



## **United States Mission to the OSCE**

### **Session 17: Humanitarian Issues Trafficking in human beings**

As prepared for delivery by Ambassador David Johnson  
OSCE Human Dimension Implementation Meeting  
Warsaw, October 6, 2011

Madam Moderator,

The United States strongly supports the goals of our OSCE commitments to combat trafficking in persons through prosecution, protection and prevention. For our part, we are working to achieve the goals of the OSCE Action Plan to Combat Trafficking in Human Beings, and, we are addressing recommendations from the Alliance Against Trafficking conferences coordinated by the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings in drafting its recommendations. While the 2010 Astana Summit did not yield an Action Plan, it did establish the political will for updating commitments associated with labor trafficking and combating the demand for goods and services produced by trafficked persons at the upcoming Ministerial Council meetings.

In recent years, the OSCE has addressed the demand that drives modern slavery, as well as the unique vulnerabilities of domestic workers. This year, the Alliance against Trafficking considered the scope of trafficking for labor exploitation. The United States commends Special Representative Giammarinaro for her efforts to address emerging trends in trafficking and to identify new mechanisms for cooperation, particularly in the field of labor trafficking. In February of this year, the OSCE Special Representative launched a publication entitled: “Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude,”<sup>1</sup> which included key recommendations on victim identification, and on improved regulation and monitoring of recruitment and placement agencies. Additionally, the Special Representative collaborated on the development of recommendations for “The Implementation and Enforcement of Codes of Conduct in the Private Sector to Reduce the Demand for the Services of or Goods Produced by People who have been Trafficked.” We strongly support these initiatives, which provide ample background to enhance efforts established by the 2007 Madrid Ministerial Decision on Combating Trafficking in Human Beings for Labor Exploitation.<sup>2</sup> We ask participating States to join the United States in advancing a strong Declaration decision based on these recommendations for the Vilnius Ministerial Council in December.

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<sup>1</sup> <http://www.osce.org/cthb/75804>

<sup>2</sup> MC.DEC 8/07 – <http://www.osce.org/mc/29464>

As we move past the first decade since the adoption of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, much still needs to be done. We are encouraged, however, that most countries have enacted either comprehensive anti-trafficking laws or separate anti-trafficking provisions in their penal code. Now our focus must shift to implementation.

Unfortunately, some OSCE States remain far from achieving the fundamental goals set by our shared OSCE commitments, as documented in the U.S. Department of State's 2011 Trafficking in Persons (TIP) Report. Azerbaijan, Russia, and Uzbekistan have demonstrated inadequate progress from previous years in combating trafficking in persons. In the Russian case, the country has remained as a source, transit, and destination country for forced labor and sex trafficking with limited government efforts to protect victims or prevent trafficking. This is all the more concerning as we approach the 2014 Winter Olympics in Sochi, which may present a risk of the use of forced labor in construction projects. Minimal progress to address domestic forced labor during the cotton harvest remains a substantial challenge in Uzbekistan, while proactive victim identification and effective investigations and prosecutions of traffickers have not been adequately prioritized in Malta or Azerbaijan. Belarus, Cyprus and Estonia lack effective programs to investigate, prosecute, and sentence traffickers, paired with weak victim-centered approaches to assistance and protection. Estonia remains the only European Union country without a law that specifically addresses human trafficking. We urge Estonia to quickly pass its draft trafficking-specific criminal statute, provide better assistance for repatriated Estonian victims, and improve awareness of victim services. Additionally, we call on Belarus to provide greater victim assistance and protection while providing more information on, and clearly delineating their anti-trafficking efforts from their efforts on trafficking related work such as illegal migration. We urge Cyprus to actively prosecute and convict traffickers, improve front-line services to victims, strengthen NGO partnerships, and provide responder training for victim identification.

We are particularly concerned by the Turkmenistan government's unwillingness to prosecute traffickers and disregard for the work of IOM and anti-trafficking organizations which seek to provide protection for victims. We urge Turkmenistan to implement its 2007 anti-trafficking law and Article 129(1) of its criminal code and develop a reliable victim identification and referral mechanism. Forced labor, including forced child labor, in Central Asia remains a challenge that must be addressed, particularly for cotton cultivation in Uzbekistan and Kazakhstan. The citizens of the OSCE region deserve a future free from exploitation. The United States urges Uzbekistan to stop the practice of using forced labor to pick cotton, and urges Tajikistan and Kazakhstan to continue efforts to eliminate the use of forced labor in the cotton harvests.

Additionally, the U.S. Department of State's 2011 TIP Report for the second time features a full tier-ranking and country narrative for the United States, so that our initiatives can be openly compared to other States. Government self-reporting can be a useful tool, but is only meaningful when a vigorous civil society can also independently and safely voice its views—as exemplified in the U.S. narrative. The 2011 report on the United States is a reminder of how much further our government still has to go in the fight against modern day slavery.

The OSCE Parliamentary Assembly (OSCE PA) has been active in promoting new avenues for our efforts to combat human trafficking throughout the OSCE region. The recent Belgrade Declaration of the OSCE PA included proposals to enhance implementation of United Nations protocols on trafficking and specific efforts to combat trafficking for labor exploitation. This resolution also unanimously called on participating States to adopt a ministerial decision or declaration on labor trafficking, demonstrating the broad political will for such an action. As we update the Madrid Ministerial Decision we must consider more specific regulation for recruitment agencies, appropriate oversight of supply chains to prevent exploitation, measures to prevent abuses of domestic workers—including by diplomatic personnel—measures to encourage corporate codes of conduct, and to promote consumer awareness. We ask participating States to consider these recommendations as we negotiate updates to our OSCE commitments in the coming weeks.