

Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings

Where States are on implementing OSCE anti-trafficking commitments

Findings of the OSCE Survey Report

www.osce.org/cthb

OSR/CTHB – April 2023

Introduction

Today's focus is on three key findings:

- 1) New **trends** and persistent challenges in combating trafficking in human beings (THB)
- 2) Opportunities to enhance **systems and structures** to counteract THB
- 3) Needs for **policy** and **legislative** action to respond to the changing dynamic of THB



Combating Trafficking in Human Beings



1) Emerging trends in THB

Number of States reporting trafficking cases under investigation or in the judicial process:

(a) **Exploitation in criminal activities** (47% -> 63%)

(b) Trafficking for **forced begging** (47% -> 59%)

(c) NEW: THB cases involving production of **pornography, live cams, live remote sexual abuse** (56%)

(d) THB for **sham marriage** (23% -> 39%)

(e) 31% had THB cases involving **people with disabilities**, and 20% more noted unconfirmed reports

2a) Systems and structures

- identification of victims

- **31 countries** emphasized barriers for victims to come forward
- In a large majority of countries, **only law enforcement can formally identify victims**
- Only 2 countries allow labour inspectors to formally ID victims
- Only 29 pS reported providing **full support services to victims** regardless of their involvement in criminal proceedings
- In 8 pS **only law enforcement can refer victims to services**

2b) Structures and systems -trainings

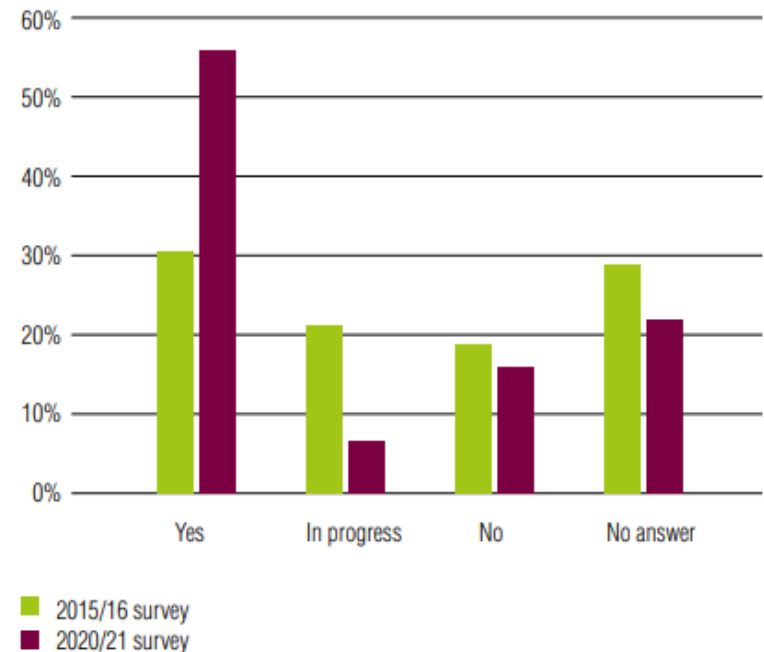
- Only **25 pS** reported **cross-disciplinary training**, with personnel from a broad spectrum of professional backgrounds
- **27 pS** reported law enforcement training on the dual role of technology; however, such training is **not available to all law enforcement** agencies
- Only **18 pS confirmed that financial investigation staff received training** on how to investigate THB offences
- Need for more training in **trauma-informed approaches, particularly to support child victims**

3a) Legislative developments

- 48 countries have specific **criteria for identifying victims** of trafficking reflected in legislation/policies
- Progress by pS in the use of indicators of **financial crime to identify THB** - 85% of pS list THB as a predicate offence
- In 44 pS, **confiscated assets** are returned to the government's general fund, and 30 pS use these funds to **compensate victims**

3b) Legislative developments

- # of countries prohibiting **recruitment fees** almost doubled
- 50% increase in States requiring **recruitment agencies** to be licensed
- # countries **with public procurement** regulations on THB doubled from 2015

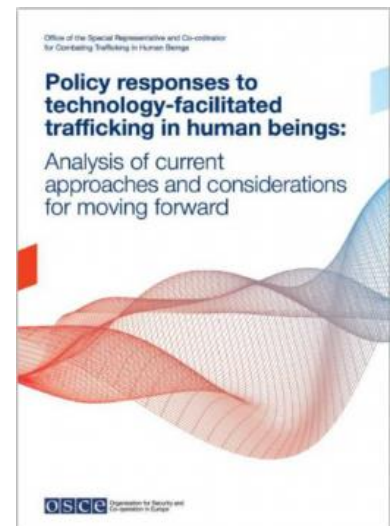


3c) Legislative needs - demand

- Only 16 countries reported laws in place requiring businesses to **report on measures** to identify and eliminate exploited labour from **supply chains**
- Most laws still lack obligations for companies **beyond fulfilling reporting requirements** – time to move beyond self-certification, towards mandated human rights due diligence.
- 33% of States – no recorded action on demand fostering sex. expl.
- 40% of pS **do not criminalize the knowing use** of victims of trafficking for sexual exploitation

3d) Legislative needs - tech

- Only 14 pS noted a requirement for tech companies or internet service providers to **report THB cases on their platforms**
- Only 7 pS make tech companies criminally liable for **knowingly facilitating THB** on their platform
- Only 9 pS reported **age verification** technology to limit access of children to pornographic websites
- 23 pS required online platforms and tech companies to identify and take down **child sexual abuse content**



Conclusions

- Overall, OSCE participating States have been making **steady but somewhat slow progress** in implementing their anti-trafficking commitments
 - e.g. progress on prevention of labour exploitation in supply chain
 - **Resource constraints** hampers effectiveness of anti-trafficking action
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- Report highlights need for **more investment** in specific areas including:
 - 1) Prevention activities targeting **the demand side of the crime**;
 - 2) Addressing **technology-facilitated** trafficking
 - 3) Increased use of **assets of traffickers** to support resources for THB.

Thank you!