

IN BRIEF

# SURVEY REPORT 2021

of Efforts to Implement OSCE  
Commitments and Recommended Actions  
to Combat Trafficking in Human Beings



# Introduction

Since the adoption of the first internationally recognized definition of trafficking in human beings as well as the first OSCE anti-trafficking commitments over 20 years ago, participating States have been combating trafficking in human beings.

But are they making progress? Are countries adopting new laws to combat trafficking? What areas of the field have seen the most progress? What are countries doing to combat labour exploitation or technology-facilitated trafficking? What progress is being made on combating child trafficking?

Measuring such efforts and identifying areas for further improvement is crucial to ensure that collectively and individually countries of the OSCE region are moving toward achieving the common objective – ending trafficking in human being.

In 2020-2021, the Office of Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) conducted a survey of OSCE participating States (pS) and NGOs to assess progress made in the OSCE region towards implementing the OSCE anti-trafficking commitments.<sup>1</sup>

Importantly, the 2020/21 survey tracks progress made toward the implementation of anti-trafficking commitments since the previous survey in 2015/16, with specific emphasis on recent OSCE Ministerial Council Decisions adopted during the interim.

The 2020/21 survey features new sections on **vulnerability reduction**, awareness-raising, and **addressing demand**, as well as the **role of technology** in facilitating and combating human trafficking and **online sexual exploitation of children**. It also describes emerging trends and presents recommendations for pS.

---

<sup>1</sup> The survey collected data on progress with respect to different aspects of the OSCE Action Plan to Combat Trafficking in Human Beings (2003) and its Addenda as well as Ministerial Council Decisions (e.g. MC.DEC No. 6/17, 7/17, 6/18). The survey was sent to all 57 OSCE participating States (pS). Forty-nine of the 57 pS (86%) responded to the 2020/21 survey, compared to the 52 for the 2015/16 survey. Besides, 84 NGOs responded from 40 countries, compared to 90 NGOs from 42 countries in 2015/16.

## Overarching Findings and Trends

Overall, the Report shows that OSCE pS are making steady progress in implementing OSCE anti-trafficking commitments as well as the recommendations of the 2016 Survey Report. Nevertheless, **further progress is limited by resource constraints across all aspects of the THB response**, irrespective of a country's economic potential. There is a widespread need for enhanced political will to increase investment in the eradication of THB, particularly in areas that have greater potential of impact, including:

- Prevention efforts targeting the **“demand” side of the crime**;
- Using **victim feedback** on services provided to improve targeting of limited resources;
- Increased **seizure and use of assets of traffickers** to support resources for CTHB, both to compensate victims and for reinvestment into services and investigations;
- Need for more **measurement and evaluation** of initiatives.

**Forced criminality increased from 2% to 24% of all reported cases.**

**Emerging trends** reported by pS in 2020/21 were: i) use of live web cameras/live remote sexual abuse (pornography); ii) trafficking of pregnant women for the purpose of selling their new-borns; iii) targeting of people with developmental/physical disabilities by traffickers; iv) significantly increased risks to minors of online exploitation due to COVID restrictions; v) increase in forced criminality from 2% to 24% of all reported cases; and vi) substantial increase in cases of trafficking for forced begging and sham marriages.

## Section I Prevention of Trafficking in Human Beings

The first section of the Report addresses the prevention of THB, including measures to address the demand for goods and services that could be produced by or extracted from trafficking victims. The focus is on: a) government procurement practices and measures to supply chains; b) measures to address demand for services provided by victims of THB for sexual exploitation; c) action to reduce vulnerability to THB.

### a) Government procurement and private sector supply chains

Collectively, OSCE governments are the largest purchasers of goods and services in the world: total expenditure for pS and Partners for Co-operation reached an estimated US \$22 trillion in 2014.

Countries have made **strong progress in strengthening government public procurement and transparency measures** relating to labour practices in supply chains: the number of countries (29) reporting some public procurement policies in place almost doubled from 2015/16. As governments mostly relied on self-certification (11), followed by supplier codes of conduct (9) and access to factory names and addresses (9), more emphasis should be given to **robust processes to monitor supplier adherence to procurement requirements**.

**The number of countries with procurement policies on trafficking nearly doubled.**

Sixteen pS – compared to 10 in 2015/16 – report laws requiring businesses to report the steps they are taking to identify and eliminate trafficked or exploited labour from their supply chains.<sup>2</sup> Five pS reported requiring companies to take action in relation to cases of THB for forced labour in supply chains, but only 2 required proactive steps to verify that such cases do not exist. **The lack of obligations for companies beyond fulfilling reporting requirements** should be addressed by States.

<sup>2</sup> France, Germany, and Norway have adopted, for example, specific new laws in this field.

## Section II

### Measures to prevent and respond to trafficking in children

As the focus on supply chains has increased, governments and businesses have recognised that due diligence must stretch to the ways migrant workers are recruited and managed. Since 2015/16, there was a major increase (29, up from 16) in the **number of pS prohibiting recruitment agencies from charging recruitment fees to workers.**

#### b) Demand fostering trafficking for sexual exploitation

Survey responses suggest that pS are paying more attention to the demand that fosters THB for sexual exploitation, but that more action is needed: one-third of pS have not taken any legislative, educational, social measures to address demand; 40% of pS do not criminalise the knowing use of victims of trafficking subject to sexual exploitation; and only 11 countries provided examples of education campaigns targeting the use of services of victims of trafficking.

1/3 of States have not reported any action on tackling demand, even though it is an international legal obligation.

#### c) Reducing vulnerability to trafficking

Despite high levels of awareness raising – 41 pS reported awareness campaigns – information is limited on the **extent to which such activities have improved capacity to recognise, prevent, and fight THB.** No government or NGO was able to point to evidence of the preventative effect of awareness raising. There is a need for both more rigorous/independent evaluation of prevention programmes, and increased search for and publication of success stories.

Little new information was reported by survey respondents in relation to policies to prevent child trafficking, suggesting stagnant progress in this area. This stands in juxtaposition with data showing that the proportion of child victims has tripled in the last 15 years<sup>3</sup>. Measures to prevent sexual exploitation of children associated with the **tourism industry** remained the least reported measure (only 20 countries).

Countries reported little progress on addressing child trafficking, although children represent a third of all victims.

Overall, related to child trafficking, there is a **strong focus on education and awareness**, but little attention on assessing the effectiveness of reported activities.

Importantly, the 2020/21 survey introduced new questions on measures to address **online child sexual exploitation.** Thirty-four pS required taking down or limiting access to websites/online platforms that contain child sexual abuse material. Only 23, however, required online platforms and tech companies to identify and take down child sexual abuse content.<sup>4</sup> And only 9 pS reported age verification technology to limit access of children to pornographic websites.

<sup>3</sup> UNODC Global Report on Trafficking in Persons (2020).

<sup>4</sup> The issue of the extent to which online platforms are responsible for the content placed by others remains sensitive. In addition, action against individual online venues calls for ongoing vigilance to prevent displacement (on this, see also Switzerland's "trusted flagger" programme).

## Section III

### Protection and assistance for victims of trafficking

This section includes three areas of protection and assistance for THB victims: a) identification of victims; b) victim support services; c) support for victims in the criminal justice process.

#### a) Prompt and accurate identification of victims<sup>5</sup>

Survey responses in 2020/21 highlighted a 10% increase in States having legislation and/or policies that contain specific criteria for identifying victims of trafficking compared to 2015/16.

The formal designation of victims is still almost exclusively done by law enforcement: in 29 countries, only officials associated with law enforcement can designate someone as a victim, while in 8 pS only law enforcement can refer them to support services.

Thirty-one pS also emphasised a **range of different barriers to victims coming forward** – a more expansive assessment than in the 2016 Survey Report, where the focus was mainly on actors' capacity to identify victims.

The majority of cases (71%) are still identified by law enforcement; 70% of the remaining are identified by NGOs; very few cases are identified through hotlines or health and safety inspections.

#### b) Victim support services

Overall, the percentage of NGOs considering victim services to be very satisfactory is significantly lower than pS' governments in all categories. The main takeaways are:

- Both pS and NGOs continue to rank job placement, compensation, and training as among the least satisfactory services for victims.
- As in 2015/16, a major concern from respondents is accommodation for trafficked persons, including lack of specialised shelters.
- Another area of concern was the lack of support for people with specialized needs, including people with disabilities.
- Countries also noted instances of victims unable to access services due to being foreigners or unwillingness to cooperate with judicial proceedings.
- The availability of funding continues to be a constraint in provision of services for victims, particularly by NGOs.
- No pS or NGO cited feedback from victims on gaps in services.

#### c) Support for victims throughout the criminal justice process

The adoption and implementation of a non-punishment principle is lacking. At least 11 pS do not have non-punishment provisions and others rely on general provisions in their law that are not specific to THB and have a higher burden of proof. In at least 5 pS where non-punishment provisions exist, they are not available to all victims.

**Barely half of the OSCE States reported providing support to victims independent of their co-operation with law enforcement.**

Just 29 countries reported providing full support services to victims **regardless of their involvement in criminal proceedings**. Concerns were also raised about the ability of foreign victims to access justice and remedy, especially when they have no legal right of residence.

<sup>5</sup> As noted in the Report (2016), available data suggest that only a small proportion of trafficked persons are being identified. The majority of reported cases cover trafficking for labour and sexual exploitation.

## Section IV Investigation, law enforcement and prosecution

Twenty-five pS highlighted barriers to investigation/prosecution of THB cases, in particular victim engagement with the criminal justice system and international co-operation.<sup>6</sup> On the other hand, survey responses indicated that multi-agency co-ordination and specialization leads to greater success.

Very few countries are using assets seized from traffickers to support victims and victim services.

Progress has been made by pS in the use of **indicators of financial crime to identify THB**; yet, although 85% of pS list THB as a predicate offence, only 18 were able to confirm that financial investigation staff received training on how to investigate THB offences.

Forty-four pS have laws in place that specify how confiscated assets were to be used. In all 44 cases, assets were to be returned to the government's general fund, with 30 pS also using funds to compensate victims. Much less common was the **use of funds for victims support activities**, to support investigating units, or to **fund other counter-THB activities**<sup>7</sup>.

<sup>6</sup> Survey responses suggest that for victims with questionable immigration status engagement with authorities involves a mandatory return to their country of origin; responses also suggest that some victims are prosecuted for criminal acts undertaken as a result of being trafficked. Responses also suggest ineffective interaction between law enforcement agencies and slow execution of inquiries.

<sup>7</sup> For example, just 5 pS reported allowing a proportion of funds confiscated to be used to support the work of investigating units.

## Section V Technology and THB

This topic was new in the 2020/21 survey. Overall, responses suggest that many pS are still **in the early stages** of addressing the dual role technology plays in 1) facilitating THB, 2) taking action to prevent, detect and investigate THB.

Notably, only 27 pS reported law enforcement training on the dual role of technology and only 25 pS have standard operating procedures (SOPs) in place to monitor, detect, investigate, as well as disrupt tech-facilitated THB.

Only 7 countries reported laws to hold tech companies liable for knowingly facilitating trafficking.

In terms of policies, only 14 countries noted a requirement for tech companies/internet service providers (ISPs) to report THB cases on their platforms. Meanwhile, only 7 countries 1) allow information/data collected by artificial intelligence technology to be used as evidence in court; or 2) make tech companies/ISPs criminally and financially liable for knowingly assisting, facilitating, or supporting THB.

## Section VI Training and capacity building

This was also a new section in the 2020/21 Report. Overall, technology is playing an increasing role in the delivery of training: more than half pS highlighted the use of **online methods**, often to overcome challenges posed by COVID-19. Twenty-five pS reported various types of **cross-disciplinary training** with personnel from a broad spectrum of professional backgrounds.

Law enforcement officials appeared to have more access to training than other groups. 2020/21 survey includes a new category of training in trauma-informed approaches to support child victims: figures for this training are lower than more general THB training across all categories, thus suggesting that more attention is needed for this response area. In general there was a lack of sustainable capacity building **initiatives**.

The Organization for Security and Co-operation in Europe works for stability, prosperity and democracy in 57 States through political dialogue about shared values and through practical work that makes a lasting difference.

Office of the Special Representative and  
Co-ordinator for Combating Trafficking  
in Human Beings  
Wallnerstr. 6, 1010 Vienna, Austria  
Tel: + 43 1 51436 6664  
Fax: + 43 1 51436 6299  
email: [info-cthb@osce.org](mailto:info-cthb@osce.org)  
[www.osce.org/cthb](http://www.osce.org/cthb)