



**Organization for Security and Co-operation in Europe
Office of the Special Representative and Co-ordinator for
Combating Trafficking in Human Beings**

Highlights from the 15th

“ALLIANCE AGAINST TRAFFICKING IN PERSONS” Conference

Vienna, Hofburg, Neuer Saal

6-7 July 2015

Introduction

With over 320 participants, the 15th *Alliance against Trafficking in Persons* conference “People at risk: combating human trafficking along migration routes” provided an excellent forum for inclusive dialogue among countries of origin, transit and destination for trafficked persons, smuggled migrants, asylum seekers and refugees. Moreover, it promoted goal-oriented partnerships among relevant stakeholders in the OSCE region.

During the two days, experts exchanged views on the security challenges posed by mixed migration flows and jointly explored ways to more effectively address trafficking in human beings (THB) and prioritize the protection of vulnerable people on the move. These efforts stood in direct relation to the relevant recommendations of the OSCE *Action Plan to Combat Trafficking in Human Beings*, its 2013 *Addendum*, as well as the 2005 *Addendum on Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance*.

The participants included numerous high-level speakers, as well as representatives and experts from the 57 OSCE participating States and 11 Partners for Co-operation, from major international organizations and NGOs, as well as from academia, think-tanks and the media. The conference was broadcasted live and an active dialogue via Twitter was encouraged.

Two side events were also held on the margins of the *Alliance* conference:

1. **“Understanding the Impact of Migration on Security in the OSCE Area”** - co-organized with the Office of the OSCE Co-ordinator of the Economic and Environmental Activities (OCEEA) - offered the *Alliance*’s audience the opportunity to explore the OSCE approach to migration from a multi-dimensional perspective and reflect on the Organization’s future role in this area.
2. **“Preventing Human Trafficking among Institutionalized Children”** offered a platform to discuss possible ways to prevent human trafficking among institutionalized children and provide a forum for gathering expertise and exchanging lessons learned between national authorities and other stakeholders dealing with this issue in the OSCE region.

Ultimately, by exploring the complex nexus between human trafficking and migration, the 2015 *Alliance* conference provided an excellent opportunity to gather expertise and exchange good practices on reconciling the approaches towards safeguarding both state and human security along migration routes.

Opening Remarks

The State Secretary of the Ministry of Interior of the Republic of Serbia, **Aleksandar Nikolić**, the OSCE Secretary General, **Lamberto Zannier**, the First Deputy Director of ODIHR, **Beatriz Balbin**, and the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, **Madina Jarbussynova**, welcomed the 2015 *Alliance* participants.

All opening speakers reiterated that participating States and Partners for Co-operation should pursue a comprehensive and victim-centred approach to combating THB, which includes creating opportunities for regular and safe migration, as well as protecting the rights of migrants. It was also emphasized that, when examining situations involving irregular migrants, refugees and asylum seekers, due attention should be paid to potential indicators of exploitation and human trafficking. The *Alliance* Conference was hailed as bringing continuity to the 2015 OSCE Serbian Chairmanship's efforts to combat human trafficking in the context of migration processes. Finally, it was noted that the OSCE Security Days event in early 2016 will allow for further discussion of the security-related aspects of migration, including human trafficking.

High-level Introductory Panel: Setting the Scene

This panel was moderated by **Madina Jarbussynova** and served to set the scene for the subsequent thematic panels. High-level speakers included the Executive Director of the UN Office on Drugs and Crime **Yury Fedotov**, the Executive Director of the CIS Executive Committee **Sergey Lebedev**, the Assistant High Commissioner of the UN High Commissioner for Refugees **Volker Türk** and the Deputy Director General of the International Organization for Migration **Laura Thompson**. The EU Commissioner for Migration, Home Affairs and Citizenship **Dimitris Avramopoulos** addressed the audience through a video address.

All speakers underscored the need for joint and mutually reinforcing efforts to combat human trafficking along migration routes. In particular, the necessity to reconcile the discourses on safeguarding both state and human security in the context of migration emerged vividly. Both speakers and participants agreed that protecting vulnerable migrants, including victims of trafficking, and enhancing the security of states are not mutually exclusive. On the contrary, safeguarding state borders and criminal law enforcement action against traffickers must go hand in hand with the timely identification of victims of trafficking and other vulnerable migrants, as well as the protection of their rights. Ultimately, upholding the rights and dignity of people on the move is a key precondition for any concerted action in this field.

Some highlights of the high-level panel included:

- *The human beings who need and deserve protection should be at the centre of the discourse on migration and trafficking;*
- *A key aspect of our concerted efforts towards human rights is the understanding that protection and security are not mutually exclusive; on the contrary, criminal law enforcement against traffickers must go hand in hand with the protection of trafficked persons;*
- *There should also be further understanding that migration management aimed at the prevention of trafficking in human beings would be more effective in the long term than a punitive policy;*

- *The protection of human rights and dignity of all migrants is an essential component of good migration governance.*

Panel 1: State Responsibility in Policy and Practice

This panel opened the second day of the 15th *Alliance* conference and was moderated by the Secretary General of the Regional Co-operation Council, **Goran Svilanović**, with the participation of **Patrick Taran**, Global Migration Policy Associates, **Carlo D’Achille**, Italian Ministry of Interior, **Ilya Sergeevich Malenko**, Department on International Cooperation of the Russian Federal Migration Service and **Kadri Soova**, Platform for International Cooperation on Undocumented Migrants (PICUM).

Panellists highlighted the dimension and scale of modern migration processes, stressing that migration is key to the viability of labour markets worldwide. Overly restrictive migration policies create the perfect conditions for human trafficking and other human rights abuses. There is a need for participating States to put policies into practice which better identify victims of THB among mixed flows of migrants and provide protection for all migrants. Also acknowledged was the need to improve national, regional and international co-operation in addressing irregular migration and organized crime, in order to target those most responsible in THB networks.

Concrete findings of the panel included:

- *Given the centrality of labour and skills mobility to our global economy, there is a need to reconsider migration policy in this light. Dysfunctional migration regimes, which emphasize state security and control, and result in the criminalization of vast numbers of persons, directly increase migrants’ vulnerability to human trafficking;*
- *Criminal networks engaging in migrant smuggling are increasingly turning to new strategies, including sending boats of smuggled persons across the Mediterranean on auto-pilot, placing them at greater risk of harm while reducing the risk of detection;*
- *Law enforcement efforts to combat irregular migration can only succeed with the improved flow of information and data – within countries, among neighbouring countries, within and across regions;*
- *States should work towards removing barriers to effective identification and detection of labour exploitation; for example, by disassociating labour inspections from immigration control;*
- *States should improve national, regional and international co-operation to regulate migration processes and to improve protection mechanisms along migration routes;*
- *Migrant workers are particularly vulnerable to be trafficked and face many barriers to access legal assistance, rehabilitation and compensation. It is also essential to prevent discrimination and violence against migrants and stop xenophobic hostility towards them;*
- *States should establish an effective complaint mechanism for migrant workers, including providing them with legal assistance, rehabilitation and compensation.*

Panel 2: Addressing Human Trafficking in Crisis Situations

The second panel was moderated by **Martina Liebsch**, Director of Policy at Caritas Internationalis, with the participation of **Michela Macchiavello**, International Organization for Migration (IOM), **Claire Healy**, International Centre for Migration Policy Development (ICMPD), and **Kateryna Levchenko**, La Strada Ukraine.

Panellists highlighted lessons learned and explored possible responses to human trafficking in different situations of crisis-driven migration. Overall, it was acknowledged that extensive and widely uncontrolled movements of people fleeing conflict or natural and man-made disasters directly affect security in the OSCE region, with forcibly displaced persons being particularly vulnerable to human trafficking.

Lessons learned and recommendations from this panel included:

- *Crises prompt specific risk factors related to THB, which vary depending on the nature of the crisis. In particular, displacement and mobility create additional risk factors to broader abuse and exploitation;*
- *Conflicts and natural disasters allow criminals to take advantage of vulnerable people on the move, including irregular migrants, migrant workers, asylum seekers and displaced populations caught up in a crisis or in transit. Internally displaced persons (IDPs) and refugee camps are a breeding ground of new victims for traffickers and other criminal networks looking for cheap or free workforce, sexual services and other exploitative services. Moreover, crisis-driven migration facilitates “low-level trafficking”, where the trafficker is not necessarily a member of an organized criminal group;*
- *Addressing human trafficking remains highly overlooked in crisis situations. THB should gain recognition as a direct consequence of a crisis, not only as a side effect. Response strategies should be adapted to each crisis setting to make sure that all realities are encompassed. Furthermore, it is important that combating trafficking in human beings be included in the mandate of monitors, peacekeepers and humanitarian workers at the onset of such missions and interventions, including their capacity building;*
- *Identification of cases of THB is hampered by definitional difficulties, lack of knowledge of the situation on the ground and the existence of grey areas between trafficking and other forms of exploitation. In particular, “labelling” people on the move under distinct legal categories may not always reflect the complex nature of their migratory movement, ultimately hindering efforts to protect their rights;*
- *Responding to THB and exploitation in times of crisis should be prioritized and considered as a life-saving protection activity. Acknowledging the importance of preventive actions, combating trafficking and exploitation should be addressed at the onset of a humanitarian crisis response. Priority should be given to addressing the basic needs of IDPs, refugees, asylum seekers, migrants, irrespective of their legal status, in order to reduce human trafficking and exploitation;*
- *In relation to the ongoing crisis in and around Ukraine, there needs to be a continued focus on the issue of trafficking by national and international stakeholders in order to reduce the vulnerability of the forcibly displaced persons on the ground (over 2 million). The OSCE Special Monitoring Mission to Ukraine, the OSCE Project Co-ordinator in Ukraine, as well as the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings should continue to play an important role in this context;*
- *Duly recognizing the important role that civil society can play in crisis situations is paramount, especially concerning the rights of women and children.*

Panel 3: Reducing Unaccompanied Minors' Vulnerability to Human Trafficking

This panel was moderated by the Executive Secretary of the Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings **Petya Nestorova**. Speakers included the Regional Child Rights Officer from Terre des hommes Regional office for Central and South-Eastern Europe **Pierre Cazenave**, the Head of the Migration and Asylum Department of the Croatian Red Cross **Sanja Pupačić** and the Chair of the Interdepartmental Coordination Platform against THB of the Belgian Ministry of Justice **Jean-François Minet**.

The speakers highlighted that the lack of child protection measures and disrespect of their rights enhanced the vulnerabilities of children on the move to become victims of trafficking in human beings. The fact that unaccompanied minors who are citizens of the European Union are treated differently than those with third-state citizenships is discriminatory and contradicts the best-interest principle that applies equally to all children.

Concrete suggestions included:

- *Social inclusion programmes, fighting discrimination and improving access to civil registration, as well as tailored-made outreach activities especially for children at-risk, should be developed to prevent them from falling into trafficking situations;*
- *It is essential to depart from the current categorization approach, because it prevents children from recovering from their situation as victims. The vast majority of the Council of Europe's member States do not live up to their legal obligations relating to the rights and treatment of unaccompanied minors;*
- *Co-operation between countries of origin, transit and destination should be reinforced, and not limited to criminal matters. Also their co-operation with international organizations and civil society actors should be improved;*
- *The pro-active identification of children in reception centres should be improved to detect unaccompanied minors who might be victims of trafficking among asylum seekers;*
- *The necessity of appointing legal guardians for all unaccompanied minors irrespective of their nationality should be included in national legislations. These guardians must be trained to always act according to the best-interest principle of 'their' child. The EU Member States should adopt a common policy on handling cases of unaccompanied minors irrespective of their nationality;*
- *Multi-disciplinary co-operation should be strengthened to ensure the respect of the best interests of children at all stages.*