



Organization for Security and Co-operation in Europe

ALLIANCE AGAINST TRAFFICKING IN PERSONS CONFERENCE “National Monitoring and Reporting Mechanisms to Address THB: the Role of National Rapporteurs”

**Vienna
21 May 2007**

Opening remarks by the OSCE Secretary General Mr. Marc Perrin de Brichambaut

Excellencies,

Dear guests and participants of the conference,

Ladies and Gentlemen,

It is a great pleasure to welcome you to this anti-trafficking forum in Vienna. I thank you for responding to the invitation of the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings (THB) to engage in a fruitful dialogue and to share your experience, your concerns, as well as your best practices with your counterparts.

I am pleased to say also that Vienna, thanks to the OSCE’s proactive approach, has become an important global anti-trafficking center. Vienna today attracts, indeed, the best expertise available to find solutions for fighting successfully THB, which has emerged as one of the most significant threats to individual as well as international security.

For nearly a decade, the international community has sought to address human trafficking by legal and operational measures. Our efforts have been sustained, and with important results. The OSCE participating States have signed numerous treaties and adopted comprehensive legislation. We have achieved common understanding and agreed upon the definition of this criminal phenomenon. This definition is now provided in the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *UN Convention against Transnational Organized*

Crime, and obliging the State Parties at three levels: first, to combat all forms of trafficking; second, to provide protection to its victims; and finally, to prevent this crime from ruining the lives of innocent victims all over the world.

And yet, for all of this work, we cannot say that we have reached the turning point.

For one, because none of the International Organizations concerned can claim that it has comprehensive and accurate data on THB. And countries themselves can provide even less in terms of a comprehensive picture of the extent of the crime occurring within their borders.

This state of affairs raises hard questions: Does the complex nature of human trafficking prevent effective monitoring and picture-building? This is certainly true. However, the issue is certainly also that at the national level we need to set up proper and effective monitoring mechanisms of this crime and human rights violations.

To fight THB we need to know our enemy. We need be able to predict trends and to understand modus operandi to prevent this inhuman practice, which treats human beings as commodities and destroys our societies from within.

This is precisely the rationale behind the *OSCE Action Plan* recommendations and the appeal from the Brussels Ministerial Decision to the Participating States— to consider appointing National Rapporteurs.

Such National Rapporteurs are a vitally important part of the fight against THB, because they can act as independent institutions to monitor the status of trafficking in persons and to analyze the data for the purpose of providing recommendations at the national level, based on a national assessment of the situation and the efficiency of government responses. On this basis, we can know more and better to fight THB.

We need deeper national ownership and more effective state-level action. These two qualities can not be substituted by international involvement, with due regard to the synergetic effect that the involvement of the international community can have.

Major international organizations share the same opinion on this question.

For a start, in 1997, the EU Ministerial Conference adopted the Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation - the so called 'Hague Declaration' -- which introduced the concept of a National Rapporteur.

Five years later, in Recommendation 1545 of 21 January 2002, the Parliamentary Assembly of the Council of Europe urged the governments of member states to 'appoint a National Rapporteur on trafficking in human beings in each country affected by this problem.' The Recommendation specified that 'the office of the Rapporteur should elaborate and implement the national plan of action against trafficking taking into account the specificities of the situation in each country.'

The call was renewed by the European Council Resolution of 20 October 2003 on 'Initiatives to Combat Trafficking in Human Beings, in Particular Women' -- which urged member states to 'take into account the Hague Declaration of 26 April 1997, which invites Member States to provide or explore the possibilities for the appointment of National Rapporteurs on trafficking in women.'

Finally, let me highlight that the Council of Europe Convention on Action against Trafficking in Human Beings also recommends the Parties to consider appointing a National Rapporteur or other mechanisms for monitoring the anti-trafficking activities of state institutions and implementation of national legislation requirements. These functions cannot be substituted by the Council of Europe specific monitoring system, which is to set up a group of experts on action against trafficking in human beings "*GRETA*", upon the enactment of the Convention. These mechanisms complement each other in serving countries in their fight against human trafficking.

I am very pleased that the Council of Europe is with us today, and we will be privileged to have the description of the CoE mechanisms from your interventions.

So, this field is already well-ploughed. There is a wide international consensus that National Rapporteurs are a key part of our common struggle.

On this point, I wish to say a few words about the existing system of reporting established in the UN family.

This system creates obligations for the State Parties to the various Conventions to submit national reports to the United Nations on an annual basis. As such, this system cannot be considered as fully sufficient to serve the cause of national monitoring. It has, indeed, another audience and another purpose -- be it, the Convention on the Elimination of All Forms of Discrimination Against Women ("CEDAW"), the Convention on the Rights of the Child ("CRC"), or, finally, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children ("UN Palermo Protocol") supplementing the UN Convention against Transnational Organized Crime ("UNTOC").

For our own thinking and purposes, it is important to recognize that these reports only cover queries in relation to the respective international legal instruments. They do not provide for measures that States must take to resolve the problem and to protect the victims, and they say little about the state of affairs in the country concerning the implementation of its national legislation.

The OSCE and its participating States have taken, therefore, an important step during the Brussels Ministerial Council meeting. The Brussels Ministerial Decision on *'Enhancing the implementation of the OSCE Anti-trafficking Commitments...'* is very explicit in reiterating the urgent need for data collection, analysis, monitoring and reporting to be undertaken at the national level.

Fine, but this key step having been taken, the hard work lies ahead of us.

How have the participating States interpreted these recommendations? Have National Rapporteur or equivalent mechanisms been established? What are their mandates and how do they function?

These questions will guide our discussions today, and they will be raised by the distinguished participants of this conference. The list of our key-note speakers, National Rapporteurs from a number of the participating States, proves that we are on the right track.

Our deliberations today present, therefore, a rare and necessary opportunity for us all to see how the mechanism may work and how it may help bear fruits in combating THB. In February 2007, the OSCE Special Representative in February 2007 appealed to participating States to establish such a mechanism within the next three years. With this timeline in mind, we aim to see the OSCE region once again contribute to a crucial aspect in the struggle against this most cynical crime against a human being.

On this basis, we could create an evidence- and information–based platform, which would also identify the most efficient political, economic, legal, cultural, educational and civil responses to this modern form of slavery.

Excellencies,

Ladies and Gentlemen,

The stakes are high, the struggle is imminently worthwhile. Effective national reporting mechanisms are key to developing and implementing policies that build national ownership in combating trafficking in human beings.

This conference pays tribute to the OSCE at its best, joining States with other international partners and civil society to build responses to a shared threat, based on a shared set of values and commitments. The OSCE is both an actor for innovation and a network for concentration on the key security questions of the day.

I am proud to say, therefore, that the OSCE, having integrated a multidimensional and human rights-based approach to combat THB, is a catalyst of deeper national and international action.

However, one note of caution: for our actions to bear real fruit, the participating States should upon themselves the task to have these recommendations translated into practice. The OSCE experts are here to assist you.

Thank you for listening. I wish you a very productive and interesting discussion.