalent in sectors more prone to exploitation*". High mobility of workers and the involvement of employment agencies as "facilitators" were cited among the many challenges faced by stakeholders when dealing with this issue. Moreover, the lack of strategically allocated resources may weaken the effectiveness of trafficking responses;
5. On prevention – I hope that the information provided over these two days has helped us to start to understand that addressing the exploitative environment is not an abstract concept, but the way to systemically prevent this problem. Moreover, we the consumers and employers also bear the responsibility and have great possibilities to create change;
6. The collaboration between labour inspectors, NGOs, law enforcement authorities and health workers is the way forward in order to achieve concrete results. Bringing together the experiences and expertise of all the agencies and organizations is a challenge, but in the long run the way to ensure sustainability and a comprehensive approach to deal with this problem. This cooperation shared includes the involvement of other partners such as tax inspectors and local level authorities.
7. There is no one model fits all when it comes to protection and assistance of exploited and trafficked persons. As we have seen, the needs of exploited agricultural workers are different from the ones we normally associate with trafficked persons. It is clear that decent work and living conditions are prerequisites for the basic well-being of workers and such minimum conditions must be enforced all without discrimination to all workers involved in this sector. In addition, access to basic services (such as medical care) should be ensured, as well as access to justice regardless of status;
8. In addition to criminal justice proceedings, it is important to have the possibility to access civil law proceedings, which may prove to empower victims of trafficking, as well as provide redress for wrongs done to them;
9. Concerning prosecution..... I am aware of the challenges faced by the participating States since THB is truly a complex crime, but difficulties cannot serve as an excuse to not address this issue. Otherwise the criminals and exploiters will forever be the ones shaping the values of our societies.

10. By sharing the experiences and lessons learned between the OSCE participating states we can make the work easier. We can improve our efforts when we are aware of the latest developments and new responses. There are always many wars to battle – this time we have also good circumstances on our side. Farming is a legitimize and needed business. When abuses to the operation can be made accountable it will not move easily and there is increasing interest in how and what we eat.

Thank you all, the panelists, the moderators and the interpreters for your contributions, and I very much count on your support in working towards achieving our common goal as partners in the global efforts to eradicate trafficking in human beings.