



Submission No 80

Inquiry into Slavery, Slavery-like conditions and People Trafficking

Organisation: Department of Foreign Affairs and Trade
– Supplementary submission



Australian Government

Department of Foreign Affairs and Trade

Inquiry into Slavery, Slavery-like conditions and People Trafficking

Response to Questions on Notice to the Department of Foreign Affairs and Trade by the Human Rights Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade at the public hearing of 9 May 2013

Question 1:

CHAIR: Is there any interdepartmental action that you are part of in regard to this?

Mr Chittick: I am not aware of that but that does not mean that there is not.

CHAIR: Can you get back to us on that?

Mr Chittick: I certainly can. (p.25)

Answer:

The OECD Guidelines for Multinational Enterprises are managed by the Treasury, which is the Australian National Contact Point that promotes the Guidelines to the business community, employee organisations, non-governmental organisations and other stakeholders.

An Australian National Contact Point Oversight Committee has been established to consider issues related to the application of the Guidelines when they arise. The Committee is chaired by Treasury and includes representatives from the Department of Foreign Affairs and Trade, the Department of Resources, Energy and Tourism, the Department of Education, Employment and Workplace Relations, the Export Finance and Insurance Corporation, the Australian Trade Commission and AusAID. Other Departments may participate in Committee meetings on an ad hoc basis when issues of interest arise. The Committee was established, and first met, in November 2012.

Further information about the Committee and its responsibilities can be found at:
<http://www.ausncp.gov.au/content/Content.aspx?doc=ancp/oversight.htm>

DFAT also promotes the Guidelines in our interactions with business.

Question 2:

Senator STEPHENS: Mr Chittick, thank you very much for your evidence today. You mentioned the presentations that occurred at the workshop in March this year. I wondered if the presentations, or any other updated material, might be provided to the committee. That would be helpful.

Mr Chittick: This is the OSCE?

Senator STEPHENS: Yes.

Mr Chittick: Absolutely, we can provide the committee with copies of the presentations at that workshop. (p. 26)

Answer:

Australia hosted the 2013 OSCE Asian Partners Conference in Adelaide on 18 and 19 March. The conference theme was 'Improving the Security of Women and Girls'.

One of the conference's three substantive sessions was dedicated to the issue of human trafficking. This session included presentations by Dr Maria Grazia Giammarinaro, OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings; Mr Douglas Wake, First Deputy Director, Organisation for Democratic Institutions and Human Rights; and Mr Chaikasem Nitisiri, Thailand Institute for Justice. Copies of the presentations available from this session are provided at attachment A and B.

Australia's Global Ambassador for Women and Girls also touched on human trafficking in her opening address. The Ambassador's presentation is provided at attachment C.

The OSCE Consolidated Summary of the Conference is provided at attachment D. The Consolidated Summary will be available on the OSCE website in due course.

Question 3:

Senator STEPHENS: This morning we heard from Hagar Australia, an organisation based initially out of Cambodia which deals with rescuing people from slavery and slavery-like conditions. They made the point that, in the four pillars of Australia's approach to this, the fourth issue, which is around restoration and protection of the victims after the event of detention or prosecution, is underdone in the sense that we do not really focus on that notion of remedial justice or what they call the after-care process and that, once a victim has been extracted from the situation and has been through a court or similar process, we do not provide the resources to enable these people to be rehabilitated and cared for appropriately. In that framework, is there potential for review and reprioritising those four pillars in any way?

Mr Chittick: There are two elements that I would think about how we engage with regional partners on each of the four pillars. One, which is at a strategic level, is in effect to try and encourage stronger domestic responses from our regional partners. We do that through the Bali Process. Protection of victims is certainly an element, probably newer than the other three. From my understanding of the development of this agenda over time, there were three Ps and now there are four Ps, so certainly there is an effort to raise the profile of the protection of victims agenda at a strategic level. At a practical level, AusAID's ARTIP program, which is an internationally very highly regarded one, will be the means in which we assist regional partners to take forward the four Ps. I am not an expert on the design of that program or its delivery so I can take that on notice and pass it on to AusAID, if you like. (pp. 26-27)

Answer:

The measures implemented under Australia's anti-trafficking strategy are intended to address the full trafficking cycle, from recruitment to reintegration, and give equal weight to the critical areas of prevention, detection and investigation, prosecution, and victim support and rehabilitation. The pillars are not prioritised or ranked.

The measures under each pillar are continually under review, including through the development of the National Action Plan to Combat Human Trafficking and Slavery 2014-18.

Australia helps regional partners address several aspects of human trafficking and exploitation. In particular, AusAID programs focus on strengthening criminal justice responses to trafficking, and raising awareness about the dangers of trafficking among vulnerable people, including youth. These programs align with Australia's aid priorities and focus on where we can make the most difference in line with our partners' priorities. All AusAID programs are subject to review during implementation and on conclusion to ensure their ongoing relevance and effectiveness. Australia has been recognised internationally as a leader in combating trafficking in the region.

AusAID's new flagship program, Australia-Asia Program to Combat Trafficking In Persons (AAPTIP), has a stronger focus on supporting victims through the criminal justice system.

The rights of trafficked persons will be at the centre of all efforts, and victims, victim support agencies and other stakeholders will contribute to program implementation.

Question 4:

Senator STEPHENS: I really appreciate that, and would like you to take the opportunity for you to have a reread of Hagar's submission in the light of our conversation. That would be quite helpful. They make some quite specific requests about that very issue. They also have a recommendation which is a bit problematic, but I would be interested in your perspective on it—that is, a program aimed at protecting the protectors. The witnesses this morning told very compelling stories about the work that they are doing and made the point that, for example, the country director of Hagar in Cambodia has been charged three times with trafficking because they have been rescuing people. They said that there are very few ways in which the Australian government and its embassies can better protect those who are doing the protecting. That would be another issue, if there was any additional response or consideration that you might be able to provide to the committee.

Mr Chittick: I would be very happy to take that on notice and seek some advice on AusAID. Obviously, our diplomats—AusAID workers and consular workers overseas—have no legal jurisdiction in those countries so it is very difficult for them to take on the sort of role that you would expect of a sovereign government. But I am very happy to seek advice from AusAID on that.

Answer:

Through its overseas network of diplomatic and consular missions, the Department of Foreign Affairs and Trade (DFAT) provides consular assistance to Australians facing difficulty while living or travelling abroad. DFAT seeks to maintain collaborative working relations with other government and non-government agencies to facilitate effective consular assistance. DFAT's capacity to provide assistance is influenced by local laws and conditions and international rules governing consular work. As foreign states exercise sovereign jurisdiction over their internal affairs, the ability of the Australian Government to intervene is very limited. Although consular officers are not able to interfere in foreign legal proceedings, they do seek to ensure that Australians are treated fairly under the laws of the country in which they have been arrested.

Question 5:

Senator STEPHENS: Thanks. We actually had that conversation this morning. The other issue that they raised was their concern about the emergence of slavery and trafficking-related issues in Burma and the extent of the number of internally displaced people. They talked about the youth bubble, the challenges of weak borders and people moving across borders, a great sense of vulnerability about Burma as an emerging democracy. Can you comment at all about Australia's commitment to supporting Burma. The government has made significant announcements about it, but how does that translate into your work?

Mr Chittick: As you say, the government has engaged very substantially with Myanmar as it is transitioning to a democratic state, and has increased its engagement on a range of levels, and one of those is through our aid program. The specific details that relate to trafficking issues and internally displaced people I do not have with me, but I could take that on notice and provide it to you. Certainly, as Myanmar democratises there are a number of security and human rights issues that are emerging. One of the more prominent of those is the plight of the Rohingya in Myanmar. Australia has provided around \$5 million to provide assistance in Rakhine state for a range of welfare issues. So I know about that one in particular because it has been a very prominent issue in terms of regional movement of Rohingya over the last six months. I will certainly take on notice what aid and other measures we are undertaking in Myanmar to address issues of internally displaced people. (p. 27)

Answer:

The Australian Government remains concerned about ethnic and sectarian conflict in parts of Myanmar. There are an estimated 140,000 displaced people in Rakhine State, which has led to a rise in outflows to countries including Indonesia, Malaysia and Thailand. The humanitarian situation in Rakhine State is of concern, and conditions in many camps for displaced people may worsen during the wet season.

The Australian Government has consistently raised concerns about ethnic and sectarian conflict in Myanmar with the highest levels of the Myanmar Government. Prime Minister Gillard raised concerns directly with President Thein Sein during his visit to Australia in March 2013.

In 2013-14, the Australian Government will provide an estimated \$82.8 million in development assistance to help reduce poverty in Myanmar and help the country transition to a stable, more democratic and more prosperous member of the region and the international community. Australia's aid program provides assistance in the areas of education, health, livelihoods and rural development, humanitarian assistance, and support for the Myanmar Government's political and economic reform agenda. In 2012-13 Australia provided \$11.64 million in humanitarian assistance (food, shelter, clean water and other essential relief) for internally displaced people in Myanmar or Myanmar refugees, including:

- \$5.79 million for internally displaced people in Rakhine State, Myanmar
- \$1.35 million for internally displaced people in Kachin State, Myanmar
- \$3.5 million for Myanmar refugees in Thailand

- \$1 million to the UN Office for the Coordination of Humanitarian Affairs emergency fund to provide assistance to people in hard to reach areas of Myanmar.

Australian aid has also provided support to Myanmar through:

- The Asia Regional Trafficking in Persons Project (ARTIP). Between January 2011 and March 2013, trainees from Myanmar investigated and prosecuted over 200 trafficking cases and supported 472 victims of trafficking through the justice process. Australia will continue to provide support to Myanmar through the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP).
- The MTV End Exploitation and Trafficking (EXIT) Campaign which aims to raise awareness, shift attitudes and behaviour and combat trafficking. MTV EXIT held its first major event in Myanmar in an historic concert in Yangon in December 2012.
- The TRIANGLE project (Tripartite Action to Protect Migrants in the Greater Mekong Sub-region from Labour Exploitation) which aims to reduce the exploitation of vulnerable migrant workers and their families. From January 2013, TRIANGLE has been extended to cover Myanmar and aims to reach 5000 people with services and advice in relation to safe migration.

The Australian Government also supports the International Labour Organisation's (ILO) engagement with Myanmar through its annual membership subscription, and ongoing participation at key meetings. Following a 1998 ILO Commission of Inquiry on the observance of the *Forced Labour Convention, 1930* (No. 29) the primary focus of ILO engagement was on the elimination of forced and compulsory labour.

Since 2012, the ILO has actively supported Myanmar's reform agenda and the establishment of an industrial relations framework. ILO constituents, including Australia, have noted positive progress by the Government of Myanmar towards the elimination of forced labour and have supported increased access to ILO resources to assist in capacity building activities.

Question 6:

Senator STEPHENS: The third country that they raised with us this morning was Afghanistan. As we transition out of Afghanistan an emerging issue there is particularly young men being traded into forced labour in Pakistan and other places. If there is any additional information, can you provide that on notice, in terms of our work in Afghanistan. That would be helpful, too.

Mr Chittick: I am very happy to do that. I have just been in Afghanistan and I can certainly confirm that the Afghan government is concerned about the trafficking of their citizens, both within their country and without their country. I will certainly take the details of that on notice. (p. 27)

Answer:

The Australian Embassy in Kabul is aware Afghanistan is a source, transit and destination country for people trafficking and in April 2013, joined (through DIAC) a number of like-minded missions to establish an informal group to share information and support the Afghan Government's National Action Plan to Combat Trafficking in Persons.

In 2013-14, AusAID will provide an estimated \$180.4 million in development assistance to Afghanistan. The bulk of AusAID's assistance to Afghanistan, around 80 per cent, is delivered at the national level. Nationally and in Uruzgan, our assistance focuses on promoting education opportunities; rural development, particularly agriculture and community infrastructure; and improving the quality of governance, including public financial management, mining, electoral support and civil society engagement.

More information can be found on the AusAID website

<<http://www.usaid.gov.au/countries/southasia/afghanistan/Pages/home.aspx>>

We have no direct knowledge of young men from Afghanistan allegedly being traded into forced labour in Pakistan. The Australian Embassy in Kabul and High Commission in Islamabad make representations on broad human rights concerns to their host governments.



Organization for Security and Co-operation in Europe

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

**Dr. Maria Grazia Giammarinaro
OSCE Special Representative and Co-ordinator
for Combating Trafficking in Human Beings**

**“The Promotion of Gender Equality and Women’s Empowerment
to Prevent Trafficking in Human Beings”**

**2013 OSCE-Australia Conference on
Improving the Security of Women and Girls**

Adelaide, Australia, 19 March 2013

Check against delivery!

Excellencies,
Distinguished Delegates,
Colleagues,

I am delighted to be here with you today at this Conference, and I would like to thank the Australian authorities for dedicating it to such an important theme, the security of women and girls, which is so relevant to our work on combating trafficking in human beings.

I would also like to take this opportunity to thank the Ukrainian Chairmanship who have made combating trafficking in human beings one of their core priorities for this year. We look forward to fruitful co-operation with the Chairmanship especially in the context of the conference which the CiO will organize in Kiev in June which will focus on combating all forms of human trafficking.

My purpose today will be to try to answer these three questions:

- 1) What is the scale and nature of human trafficking, including in the Asian-Pacific?
- 2) Can we make a correlation between economic growth and trafficking in human beings? And
- 3) Not least of all, what are the most relevant aspects of the OSCE approach to combating trafficking in human beings, especially taking into consideration the security of women and girls?

I. Scale of the Problem

No doubt you have all heard the expression that human trafficking is modern-day slavery. But just what does that mean in terms of numbers of victims and the global impact of this transnational organized crime?

Accurate figures are difficult to come by and it is no surprise why. Victims of human trafficking are for the most part hidden by their exploiters; the perpetrators operate in the unregulated spheres of our economy, and trafficked and exploited persons are subjected to threats, intimidation and psychological coercion which prevents them from speaking out, from accessing help, and from being counted.

The most reliable assessments come from the International Labour Organization (ILO), which last year, estimated that some 20.9 million persons are victims of forced labour, including trafficking for sexual exploitation, of which roughly three million or even more are exploited in the countries of the OSCE region.¹ This marks a stark increase from their previous estimates in 2005, and confirms what we have been saying over the past few years based on anecdotal evidence: human trafficking and forced labour have become a violation of human rights on a massive scale. To give you a sense of what 21 million victims looks like,

¹ ILO, *ILO 2012 Global Estimate of Forced Labour* (Geneva, 2012), online at: <http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_181921.pdf>, accessed 14 March 2013.

that is nearly equivalent to the present day population of Australia.² And surely these are conservative figures.

But beyond the numbers of victims, of course, the available statistics also tell us that trafficking in human beings is big business. The business of organized crime. The ILO estimated, in 2005, that forced labour and human trafficking had an estimated annual turnover of USD 32 billion.³

Trafficking in human beings is also an incredibly diverse crime; its many manifestations include, in no order of importance, sexual exploitation, labour exploitation and forced labour, domestic servitude, trafficking for the removal of organs, child trafficking, forced begging and forced criminality. It seems that new forms emerge with time, but it is critical to note that in our assessment, all forms have been detected across the OSCE region.

The modus operandi of traffickers is changing however. Recruitment agencies have taken on an increasingly important role in all forms of trafficking, and that is why I commend the Australian Government for its recent legislative amendment which tackles the role of deceptive recruiters in all forms of human trafficking.⁴ This new law passed in February 2013 also addresses forced marriage, which in certain cases can be a form of trafficking in human beings which obviously particularly affects women and girls.

The recent statistics also confirm that trafficking in human beings continues to be a gendered crime and a form of gender-based violence, not only for sexual exploitation but also regarding other forms of trafficking. The ILO estimated in 2012 that women and girls are the vast majority of victims of trafficking for sexual exploitation (i.e., 98 per cent), and represent 40 per cent of persons subjected to forced labour exploitation.⁵ Therefore, the majority of those subjected to forced labour and trafficking worldwide are still women. The UN has also come to the same conclusion in their 2012 Global Trafficking in Persons Report, estimating that women account for 55-60 per cent of all trafficking victims detected globally and women and girls together account for about 75 per cent.⁶ In the Asian-Pacific context, women and girls represent an even greater percentage of victims that have been identified. At the regional level, the ILO estimates that there are at least 3.3 million victims of forced labour and human trafficking.

² Australian population estimated to be at 22.6 million by the World Bank in 2011.

³ ILO, *A Global Alliance against Forced Labour* (Geneva, 2005).

⁴ In February 2013, the Australian Government passed a new legislative amendment to the existing human trafficking legislation which now addresses forced marriage, and additionally broadens provisions relating to deceptive recruitment practices, not only in cases related to sexual exploitation: see <<http://www.attorneygeneral.gov.au/MediaReleases/Pages/2013/First%20quarter/27February2013-NewLawstackleforcedmarriagepeopletraffickingandotherexploitation.aspx>>, accessed 13 March 2013.

⁵ ILO, *ILO 2012 Global Estimate of Forced Labour* (Geneva, 2012), online at: <http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_181921.pdf>, accessed 11 March 2013

⁶ UNODC, *Global Report on Trafficking in Persons* (2012), page 2: <http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf>, accessed 13 March 2013.

Regarding the most prevalent forms of trafficking in the Asian-Pacific region, in addition to trafficking for sexual exploitation (44 per cent), the UN has recorded an increase in trafficking for labour exploitation (47 per cent), which is consistent with global patterns. Some at-risk sectors include domestic services, the entertainment sector, agriculture, fisheries and garment factories.⁷ Most of the trafficking flows relevant to the Asian-Pacific countries are intraregional, meaning that the majority of the victims detected were either trafficked within the region or within the country of origin, although there are a few long-distance flows especially stemming from East Asia.⁸ Consistent with the global trends, victims from relatively poorer countries of the subregion are trafficked to comparatively richer countries, and even within countries, from poorer to wealthier cities and regions.⁹

So in sum, whether speaking of the Asian-Pacific context, the OSCE region, or the global perspective, and while there are certainly regional specificities, the overall patterns remain the same: the challenges are increasing, and despite our consistent efforts, we need to do more for victims, especially for women and girls.

Turning now to my second question:

II. Can we make a correlation between economic growth and THB?

This is a difficult question. Our experience in the OSCE region has shown that economic growth comes at a cost, and that persons vulnerable to human trafficking, especially women and girls, will in some circumstances, only become more difficult to protect in the face of rapid growth in unregulated sectors. On the other hand, the current economic crisis has revealed how those vulnerable to human trafficking may bear the brunt of cuts to social welfare programmes, or may become more willing to subject themselves to exploitation out of a basic need to feed their families.

What is the particular vulnerability of women and girls to human trafficking vis-à-vis economic trends?

According to the UN Development Program, women make up the majority of the world's poor. It is clear that a lack of economic opportunities can serve as an important push factor resulting in vulnerable persons being enslaved. Irrespective of the fact that women play a critical role in driving economic development throughout the world, they are likely to bear a disproportionate burden in the financial and economic crisis and to suffer more, largely due to imbalanced gender policies in education and labour sectors.

⁷ UNODC, *Global Report on Trafficking in Persons* (2012), page 71:
<http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf>, accessed 14 March 2013.

⁸ UNODC, *Global Report on Trafficking in Persons* (2012), page 74:
<http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf>, accessed 14 March 2013. Victims of trafficking in persons originating from East Asia were identified in 64 countries of the world.

⁹ Ibid., page 72.

The current economic crisis facing most of Western and Eastern Europe and the Americas has had a disproportionate impact on women through higher unemployment rates for women in export-oriented countries, and a reduction in manufacturing jobs (women since they make up 60 to 80 per cent of export manufacturing workers in developing countries). The unemployment crisis has manifested itself in increased exploitation of women in both the licit and illicit economy. Women are forced to work in increasingly poor conditions, or worse, in the illicit economy. The informal, shadow economy is often the economy of survival for the mass population. The vulnerability of women engaged in such an economy gives them little bargaining room or options than to accept work conditions offering minimal income but no legal, regulated, or contracted commitments.

Another important fault line of vulnerability is education. Increasing school drop-out rates threaten girls' futures. Parents may be forced to take their children, especially girls, out of school and into the workforce to supplement scarce household incomes. Girls in such a situation become particularly vulnerable to human trafficking as they miss out on any potential educational and economic opportunities in the future.

Migration patterns in times of crisis push parents and children to leave or return home in search of work, making them also increasingly vulnerable to trafficking. In such an environment, we need humane and gender-sensitive migration policies to ensure safe and regular migration for women migrant labourers, and to protect children migrating with their mothers.

Conversely, in times of economic growth, we should see these spheres of vulnerability decrease. It will be particularly interesting to see how the recent growth in the Asian-Pacific region will impact on human trafficking. As the economic and labour opportunities improve, the numbers of persons willing to subject themselves to exploitative working conditions should decrease. There is some limited evidence to support this hypothesis: for instance, Eastern European victims are now less frequently identified in Western and Central Europe which may be in part due to improved economic conditions in Eastern Europe, although of course it is difficult to isolate economics from other social changes.¹⁰

On the other hand, there is also strong evidence that globalization has led to an increased demand for cheap labour in countries experiencing rapid economic growth. In particular, migrants are increasingly filling labour shortages and are severely exploited in agriculture, food processing, the textile industry and domestic work, as it happens in Europe, East Asia and other areas of the world. Furthermore, even in times of prosperity, in every society, areas of social exclusion and the phenomena of discrimination and marginalization persist. These social vulnerabilities constitute a permanent threat to the security of women and girls in terms of factors that can lead to trafficking. For example, the situation of national, ethnic and linguistic minorities should always be carefully monitored to ensure that, in any economic cycle, they do not push disadvantaged groups of women to accept exploitative employment or to migrate in unsafe conditions.

Therefore, we are facing different and even contradictory trends, and there is no decisive answer to the question regarding the impact of economic growth on human trafficking, and in particular on trafficking in women and girls.

¹⁰ Ibid., page 44.

In any case, however, prevention is crucial, and it is clear that gender equality and women's empowerment are key factors. In many victims' backgrounds, there are stories of interrupted education, lack of job opportunities, domestic violence, and a feeling that there is no future for girls in their social environment. This sense of destitution, and at the same time, of a strong hope that there is something better for them somewhere else, is at the origin of many trafficking stories. Therefore, we have to ensure that women and girls have a future, at home or wherever they decide to settle, both in economic terms, and in terms of personal fulfilment. This is why my Office is going to initiate a few projects to promote the empowerment of targeted groups of women and girls, as a preventive measure.

Women and girls have resources of intelligence, capacity of adaptation, aspiration to learn, that are incredibly important resources also in extreme situations. We have seen individual victims, who rebuild their lives, with the assistance of governments and civil society, through the provision of legal assistance, vocational re-training and educational opportunities. If they are not left alone, they become stronger and more independent, and they can provide for their families and make a break from the cycle of abuse.

We do not want to look at women, even when they are subject to exploitation and trafficking, merely as victims, but as people who can regain ownership of their lives. I have always seen, in the experience of trafficked women, a combination of vulnerabilities based on factual circumstances, and courage based on strong personalities, hopes and aspirations. This way of looking at trafficked women, of building a relationship with them accordingly, and of designing and implementing consistent policies, is in itself an empowerment strategy.

Lastly, I would like to briefly address:

III. The OSCE approach to combating trafficking: human rights and victims centred

The OSCE is a pioneer of the human rights approach to combating trafficking, reflecting its concept of common and comprehensive security which addresses the human, economic, political and military dimensions of security as an integral whole.

Since 2000, the OSCE has adopted numerous advanced political commitments to continually strengthen our efforts to combat trafficking in human beings. In 2003, the organization adopted a forward-looking Action Plan¹¹ which provided the basis to build a solid regional framework for action and co-operation at the national and regional levels in and between countries of origin, transit and destination, as well as for partnership with civil society and international organizations. In the same year, in 2003 the Ministerial Council also established the position of Special Representative and Co-ordinator for Combating Trafficking in Human Beings. More recently, in December 2011 the participating States renewed their commitment with the Vilnius Declaration on Combating All Forms of Human Trafficking¹². I am pleased to report that my Office has gone to particular efforts to highlight the phenomenon of labour

¹¹ OSCE Permanent Council, *Decision No. 557/Rev. 1 OSCE Action Plan to Combat Trafficking in Human Beings* (Vienna, 7 July 2005).

¹² OSCE Ministerial Council, *Declaration on Combating all Forms of Human Trafficking*, MC.DD/27/11/Rev.1 (Vilnius, 7 December 2011).

exploitation, in particular, domestic servitude, especially affecting girls. We are also undertaking a pioneer work aimed at preventing domestic servitude in diplomatic households.

The focus on labour exploitation, which aims to highlight the increasing trend of trafficking as - unfortunately - a structural component of our economies and societies, leads us to underline the importance of access to justice and remedies, which has been particularly developed by ODIHR. This is the reason why, today, we emphasize the importance of access to justice and remedies including compensation, as an empowerment strategy aimed at ensuring the protection of women's rights, and trafficked persons' rights in more general terms, as a prevention strategy.

Only when governments and the international community will be able to transfer significant resources from exploiters to workers, in other words when they will be able to give back what has been stolen from trafficked and exploited persons by criminal intermediaries and unscrupulous or criminal employers, only then will effective deterrence against trafficking be in place, and will the security of women and girls be better protected.

Conclusion

As I move to conclude, I would like to stress the importance of co-operation in striving to achieve a global response to combating trafficking in human beings.

I would also like to highlight the important efforts of the Asian Partners for Co-operation who have already implemented national legislation and institutional co-ordination mechanisms in their respective countries. In addition, there are also various regional multilateral frameworks for co-operation in tackling human trafficking, for example the Bali process, the ASEAN framework (the Association of Southeast Asian Nations), COMMIT - Coordinated Mekong Ministerial Initiative Against Trafficking, or of the UNIAP - the UN Inter-Agency Project on Human Trafficking, all of which are producing important results.

Co-operation, I would argue, takes as a starting point, a shared responsibility.

I think that this is particularly relevant for the OSCE context and equally so as we consider how to further our co-operation with our Asian Partners. Our comprehensive cross-dimensional notion of security is a confirmation of our interconnectedness and thus our shared responsibility for combating human trafficking.

Thank you.

**THE 2013 OSCE-AUSTRALIA CONFERENCE ON IMPROVING THE
SECURITY OF WOMEN AND GIRLS**

Adelaide, Australia, 18 and 19 March 2013

***THE EFFECT OF ANTI-TRAFFICKING MEASURES ON THE RIGHTS
OF TRAFFICKING VICTIMS AND VULNERABLE GROUPS***



**Remarks by Douglas Wake, First Deputy Director,
OSCE Office for Democratic Institutions and Human Rights**

Check against delivery!

Adelaide, 19 March 2013

Excellencies,
Distinguished guests,
Ladies and gentlemen,

I am happy to be here with you today and to represent the OSCE Office for Democratic Institutions and Human Rights – ODIHR. I am also delighted to share the floor with the other distinguished panel members.

It is my pleasure to see so many participants from across the OSCE region and from the OSCE Asian Partners for Co-operation, including representatives of international organizations, experts, State officials and representatives of NGOs. I am confident that this Conference is making a great contribution to closer co-operation between the OSCE participating States and the Asian Partners in the area of enhancing protection of women and girls' rights. I would like to commend the organizers for this valuable initiative and the enormous work done.

In my intervention today I would like to focus on the effect of anti-trafficking measures on the rights of victims of trafficking and vulnerable groups. I will address several important questions in this regard from the perspective of ODIHR – the main institution of the OSCE's human dimension, which has a broad mandate to assist OSCE participating States in implementing their commitments in the fields of human rights, democratic elections, democratic governance, tolerance, non-discrimination and the rule of law.

Before discussing the impact of anti-trafficking policies on the rights of vulnerable and trafficked persons, it may be useful to recall which human rights of such persons are so often violated or threatened in situations where trafficking of human beings is prevalent. Regrettably, the list includes the most basic rights guaranteed to every human being in a wide range of international instruments, the most notable of which is the Universal Declaration of Human Rights. To name just a few, these rights include: the right to life, to liberty and security of person; the right not to be held in slavery or servitude; the right not to be subjected to torture or other forms of cruel, inhuman or degrading treatment or punishment; protection

from expulsion (non-refoulement); the right to recognition everywhere as a person before the law; and the right to an effective remedy.

In determining how anti-trafficking policy may affect the enjoyment of the rights I have enumerated, we should next define **what anti-trafficking policies are**. Who is involved in formulating these policies? Which agencies are responsible for implementing them? From a broad perspective, anti-trafficking policies should involve concerted efforts to apply a combination of legislative, law enforcement, judicial, administrative, social welfare, educational, and other instruments to prevent trafficking from occurring in the first place, to prosecute and punish those responsible for trafficking, and – most important – to protect the rights and address the needs of victims or potential victims. Looking at anti-trafficking policy through a human rights lens enables us to see that the anti-trafficking response is not comprised solely of reactive police investigation, prosecution and shelters for victims. It enables us to see that immigration policy, adoption and marriage laws, labour policies, social protection, education, gender equality and minority-protection policies – all form a part of anti-trafficking measures alongside criminal justice measures, such as investigation, prosecution, and confiscation of criminal assets.

One of the integral elements of any policy is **gender mainstreaming**. In the context of anti-trafficking, gender mainstreaming deserves special attention. Allow me to explain why. Since 1999, when ODIHR integrated anti-trafficking activities in its work, trafficking in human beings has been constantly evolving. Initially seen almost exclusively as trafficking in women and girls for sexual exploitation, it is acknowledged today that a significant share of the trafficking industry also targets men and boys for labour exploitation, forced begging, forced criminal activities, etc. Yet, attention of many anti-trafficking actors is still focused only on women. Without prejudice to the main topic of our Conference today, I would simply highlight that trafficking in human beings is an area where men as victims are often overlooked and thus subjected to discrimination and abuse. Through years of work ODIHR has seen only a few organizations and projects offering specialized services to men who are victims of trafficking. We have noticed that state officials often lack skills or the will to identify men as victims of trafficking. We have also observed that men's awareness of the topic of trafficking is lower than the awareness of women, which is a major obstacle to their

self-identification and protection. I would like to encourage all participants to remember that a gender-balanced approach means ensuring that anti-trafficking measures reflect interests and concerns of both women and men equally.

Answering the question of **which agencies should develop and implement anti-trafficking policies** to make them efficient, I would suggest that any anti-trafficking policy must be as comprehensive as possible. Law-enforcement, prosecutors, immigration officers, judges, labour inspectors, sanitary services, fire inspectors, medical personnel, lawyers, civil society, and private sector organizations - all should be part of anti-trafficking policies. Since 2004, when ODIHR published the Handbook on **National Referral Mechanisms**, this extensive framework of agencies involved in anti-trafficking work has come to be referred to as an **NRM**. Although the NRM Handbook is nearly ten years old, and will be updated in due course, it continues to be a tool for the OSCE participating States and partners in developing effective anti-trafficking frameworks.

The main question I want to address is **how to make sure that anti-trafficking policies do not have a negative effect on victims of trafficking**. The answer is broadly referred to as a **human rights-based approach**. This approach forms the paradigm of ODIHR's anti-trafficking work. The human rights-based approach, contrary to the criminal justice approach, is centered on the victim and his or her rights. It means that the impact of any measure should be evaluated from the point of view of interests and rights of the victim. It also means that anti-trafficking measures should be targeting traffickers, not victims. Easier said than done, practical implementation of this approach requires a lot of resources and knowledge on the part of all anti-trafficking actors. It needs to be duly established in the legislative framework. It should be supported by necessary budget resources. Personnel involved in anti-trafficking activities must be properly trained.

Rights of victims should not be sacrificed to state security considerations, interests of investigations or migration rules. It might be easier to expel an irregular migrant than to identify in such migrant a victim of trafficking. Yet, if the human rights-based approach is applied, a presumed victim of trafficking, regardless of residence status, should be afforded necessary protection and assistance, even if he or she might become a burden on the social

benefits system of the State. Let us remember that the human rights-based approach is an obligation, not a matter of choice. It derives from the positive obligations that states assumed under international human rights law and international anti-trafficking instruments and should be inherent in all anti-trafficking measures.

While striving to build human rights-compliant policies we should all acknowledge that there is still a long way to go. To this end, it is important to provide the means to trafficked persons and vulnerable groups, whose rights were violated, to **claim justice** through accessible and affordable means. One of the remedies ODIHR has been advocating is compensation for moral and material damages suffered as a result of trafficking. ODIHR supports the idea of establishing State funds for victims of crimes, which cover trafficked persons. These funds should be used especially when there is no possibility to obtain compensation from the perpetrator.

Taking this opportunity I would like to **highly praise and express gratitude to the Government of Australia for the support it provides to ODIHR's anti-trafficking activities**. In July 2012 ODIHR started its 3-year project on Human Rights Protection for Trafficked Persons and Vulnerable Groups in Central Asia, funded by the Australian Agency for International Development. This project concentrates on three priority areas: National Referral Mechanisms for protection of victims of trafficking, access to justice for trafficked persons, and capacity building for anti-trafficking actors, including Government agencies, civil society and lawyers. Part of this project will be dedicated to small grants for local NGOs encouraging empowerment and participation of victims/survivors and vulnerable groups. ODIHR cooperates closely with the OSCE field operations and national anti-trafficking actors in the Central Asian countries to make sure the activities reflect actual needs on the national level. We are convinced that this project will be a valuable contribution to building up the anti-trafficking capacity in the region.

To conclude, I would like to reassure all the participants of this Conference of ODIHR's willingness to provide expert assistance and support in your efforts to build effective and human rights-centred anti-trafficking mechanisms and policies. Even as we continue to assist the OSCE's participating States in implementing their commitments, ODIHR also stands

ready to exchange experience and provide support, in line with the established practice, to any or all of the Asian Partners for Co-operation.

Thank you!



Australian Government

Department of Foreign Affairs and Trade

OSCE Asian Partners Conference on Improving the Security of Women and Girls

Opening Address by Penny Williams, Australia's Global Ambassador for Women, E&OE

Adelaide

22 April 2013

Excellencies, distinguished guests, ladies and gentlemen.

May I begin by acknowledging we are meeting on the traditional country of the Kurna people of the Adelaide Plains. I recognise and respect their cultural heritage, beliefs and relationship with the land. I acknowledge they are of continuing importance to the Kurna people living today.

It's a great pleasure to be opening the OSCE Asian Partners Conference on Improving the Security of Women and Girls and I am especially delighted to welcome our international guests.

In fact, I feel as if I should almost count myself among the international contingent gathered here, as I returned to Australia this last weekend following two weeks spent in New York at the 57th Session of the Commission on the Status of Women, and in London where I had the opportunity to discuss the important UK Initiative on Preventing Sexual Violence in Conflict. Like some of you, I am still finding my way back into this time zone.

As you will be aware, at the recent Commission on the Status of Women, the international community's deliberations focussed on the elimination and prevention of all forms of violence against women and girls.

So, the topics on the agenda for this OSCE conference have been at the forefront of multilateral discussions throughout the past fortnight, and over the next two days, you will have an important opportunity to contribute to growing momentum to address the longstanding challenges of violence against women and girls, economic empowerment and combating slavery and trafficking.

Against the backdrop of last year's failure to reach Agreed Conclusions at CSW 56, and with the critical topic of violence on the table, delegations came to this year's Commission with a strong commitment to reach consensus and agree to conclusions. I'm pleased to say this commitment was realised.

Such international cooperation at CSW is a useful foundation for our work here in Adelaide.

It reminds us that by joining together in this way, sharing lessons learned and looking for common solutions, we will be able to create real and meaningful change for the world's women and girls.

Women – the security agenda

Leading into these discussions, I'd like to do a little scene setting with regard to the three key areas you will be addressing— violence, economic empowerment and trafficking - and also to provide an overview of where Australia places itself with regard to advancing security for women and girls globally.

Australia's strong commitment to gender equality domestically and internationally is well-established. A key priority is our work on the women, peace and security agenda and we are better placed than ever to contribute.

As a member of the UN Security Council, for the next two years Australia will have a direct hand in shaping solutions to the world's most pressing security challenges.

In this new role we will pursue a more comprehensive and inclusive approach to gender concerns across the Council's agenda. We'll be pressing for an end to impunity for perpetrators of sexual violence.

We will also push for all relevant peacekeeping and peace-building operations to properly address the impact of conflict on women and girls and to encourage increased participation of women.

It's an approach that is reflected domestically through our National Action Plan on Women Peace and Security, which we launched in 2012. Developed in close consultation with civil society, the plan is Australia's blueprint for practical implementation of our obligations under United Nations Security Council Resolution 1325.

Under the plan, we are cooperating with Pacific police forces to support women and girls in conflict and post-conflict situations. With the UN, we are promoting women as peace advocates in the Asian region. And we have contributed to the development of peacekeeping tools and training to improve UN peacekeepers' capabilities to protect civilians from sexual violence in conflict.

Women and girls must be actively involved in decision-making, not only to ensure their rights are protected but because women can be powerful agents in preventing conflict and building peace.

Addressing violence against women and girls

The particular vulnerability of women and girls to sexual and gender-based violence in conflict, post-conflict and other humanitarian settings is a key focus of Australia's international development assistance and our engagement with partner Governments.

Collective efforts to promote women's rights and prevent sexual violence in conflict were a focus at the fifth Australia-UK Ministerial Consultations held in January this year in Perth with both countries pledging to continue their support for the UN's programs. Australia has welcomed Foreign Secretary Hague's initiative on Preventing Sexual Violence in Conflict as a significant new contribution to this agenda.

But beyond conflict situations, the challenge of providing safe environments for women and girls is also enormously demanding.

Thirty per cent of women around the world have been beaten, coerced into sex, or abused in some other way – most often by someone they know, including husbands or another male family member.

And these are also issues Australia faces. A woman is killed almost every week in Australia by a male partner or ex-partner.

A crisis of such proportions deserves nothing less than the highest attention of national and world leaders. There can be no peace, no progress, when women live under the fear of violence.

Today violence against women is increasingly recognized for what it is: a threat to democracy, a barrier to lasting peace, a burden on national economies, and an appalling human rights violation.

Partnerships across civil society, across government and internationally are crucial to ensure women and girls have access to appropriate support services, to justice and to freedom from violence.

Such partnerships underpin new projects Australia has launched to address violence against women in Afghanistan, Cambodia, Papua New Guinea and Indonesia as well as a major 10 year Pacific-wide program which will support the historic Pacific Leaders Gender Equality Declaration of 2012.

Australia's \$320 million Pacific Women Shaping Pacific Development Initiative recognises that issues of gender-based violence and economic and political empowerment are intimately linked. So the initiative will work to improve women's and girls' safety through prevention of violence and access to justice, to increase women's participation in leadership and political roles, improve economic opportunities for women through better access to finance and markets and support change in social attitudes and behaviours on gender equality.

Which leads neatly to some remarks on the second element of the program you will be addressing at this conference: the economic empowerment of women.

Economic Empowerment of Women

Women lag far behind men in access to land, credit and decent jobs, even though a growing body of research shows that enhancing women's economic options boosts national economies and reduces poverty.

The figures are compelling.

A Goldman Sachs study has identified that reducing barriers to female labour force participation would increase the Eurozone's GDP by 13 per cent and Japan's by 16 per cent.

And the International Labour Organisation (ILO) estimates that in the Asia Pacific region alone, US\$42 billion to US\$47 billion is lost annually due to women's limited access to employment opportunities.

The annual APEC Women and the Economy Forum is an important mechanism to promote women's participation in economic life. At the 2012 Forum, Australia was among members who called strongly for strategies to promote women's economic empowerment in the region such as fair workplace relations systems, flexible working arrangements, addressing the gender pay gap and investing in women's skills, education and training.

Recognising that women's economic participation is a precursor to gender equality, development and global economic progress, Australia is supporting UN programs to draw governments and businesses into partnerships to empower women in the workplace and markets.

In Port Moresby, for example, the UN Women's 'Safe Cities' project is increasing safety for women in marketplaces through infrastructure, adequate policing and council policy improvements.

Combating all forms of Human Trafficking

Finally, I'd like to spend a few minutes talking about our common efforts to combat trafficking, including trafficking of women and girls.

Slavery, slavery-like practices and human trafficking are among the most abhorrent of all crimes, resulting in traumatic and lifelong consequences for many victims and their families.

Poverty, lack of education, lack of opportunities and employment make women susceptible to traffickers, in particular to trafficking for sexual exploitation.

Australia is committed to combating exploitation in all its forms, and our experience has taught us that strong cooperation is required from governments and non-government organisations to strengthen legal and justice systems, promote law enforcement cooperation, support information campaigns and facilitate victim support and rehabilitation.

While opportunities to traffic people to Australia remain relatively low due to our geographic isolation and strong border controls, the scale of human trafficking in our immediate region is immense.

The ILO estimates there are 3.3 million people trafficked in the Asia-Pacific at any one time, which is 55 percent of all trafficked people worldwide. According to the UNODC's 2012 Global Report on Trafficking in Persons women and girls make up over two thirds of the world's trafficking victims.

Australia is working with partners in the East Asia region to strengthen criminal justice responses to trafficking in persons, increase public education, prevent exploitation of migrant workers, and end commercial exploitation of children in tourism.

The Bali Process on People Smuggling, Trafficking in Person and Related Transnational Crime, which Australia co-chairs with Indonesia, has also contributed significantly to regional and international cooperation in combating human trafficking.

And at the East Asia Summit in November 2012, Australia's Prime Minister announced the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP). This five-year program will extend previous activity to advance regional and national anti-trafficking efforts. It will give new focus and resources to addressing gender issues in human trafficking work.

Conclusion

The issues we will discuss over the next two days are some of the most difficult and endemic challenges we confront.

I commend the OSCE for the achievements it has already made in addressing these challenges. I encourage you to continue with creativity and dedication building on existing foundations.

We need to advance our effort, to push the agenda forward. To do otherwise is to deny one of the most powerful, positive forces for shaping the globe.

Thank you.



Organization for Security and Co-operation in Europe

Office of the Secretary General
Section for External Co-operation



2013 OSCE-Australia Conference

Improving the Security of Women and Girls

Adelaide, Australia, 18 – 19 March 2013



Consolidated Summary

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1 General information

1.1 Venue

The Conference was held on 18 and 19 March 2013, at the Adelaide Convention Centre, North Terrace, Adelaide SA 5000, Australia.

1.2 Participation^{*)}

1.2.1 Sixteen OSCE participating States, including Ireland/EU, took part in the Conference.

1.2.2 All the Asian Partners for Co-operation (Afghanistan, Australia, Japan, Korea and Thailand) were represented.

1.2.3 The OSCE Secretariat and the Office for Democratic Institutions and Human Rights (ODIHR) were represented.

1.2.4 At the invitation of the host country, the following guests took part in the Conference: Ghana, the Parliamentary Assembly of Turkic Speaking Countries (TURKPA), and the West AreAre Rokotanikeni Association (WARA).

1.2.5 The following international organizations were represented: the International Committee of the Red Cross (ICRC) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

1.2.6 Representatives of civil society and academia were able to attend and contribute to the Conference in accordance with the relevant OSCE provisions and practices.

1.3 Timetable and organizational modalities

1.3.1 The Conference began at 9.15 a.m. (opening session) on 28 March 2013 and ended at 1.00 p.m. on 29 March 2013.

1.3.2 The Conference was conducted in three thematic sessions.

1.3.3 The opening session was chaired by **H.E. Ambassador Penny Williams**, Australian Global Ambassador for Women and Girls, and the closing session by **H.E. Ambassador Ihor Prokopchuk**, Permanent Representative of Ukraine to the OSCE and Representative of the OSCE Chairperson-in-Office.

1.3.4 Each session had a moderator and a rapporteur.

1.3.5 The working language was English.

1.3.6 Arrangements were made for press coverage.

1.3.7 The rules of procedure and working methods of the OSCE were applied, *mutatis mutandis*, to the Conference.

^{*)} See part 5, list of participants.

1.4 Agenda

Monday, 18 March 2013

8.15–9.00 a.m. Registration of participants

9-9.15 a.m. Welcome to Country ceremony

9.15–10 a.m. Opening session

Chairperson: **H.E. Ambassador Penny Williams**, Australian Global Ambassador for Women and Girls

- **H.E. Ambassador Ihor Prokopchuk**, Permanent Representative of Ukraine to the OSCE and Representative of the OSCE Chairperson-in-Office
- **H.E. Ambassador Eoin O’Leary**, Permanent Representative of Ireland to the OSCE and Chairperson of the Contact Group with the Asian Partners for Co-operation
- **H.E. Ambassador Lamberto Zannier**, Secretary General of the OSCE – video statement

10–10.30 a.m. Group photograph and coffee break

10.30 a.m.–1 p.m. Combating gender-based violence against women and girls

Moderator: **H.E. Ambassador Tacan Ildem**, Permanent Representative of Turkey to the OSCE and Chair of the OSCE Security Committee

Rapporteur: **Ms. Janice Helwig**, Policy Advisor, Commission on Security and Cooperation in Europe (US Helsinki Commission)

This session focused on:

- Prevention of gender-based violence against women and girls: implementing the rule of law;
- Protecting refugees and internally displaced women and girls from gender-based violence;
- Exploitation of women for terrorist purposes.

Speakers

- **Mr. Brian Glynn**, Head, Conflict Resolution Unit/OSCE Taskforce, Irish Department of Foreign Affairs and Trade

- **Dr. Alan Ryan**, Executive Director, Australian Civil-Military Centre
- **Ms. Sirpa Rautio**, Director, Human Rights Centre of Finland
- **Dr. Alice Pollard**, Director of the West AreAre Rokotanikeni Association

Discussion

Conclusions and remarks by the moderator

1–2.30 p.m.

Lunch, hosted by the OSCE Secretary General

2.30–5 p.m.

Economic empowerment of women

Moderator: **H.E. Ambassador Ol'ga Algayerová**, Permanent Representative of Slovakia to the OSCE, Chair of the OSCE Economic and Environmental Committee

Rapporteur: **Ms. Kaja Glomm**, Deputy Head of Mission, Royal Norwegian Embassy Canberra

This session focused on:

- Empowering women as decision-makers;
- Promoting women's entrepreneurship;
- The link between the national economy and gender equality.

Speakers

- **H.E. Ambassador Miroslava Beham**, OSCE Senior Adviser on Gender Issues
- **Ms. Khatija Thomas**, South Australian Government Commissioner for Aboriginal Engagement
- **Mr. Takeshi Hikihara**, Deputy Director-General, European Affairs Bureau, Ministry of Foreign Affairs of Japan
- **Mr. Kang Jeong-sik**, Deputy Director General for International Organizations, Ministry of Foreign Affairs and Trade of the Republic of Korea

Discussion

Conclusions and remarks by the moderator

6.15 p.m.

Bus transfer from Adelaide InterContinental to National Wine Centre

6.30 – 10.30 p.m. Welcome Dinner, hosted by **H.E. Rear Admiral Kevin Scarce AC CSC RANR**, Governor of South Australia.

Tuesday, 19 March 2013

9–11.30 a.m. Combating all forms of human trafficking

Moderator: **Associate Professor Jennifer Burn**, Director, Anti-Slavery Australia

Rapporteur: **Alexander Chapman**, Desk Officer, Northern, Southern and Eastern Europe Branch, Australian Department of Foreign Affairs and Trade

This session focused on:

- Combating all forms of trafficking in human beings: Lessons learned and emerging challenges – Asia-Pacific perspectives;
- Impact of anti-trafficking policies on the human rights of vulnerable and trafficked persons, especially women and girls;
- The connection between economic growth and trafficking of women and girls – increase or decrease?

Speakers

- **Dr. Maria Grazia Giammarinaro**, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings
- **Mr. Douglas Wake**, First Deputy Director, OSCE/ODIHR
- **Professor Chaikasem Nitisiri**, Chairman, Thailand Institute for Justice

Discussion

Conclusions and remarks by the moderator

11.30 –11.45 a.m. Coffee break

11.45 a.m. –1 p.m. Closing session

Chairperson: **H.E. Ambassador Ihor Prokopchuk**

Discussion and assessment of the OSCE Asian dialogue

Concluding statement by **Mr. Jeff Roach**, Assistant Secretary,
Northern, Southern and Eastern Europe Branch, Department of Foreign
Affairs and Trade of Australia

Concluding statement by **H.E. Ambassador Eoin O’Leary**,
Permanent Representative of Ireland to the OSCE and Chairperson of
the Contact Group with the Asian Partners for Co-operation

1 p.m.

End of Conference

1 – 2.30 p.m.

Lunch, hosted by the OSCE Secretariat

2 Summary of the opening session

Report by Alexander Krez, External Co-operation Officer, OSCE Secretariat

The opening session was chaired by **H.E. Ambassador Penny Williams**, Australian Global Ambassador for Women and Girls. Opening remarks were delivered by **H.E. Ambassador Ihor Prokopchuk**, Permanent Representative of Ukraine to the OSCE and Representative of the OSCE Chairperson-in-Office, **H.E. Ambassador Eoin O’Leary**, Permanent Representative of Ireland to the OSCE and Chairperson of the Contact Group with the Asian Partners for Co-operation, and **H.E. Ambassador Lamberto Zannier**, Secretary General of the OSCE (video statement).

H.E. Ambassador Penny Williams, Australian Global Ambassador for Women and Girls, welcomed the international guests and expressed her respect for the cultural heritage of the Kurna people on whose territory the Conference was taking place. She noted that the fifty-seventh Session of the Commission on the Status of Women (CSW) had also focused on the elimination and prevention of all forms of violence against women and girls, and expressed confidence that the present Conference would contribute to a growing momentum to address these long-standing challenges. Ambassador Williams underlined Australia’s strong and well-established commitment to gender equality and the fact that its agenda on women, peace and security remained a key priority. As a member of the Security Council, Australia would have a direct hand in shaping solutions to security challenges over the next two years and would pursue a more comprehensive and inclusive approach to gender concerns. Priorities would include ending impunity for perpetrators of sexual violence and addressing the impact of conflict on women and girls in peacekeeping and peace-building operations, thus reflecting Australia’s National Action Plan for the implementation of Security Council resolution 1325.

Ambassador Williams emphasized that in Australia, where a woman is killed almost every week by a male partner or ex-partner, providing safe environments for women within and beyond conflict situations constituted a main priority. She further stressed that violence against women was also a threat to democracy, a barrier to lasting peace, a burden on national economies, and an appalling human rights violation. In order to address this issue, Australia had launched partnerships with Afghanistan, Cambodia, Papua New Guinea and Indonesia, as well as a major ten-year Pacific-wide programme. Additionally, Australia’s 320-million-dollar initiative Pacific Women Shaping Pacific Development would seek to improve women’s and girls’ safety and increase their participation and improve their economic standing. In connection with women’s economic empowerment, Ambassador Williams quoted figures on the impact of women’s increased participation in the economy, and stressed Australia’s engagement in this area through, *inter alia*, the annual APEC Women and the Economy Forum and support for UN programmes. With reference to the third session of the Conference she noted that while opportunities for trafficking in human beings in Australia remained relatively low due to the country’s geographic isolation and strong border controls, trafficking in human beings in the Asia-Pacific region affected 55 per cent of all trafficked people worldwide, of whom women and girls made up two thirds. She valued the achievements of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which Australia co-chaired with Indonesia, and of the East Asia Summit of November 2012, at which Australia’s Prime Minister announced the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP).

Ambassador Williams concluded by commending the OSCE for its achievements in addressing these challenges and encouraged the Organization to continue to pursue its objectives with creativity and dedication while building on existing foundations.

In his opening remarks **H.E. Ambassador Ihor Prokopchuk** welcomed the participants on behalf of Minister Kozhara and thanked Australia for hosting the 2013 OSCE Asian Partners Conference. He noted that the location of the Conference revealed the amplitude of the OSCE's co-operation area, and emphasized that human security remained at the heart of the Organization's comprehensive security approach. Ambassador Prokopchuk valued the implementation of a number of relevant international decisions and OSCE documents, which was an indication of universal agreement on this matter; not only did the documents seek to combat violence against women, but also to empower them in the economic sphere and to increase women's participation in democratic processes. In spite of the difficulties inherent in translating the commitments into practical change in people's everyday lives, Ambassador Prokopchuk expressed his hope that the Conference would provide political impetus and raise the profile of the issue in hand.

He referred to the priorities of Ukraine's OSCE Chairmanship, which included the promotion of international co-operation in the fight against trafficking in human beings, a crime to which women and girls were particularly vulnerable. He highlighted the upcoming June conference in Kiev on combating trafficking in human beings and underlined the significance of co-operation between the OSCE and the Asian Partners for Co-operation in this field. With respect to the second (economic and environmental) dimension, Ambassador Prokopchuk referred to the need for the Conference to address challenges to security stemming from the under-representation of women in economic activities and entrepreneurship. A further matter related to the first (politico-military) and second dimensions was the significance of the security of and non-discrimination against women and girls, as mentioned in several Ministerial Council decisions and the 2004 OSCE Action Plan for the Promotion of Gender Equality. He added that discussions in this regard were being facilitated by the Ukrainian Chairmanship within the framework of the newly launched Helsinki+40 initiative.

Ambassador Prokopchuk concluded by calling for even closer security co-operation with the Asian Partners and for joint progress towards a future that would be free of violence, especially against women and girls.

Ambassador O'Leary thanked Australia for hosting the first OSCE-Australia Conference since it had become a Partner for Co-operation in 2009 and underlined the close historical and cultural links between Ireland and Australia. He noted that the security of women and girls was an issue of central importance to the modern world and one that was closely related to the OSCE's concept of comprehensive security. The role of women in peace and security had been highlighted in successive UN Security Council resolutions, starting with resolution 1325, for which Ireland had been a co-sponsor and a strong advocate. In the framework of the OSCE, Ambassador O'Leary referred to the Gender Action Plan and its six priority areas, including the prevention of violence against women and the promotion of equal opportunity for women in the economic sphere, both of which would be addressed in the Conference. He emphasized the OSCE's commitment to combating all forms of trafficking in human beings, which had also been a priority for the 2012 Irish Chairmanship. Ambassador O'Leary also pointed out that in May of the previous year the Irish Chairmanship had collaborated with the ODIHR on organizing a very successful seminar in Warsaw on the rule of law framework for combating trafficking in human beings.

Ambassador O'Leary expressed the hope that the Conference would not only facilitate the exchange of views but also serve to introduce the OSCE to those not yet familiar with it. Recalling briefly its creation in 1975 as the Conference on Security and Co-operation in Europe with the signature of the Helsinki Final Act, he emphasized its unique comprehensive approach to security, which spanned three dimensions – the politico-military, the economic and environmental, and the human – and offered a model and a toolbox for other regions of the world. The accession of Mongolia as 57th participating State during the Irish Chairmanship in 2012 illustrated the attraction of the model. Increased communication with other Asian countries interested in gaining more insight into the OSCE was one of Ireland's objectives as Chair of the Contact Group with the Asian Partners for Co-operation. Ambassador O'Leary invited representatives of non-partner Asian countries to make contact with him during the Conference and concluded his statement by reiterating his gratitude to the organizers.

OSCE Secretary General Lamberto Zannier addressed the participants in a video statement and expressed his regret at being unable to participate in the Conference in person. He thanked the Government of Australia for hosting the first OSCE-Australia Conference and commented on Australia's dedication and activities since becoming a Partner in 2009. In a reference to one of the most famous daughters of the city of Adelaide, he paid tribute to the fact that 2013 marked the hundredth anniversary of the birth of Dame Roma Flinders Mitchell, the first Australian woman to become a judge, a Queen's Counsel, Chancellor of an Australian university and the Governor of an Australian State, which made the choice of Adelaide as venue for the Conference particularly symbolic. He noted that the agenda reflected the OSCE's comprehensive approach to security and addressed a crucial issue of global concern. Equal rights for women and men was recognized by the OSCE as an essential precondition for fostering peace, sustainable democracy and economic development, and served as a platform for increasing the security of women and girls. Referring to the relevant OSCE decisions and documents that guided the work of the OSCE Secretariat, institutions and field operations, Mr. Zannier also mentioned the OSCE's elaborate set of measures addressing the security of women and girls and the economic empowerment of women. He stressed that these were issues of utmost relevance to the OSCE and the wider Asian world alike and that a thoughtful exchange of experience could only be mutually beneficial.

Gender inequality remained a global problem despite differences between countries and societies. This was the reason why the OSCE, the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), and the field operations had implemented a number of activities to raise levels of political awareness amongst governments, social partners and migrant associations. With regard to trafficking in human beings with its specific gender dimension, Mr. Zannier noted that it constituted a global crime that required co-ordinated joint efforts such as the present Conference, where new initiatives could be born and developed and co-operation could be enhanced.

In conclusion the OSCE Secretary General referred to Ministerial Council Decision No. 5/11 on Partners for Co-operation, which provided a solid basis for further action-oriented and results-based co-operation, and encouraged the Partners for Co-operation to pursue initiatives in the field of Partner-to-Partner co-operation. He also expressed his readiness to develop further contacts and exchanges of experiences with regional institutions across wider Asia.

3 Reports by session rapporteurs

3.1 Session 1: Combating gender-based violence against women and girls

Report by Janice Helwig, Policy Advisor at the U.S. Helsinki Commission

Moderator **Ambassador Tacan Ildem**, Permanent Representative of Turkey to the OSCE, opened Session 1 on combating gender-based violence against women and girls with a discussion on the importance of United Nations Security resolution 1325 on Women and Peace and Security. The resolution was an important international measure designed to combat gender-based violence particularly in the context of armed conflict, including rape and other forms of sexual abuse. In the OSCE context, Turkey, Kazakhstan and Austria had in the previous year co-sponsored a proposal to elaborate an OSCE Action Plan concerning implementation of UNSCR 1325, which they hoped would gain consensus in the current year.

Mr. Brian Glynn, Head of the Conflict Resolution Unit/OSCE Taskforce in the Ministry of Foreign Affairs of Ireland, described the Irish experience in addressing gender violence in foreign policy. In 2004, the Irish Government had believed that the response to the high rate of rape during the conflict in Darfur had been insufficient. Consequently, together with civil society and academia, it had created the Irish Consortium on Gender Based Violence in order to strengthen efforts to address the issue, co-ordinate government action, and ensure coherency. Former President of Ireland and former United Nations High Commissioner for Human Rights Mary Robinson was a strong supporter of the initiative, and her patronage had been important in providing the Consortium with high-profile political support. Among the Consortium's objectives were raising the visibility of responses and ensuring the systematic addressing of the issues in foreign policy. It also produced reports documenting situations in various countries such as Sierra Leone and conducted gender awareness training for personnel serving overseas, in international missions and elsewhere. The Consortium also had an advocacy role, which it had pursued in support of UNSCR 1325 by, for example, participating in Ireland's official delegation to the UN Commission on the Status of Women and conducting side events. It had a small annual budget of about 80,000 euros, about half of which came from the government. Mr. Glynn also noted the importance of male participation in combating gender-based violence against women.

Dr. Alan Ryan, Executive Director of the Australian Civil-Military Centre, discussed the Australian experience of gender issues in conflict and peacekeeping situations. The Centre worked to build capacity for responding more effectively to conflicts overseas, and women, peace and security were an integral part of that effort. Addressing violence against women was about inclusion, empowerment and prevention, and required the involvement of both genders. Violence against women and sexual violence had an operational impact on missions. It was disturbing that there were attempts to relativize the issue: women and children were disproportionately affected, and targeting women was to target the whole of society. The goal of the Centre, therefore, was to help plan and conduct activities calculated to make the situation better, by such means as developing national capabilities to respond and co-operating with other sectors of government working on peace and security issues. Currently, the Centre was working with military staff, police, and civilian leadership to develop guidelines for the deployment of operations. Gender awareness needed to be part of planning from the beginning, and must be tailored to each situation. UNSCR 1325 had been

integrated into the training package for personnel being deployed. The Centre was also working on two papers – one on sexual violence in conflict and post-conflict situations, and the other on general violence in conflict situations.

Ms. Sirpa Rautio, Director of the Human Rights Centre of Finland, discussed her experiences of working in the field – notably in the Balkans with both the United Nations and the OSCE. Ms. Rautio expressed her belief that Bosnia and Herzegovina had been a turning point for field work on gender violence. At that time, there had been a lack of attention to promoting economic and social rights and equal opportunities for women, and those who needed services the most did not always receive them. The international community had come a long way since then, particularly through the work of the International Criminal Tribunal for the former Yugoslavia and more binding commitments such as UNSCR 1325. Finland had a National Action Plan on implementing UNSCR 1325, which was already in its second phase. The OSCE had managed to increase the focus on human rights and gender issues as a component of security, especially through its Office for Democratic Institutions and Human Rights (ODIHR) and its field presences. An important new instrument was the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), which opened for signature in 2011; it was likely to get the necessary eight ratifications to enter into force in the course of 2013. The Convention broke new ground in the law enforcement area and brought a comprehensive legal framework to a human rights convention. It was generally gender-neutral and addressed any forms of gender-based violence, not only violence committed against women. It had the potential to be more effective than some other conventions as it did not allow for many reservations, and the ones it did allow for were time-limited. It also had very specific language concerning the definition of certain crimes, including domestic violence. It would be a positive and concrete step forward if countries were to put their national laws into accordance with the Convention.

Dr. Alice Pollard, Director of the West AreAre Rokotanikeni Association, discussed prevention of gender-based violence on the Solomon Islands. Dr. Pollard stressed that the context must be taken into account; people in the Solomon Islands generally lived in rural conditions, with limited access to electricity, legal services, banking services, or law enforcement. Prevention was challenging; violence against women was already a serious problem threatening the country's youth as well as its education and health systems. A 2009 study had shown that sixty-four per cent of women reported that they had suffered physical or sexual violence from an intimate partner, while forty-two per cent of working women reported that they had experienced physical or sexual violence in the previous twelve months. Dr. Pollard gave accounts of several individual cases to show economic empowerment's potential for providing an effective solution. Two years before, the parliament had approved a policy to address gender violence; now that policy must be put into action.

The **discussion** that followed focused on best practices, the practical implementation of national policies, and the importance of involving men in efforts to empower women and prevent violence against them. A representative of the **United Kingdom** discussed his country's Preventing Sexual Violence Initiative, which was designed to prevent violence against women and boys, notably during conflicts, and to strengthen international co-operation. The UK was working on a G8 declaration on the issue, and was also planning to work with regional organizations including the OSCE. A representative of the **United States** gave information about the 7 March 2013 reauthorization of the Violence Against Women Act of 1994, which provided tools for police and law enforcement. New additions included a

provision for the use of tribal courts and specific protection to allow undocumented women to report domestic violence without fear of deportation. Several participants, notably from **Flinders University**, discussed whether gender-neutral or gender-specific language was more effective in international conventions or national policies; members of the panel responded that language should be as specific as possible depending on the situation being addressed. **Dr. Ryan** stressed the importance of analysing specific conflicts to avoid a cookie-cutter response. A representative of the **Sikh Council of Australia** pointed to issues relating to displacement and refugees as well as to women in traditional societies working outside the home, and stressed the need for better communication between the government and the grass-roots level. The NGO **Sisters Inside** discussed the growing rate of imprisonment of women – particularly Aboriginal women – in Australia, many of whom were convicted for retaliating after being victims of rape or domestic violence.

Turning to the OSCE, a representative of **Kazakhstan** asked what role the OSCE could play in implementing UNSCR 1325, as well as how the OSCE could increase its activities in participating States that did not host OSCE field presences, and in OSCE Partner countries. **Mr. Douglas Wake**, Deputy Director of the OSCE Office for Democratic Institutions and Human Rights, discussed ODIHR training programmes designed to enable the police and military in participating States to integrate gender training into their work, and the ODIHR's provision of legal analysis. **Dr. Ryan** agreed that while training was vital, it also needed to be augmented through career development and research. There must be a clear understanding that violence, whether directed at women, boys or men, exacted a cost. Governments could not afford to wait until a crisis or a situation in which they had to respond to a conflict – plans and materials must be ready and accessible for policymakers. **Ambassador Ildem** stressed that ownership of the issue was required right up to the highest level, that international and regional organizations had roles to play, and that civil society involvement was important. He added that the Conference should be a catalyst for further OSCE work to combat violence against women.

3.2 Session 2: Economic empowerment of women

Report by Ms. Kaja Glomm, First Secretary, Norwegian Embassy in Canberra

The moderator, **Ambassador Ol'ga Algayerová**, introduced the panel and stated that women's participation constituted a contribution to economic recovery and growth, was important for cohesive societies, and was essential for security and stability in the OSCE area.

H.E. Ambassador Miroslava Beham, OSCE Senior Advisor on Gender Issues, spoke on the subject "Women as Entrepreneurs, Executives, and Equals: Advancing Women's Economic Empowerment in the OSCE Region". She referred to women's participation in the formal economy as a potential source of increased GDP. Women's economic empowerment would be likely to lead to increased spending on household and communities and would thus contribute to poverty eradication and sustainable growth. As regards women's business ownership, she claimed it would boost output and growth by promoting diversification and expansion into small and medium enterprises. She identified the need to access capital and resources as gender-specific hurdles, and referred to training programmes in Armenia. Ambassador Beham asserted that while more women executives would increase net earnings ("the bottom line"), there was a lack of mentoring, leadership and professional development. She suggested the establishment of mentor networks and referred to current projects in the Balkans related to the development of and training for gender focal points, which might be shared with partner countries. Furthermore, Ambassador Beham pointed out that the gender gap fuelled inequality and that a comprehensive approach was necessary to close the gap. Empowerment through long-term sustainable measures at local level was necessary, and the playing field must be transparent, fair and open.

Ms. Khatija Thomas, South Australian Government Commissioner for Aboriginal Engagement, spoke on the subject "Participation of aboriginal women in South Australia, and in the economy". She pointed out that disadvantage in aboriginal communities was not exclusively a women's rights issue: disadvantage must be addressed from a family perspective. However, measures and recommendations to address disadvantage were often directed at men, not women. In order to address disadvantage effectively it was important to speak for whole communities and families in an appropriate way (age, gender), as the layers of disadvantage were so complex. Culturally it was important to address disadvantage first, as it was not necessarily skewed in terms of gender.

Mr. Takeshi Hikihara, Deputy Director-General, European Affairs Bureau, Ministry of Foreign Affairs of Japan, gave a presentation entitled "Women's growing presence in the economy – empowerment policies in Japan". He pointed out that although the unemployment rate for women in Japan had decreased, the potential of women had not been fully utilized. Women's participation was not just a question of social justice but also of sustainable economic development. Mr. Hikihara stated that if the percentage of women in the workforce increased from 60 to 80, Japan's GDP would increase by 15 per cent. In Japan, although 52 per cent of men and 59 per cent of women graduated from college, after having children birth women lagged behind in their careers even when back at work. Only five per cent of executives were women. In December 2012 Japan had launched a gender equality policy to cover areas such as employment, health and poverty reduction.

Mr. Hikikara stated that women's economic empowerment was also an important element in Japan's international co-operation, making reference to ongoing projects in Uzbekistan and Tajikistan. He also announced that Japan would host the 2014 OSCE Asian Partners Conference.

Mr. Kang Jeong-Sik, Deputy Director-General for International Organizations, Ministry of Foreign Affairs and Trade of the Republic of Korea, spoke about "Challenges and the way forward for economic empowerment of women". He pointed out that full equal participation of women was necessary and that the empowerment of women was essential for peace and security, development and economic growth. He made reference to potential GDP growth as a result of women's participation and pointed out that there was a correlation between the gender gap and competitiveness. He also stated that analysis of poor growth in the context of the Millennium Development Goals (MDGs) had shown gender equality to be a driving force in achieving economic growth. Mr. Jeong-Sik pointed out that Korea had made efforts to improve women's participation but that despite a steady increase there were still many challenges. He pointed to family responsibilities, the labour market and the social welfare system as factors that were not favourable to resuming a career after having children. In his Government's plan for 2013–2017, priority would be given to the following points:

- a. Education and raising awareness of gender equality; traditional stereotypes/gender roles had to be challenged. Promoting equality.
- b. Professional women being able to balance work and family life. An increase in sponsored child care (from 10 to 30 per cent). Sharing the burden of child care and domestic chores.
- c. The enhancing and guaranteeing of women's active participation in politics. More women to be active in decision-making in the private sector.

In the discussion the representative of **Oxfam** commented that gender was cross-cutting (from gender-based violence to economic empowerment) and that initiatives to deal with systematic discrimination must be undertaken before implementing child care policies. The **OSCE Secretariat** commented that a large increase in the percentage of women in higher education could lead to systematic change. **World Vision** commented that work must be done at household level regarding decision-making and spending, as women tended to spend more on family. It was also important to focus on women's entrepreneurship. **Ambassador Beham** replied that the OSCE had a comprehensive approach and saw gender as a security, economic, environmental and human rights issue. She also pointed out that gender was not only related to women. Studies indicated that the drop-out rate for young men was growing, so that there was a risk of undereducated, unemployed young men constituting a security issue. There was an urgent need to strive for gender balance as only real gender equality would benefit all people.

Ms. Thomas mentioned that the number one factor was family violence, pointing out a connection between family violence, imprisonment rate and lack of male role-models. Although many women completed their education, they carried an extra burden because of having to balance family commitments with formal work commitments. **Mr. Hikihara** noted the importance of sharing knowledge/experience as well as providing successful role models. He also commented that in Japan women had a larger say in financial decision-making in the household. **Mr. Jeong-sik** commented that legislative and cultural changes were important and made reference to improvements in Korea regarding the passing-on of women's surnames to children and the inheritance and ownership of family assets.

The **Parliamentary Assembly of Turkic Speaking Countries** noted that full gender equality was the most important factor for peace and stability and made reference to the October 2011 Conference in Baku on the role of women and participation. All Turkic-speaking countries had agreed on actions in the outcome document. Best practices were important for all efforts across Asia. **Austria** made reference to the four goals of the Austrian National Action Plan: diversification, labour force, managerial, closing the income gap. Work and family obligations must be reconciled in order to increase women's economic empowerment, with measures such as child care facilities and paternity leave (currently four weeks in Austria). To deal with the gender-specific wage gap, Austria now had obligatory income reports in view of the greater transparency deemed necessary to reduce the income gap. Another measure in place was that of affirmative action, and Austria had recently introduced gender budgeting in order to increase transparency. Women's economic empowerment was also a priority in development co-operation. **Ireland** noted that the ultimate test was the question "Are we appointing women?". If not, the policy was not working. The **Women's International League for Peace and Freedom** commented that women's economic empowerment must be viewed in the framework of women's rights and not only in terms of its impact on economic development.

Ambassador Beham noted that economic development was an argument for those who needed convincing, but the first point of departure was to empower women. Gender budgeting was a very strong tool in the implementation of gender equality. Austria had been the first in the world to implement it, allocating budgets for gender throughout all ministries and comparable bodies. **Ms. Thomas** commented that discussion on the ideological level was important, but that disadvantaged people did not care what you called it as long as you delivered. **Mr. Hikihara** commented that rights and economic development were of mutual importance, while **Mr. Jeong-sik** stated that the empowerment of women must be done in the context of human rights.

3.3 Session 3: Combating all forms of human trafficking

Report by Alexander Chapman, Desk Officer, Australian Department of Foreign Affairs and Trade, Europe Division, Southern Europe Section

The third session of the Conference, moderated by **Associate Professor Jennifer Burn** of the University of Technology, Sydney, Director of Anti-Slavery Australia, was dedicated to the issue of trafficking in human beings, and in particular to its effect on women and girls. During the session, the OSCE Special Representative and Co-ordinator on Combating Trafficking in Human Beings was joined by speakers representing the ODIHR and Thailand, while various other delegates contributed thoughts on their own countries' experiences of combating trafficking in human beings.

Dr. Maria Grazia Giammarinaro, OSCE Special Representative (SR) and Co-ordinator on Combating Trafficking in Human Beings, outlined the sheer scope of trafficking in human beings around the world and the complex links between economic trends and trafficking in human beings. According to ILO estimates, some 20.9 million people were victims of forced labour and trafficking in human beings globally, with roughly three million of these being in the OSCE area. Trafficking continued to be a gendered crime, as 98 per cent of victims of trafficking for sexual exploitation were women and 40 per cent of persons trafficked for forced labour women or girls. Straitened economic times of the kind currently being experienced in Europe had brought about a substantial increase in trafficking and exploitation of women and girls. Conversely, in times of economic growth demand for cheap labour contributed to increases in trafficking for labour exploitation and other purposes. Dr. Giammarinaro also expanded on measures taken by the OSCE to combat trafficking in human beings. The OSCE was helping to pioneer a human rights approach to preventing and combating trafficking; the SR repeated her appeal to participating States to protect the human rights of all victims and to promote gender equality and women's empowerment as key preventive strategies. OSCE commitments such as the Vilnius Declaration would continue to be important, as would the efforts of the OSCE's Asian Partners, which had instituted similar mechanisms in their respective countries.

Mr. Douglas Wake, First Deputy Director, ODIHR, elaborated further on the human rights approach, detailing the effect of anti-trafficking measures on the victims of trafficking. Too often, anti-trafficking measures only resulted in greater suffering for the victims of trafficking. To prevent this, the human rights approach demanded that anti-trafficking measures target traffickers, not victims. Despite the fact that it was often easier to expel a presumed victim, the human rights approach required that a victim be given protection, even if this may put a burden on a State's resources. In response to a delegate who questioned how realistic this idea was, Mr. Wake acknowledged the practical difficulties inherent in ensuring that States with limited resources could adequately protect victims, but stressed that the placing of the victim at the centre of anti-trafficking efforts was still of paramount importance.

Professor Chaikasem Nitisiri, of Thailand, discussed efforts by his own country and by the Association of Southeast Asian Nations (ASEAN) to combat people trafficking in the region. South-East Asia was one of the world's largest sources of victims of trafficking, and ASEAN members had agreed that the region would benefit from a regional approach to combating trafficking. Thailand had taken steps toward this, including establishing a national agenda to fight trafficking in persons in 2004, and new legislation (the Anti-Trafficking Act) in 2008.

It had also intensified its internal processes for ratifying relevant international legislation, and was co-ordinating its approach with regional partners such as Malaysia and Australia.

Representatives of various OSCE States gave accounts of their countries' efforts to combat trafficking in human beings. The **Swiss** representative discussed his government's approach, focusing in particular on its programme to combat trafficking for domestic servitude among diplomatic staff in Switzerland, which was part of Switzerland's first national action plan against trafficking in human beings (2012–2014). The **French** representative commented that domestic servitude in diplomatic households should not necessarily be a priority when so much remained to be done in the OSCE zone, but agreed that the fight against trafficking in human beings was a political priority. It was important to continue to fight against poor enforcement of standards, and to focus on using existing tools to combat trafficking in human beings rather than creating new ones.

An intervention from the representative of the **UN High Commissioner for Refugees** provoked much discussion, particularly in connection with displaced persons being particularly vulnerable to trafficking. **Mr. Wake** commented that the overlap between displaced persons and trafficking was understudied, and that many persons entering the OSCE zone from other areas were often fleeing persecution, which might make them more vulnerable to trafficking in human beings. **Associate Professor Burn** also noted that residents of long-term refugee camps were often particularly vulnerable to exploitation of various kinds, including being trafficked or smuggled.

A question was asked as to what extent neoliberal economic policies were contributing to an increase in trafficking in human beings. **Dr. Giammarinaro** responded that while trafficking was too complex a phenomenon for generalizations, it was certainly the case that poor regulation and poor conditions in work environments often led to a greater risk of trafficking. In response to a question from the Austrian delegate, Dr. Giammarinaro explained how her office and the ODIHR were co-operating on a variety of activities and projects, including capacity-building work and training for officials involved in trafficking in human beings. One delegate questioned the effectiveness of some of these programmes, and Dr. Giammarinaro acknowledged that it would take time to see whether the programmes had had an overall positive effect or not.

On the question of legislative frameworks, **Mr. Wake** noted that the example of countries such as Australia offered a model for any country looking to develop a legislative framework based on the human rights approach. **Associate Professor Burn** and **Professor Nitisiri** also commented on Thailand's progress towards establishing this kind of framework, which made it a good example of a country striving to implement the human rights approach in the face of a substantial trafficking problem. Finally, in response to a question about the plurality of legislative models for regulating prostitution now in existence in Europe, **Dr. Giammarinaro** agreed that there was ample scope for comparative studies of this matter, which constituted one significant aspect of anti-trafficking efforts. However, it was imperative that human trafficking issues be placed at the centre of a range of different legislative instruments to create a comprehensive and effective anti-trafficking legal framework.

4 Summary of the closing session

Report by Alexander Krez, External Co-operation Officer, OSCE Secretariat

The closing session was chaired by **H.E. Ambassador Ihor Prokopchuk**, Permanent Representative of Ukraine to the OSCE and Representative of the OSCE Chairperson-in-Office. Concluding remarks were delivered by **Mr. Jeff Roach**, Assistant Secretary, Northern, Southern and Eastern Europe Branch, Department of Foreign Affairs and Trade of Australia, and by **H.E. Ambassador Eoin O’Leary**, Permanent Representative of Ireland to the OSCE and Chairperson of the Contact Group with the Asian Partners for Co-operation.

On behalf of the Ukrainian OSCE Chairman-in-Office, **Ambassador Prokopchuk** thanked all participants for their active and constructive participation. He noted that the Conference had covered a wide spectrum of issues related to improving the security of women and girls. In addition, he recalled the main contents of the three sessions: combating gender-based violence, the economic empowerment of women, and the global crime of trafficking in human beings. Ambassador Prokopchuk summarized the main aspects discussed in the three sessions and praised the participants’ valuable contributions, which had made the OSCE-Australia conference a real success. He noted that participants had exchanged ideas, experiences and best practices and identified several areas where it would be desirable to deepen co-operation between the OSCE and its Asian Partners. On behalf of Ukraine he expressed hope that the outcomes of the Conference would also be discussed and transformed into tangible results by the OSCE Permanent Council in Vienna, in preparation for the 20th OSCE Ministerial Council in Kiev, as well as in the framework of the Helsinki+40 Process. In this regard, Ukraine would serve as a facilitator and catalyst for the deepening and strengthening of the relationship between the OSCE and its Partners for Co-operation. He concluded by expressing his gratitude to all participants for their important contributions, to the Australian Government for its outstanding hospitality and organization of the event, and to the OSCE Secretariat staff for their constant support.

Mr. Jeff Roach expressed his gratitude to all the representatives and delegates from the OSCE and Australia’s Asian and Pacific neighbours who had gathered for the Conference. He commended NGO and academic participation and the strong voice brought to the conference by the relevant delegates. Mr. Roach compared the threat posed by violence against women and girls to a cancer in our communities and reminded delegates of the powerful testimony from Dr. Pollard (Solomon Islands) that this violence threatened the family unit, which was the cornerstone of any nation’s sense of security. He stressed that Dr. Pollard’s remarks were a reminder of the difficult social and economic conditions experienced by the vast majority of the world’s women. Mr. Roach concluded by suggesting that there was a need for the international community to be careful not to invest unduly in treaties and legal work and neglect the difficult and challenging task of working within cultures and communities across the globe to tackle unacceptable rates of violence against women.

In his concluding remarks **Ambassador O’Leary** praised the Conference, which in his view had been one of the most interesting annual conferences in recent years, mainly on account of its clear focus on a very real and concrete issue of global concern. He noted that the Conference had made it possible for high-ranking national experts and civil society representatives to engage in the joint consideration of various aspects of the topic. However, Ambassador O’Leary emphasized that improving the security of women and girls was not an issue that could be summarily disposed of in a two-day conference. On the contrary, it

required continuous attention from all stakeholders if real and tangible change was to be achieved. He expressed the hope that all participants had profited from the mutual inspiration offered during the previous two days and would go away with ideas on how to take forward the work of the Conference. He pointed out that the OSCE had long valued its relationship with its Asian Partners, who had so much to offer, and that the Conference would be the highlight of the Asian Partnership in the current year. Nevertheless, he trusted there would be numerous opportunities for follow-up to the Conference in the regular meetings of the Contact Group in Vienna.

Ambassador O'Leary concluded by reiterating his warmest appreciation of the excellent hospitality extended by Australia and of the OSCE Secretariat's support, and thanked the moderators, speakers and rapporteurs for their invaluable contributions.

5 List of participants

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Ms. Martina Mary **Feeney** Deputy Head of Mission, Permanent Mission of Ireland to the OSCE

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Mr. Maurizio **Pettena** Representative of the Holy See

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Ambassador Ol'ga **Algayerová** Permanent Mission of Slovakia to the International Organizations in Vienna/Austria

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Mr. Stefan **Kloetzli** Deputy Head of Mission, Embassy of Switzerland in Australia

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Ambassador Tacan **Ildem** Permanent Representative, Permanent Mission of the Republic of Turkey to the OSCE

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Ambassador Ihor **Prokopchuk** Chairperson of the OSCE Permanent Council, Permanent Representative of Ukraine to the International Organizations in Vienna

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Mr. Ramil **Hasanov** Secretary General

Mr. Alasgar **Aghayev** Secretary for Organizational Affairs

Mr. Ramin **Mammadov** Expert on Gender Equality

Mr. Anar **Rahimov** Secretary for International Cooperation and Protocol

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Dr. Catherine Kevin	
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Mr. Leon Cermak	Volunteer
Mr. Nathan Flentjar	Volunteer
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Ms. Jessica Mitchell	Volunteer
Ms. Kate Murphy	Volunteer
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Mr. David Travers	Chief Executive
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The Council of the Care of Children

Ms. Jane Chapman	Member
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