



CONCEPT NOTE

Conference on Addressing Human Trafficking and All Forms of Sexual Exploitation: Emerging Trends and Long-Term Strategies? *German and International Approaches*

“There is a person being exploited. Someone who did not want to be used, bought or sold. Someone who just needed food, rent, someone who just didn’t have anyone else to turn to or another choice. Until we see that person as our friend, neighbor, sister, daughter, etc., it will never stop.” Survivor from the United States.

“If you look deeper, you see that the circumstances of life have forced people into prostitution. It is like someone jumping from a burning building - of course, you can say that the person voluntarily chose to jump. But you can also say that person had no choice. I don't want to deny that there are people who prostitute themselves and for whom it may be okay, but that is not the great mass, but only a small fraction. For the great mass, prostitution means being trapped. Trapped in a life full of violence and full of lies. For these people, prostitution means an enormous amount of unspeakable suffering that can never be repaired.” Survivor from Germany

ODIHR & UN Women (2020), Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic¹

¹ ODIHR & UN Women (2020), [Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic](#).

Organizers:

Gemeinsam gegen Menschenhandel (Together Against Human Trafficking) is an association of 37 not-for-profit organizations, as well as initiatives and individuals involved in the fight against human trafficking. Member organizations of the alliance are engaged in the areas of prevention, training, victim protection and victim assistance. Through outreach work, they identify trafficked persons, support women who want to exit prostitution or escape situations of sexual exploitation. They run shelters, specialized counseling centers and employment opportunities. Together Against Human Trafficking is engaged in awareness raising, education and prevention in Germany as well as in the countries of origin. The alliance, furthermore, works to improve the national legal framework in Germany by supporting measures that address impunity of traffickers, as well as victim protection and compensation.

The Konrad-Adenauer-Stiftung (KAS) is a political foundation. In Germany, 16 regional offices offer a wide variety of civic education conferences and events. Their offices abroad are in charge of over 200 projects in more than 120 countries. The foundation's headquarters are situated in Sankt Augustin near Bonn, and also in Berlin. There, an additional conference center, named "The Academy", was opened in 1998. At home as well as abroad, their civic education programs aim at promoting freedom and liberty, peace, and justice. They focus on consolidating democracy, the unification of Europe and the strengthening of transatlantic relations, as well as on development cooperation. As a think-tank and consulting agency, their soundly researched scientific fundamental concepts and current analyses are meant to offer a basis for possible political action. The Berlin Academy is the national forum of dialogue between the spheres of politics, economy, science, and society.

OSCE Office for Democratic Institutions and Human Rights has been active in preventing and combating trafficking in human beings in the OSCE region since 1999. Since that time, it has focused on the promotion of international human rights standards and gender sensitive measures in responses to trafficking. As a result of its work, the ODIHR has developed expertise and a significant role in the domain of victim protection and the promotion of the rights of trafficked persons and groups who are at-risk. In particular, ODIHR has assisted participating States in the creation of National Referral Mechanisms (NRMs), drawing on guidance provided in ODIHR's "National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons" Handbook (Handbook), as well as paved the way in promoting trafficked persons' access to justice and effective remedies, including compensation.

Background and Rationale

Human trafficking for sexual exploitation can occur in any forum or medium in which prostitution and pornography are provided, either online or offline. It is a highly gendered phenomenon, with 92 percent of all identified trafficked persons being women and girls.² Poverty and the inability to gain access to decent work may push women to seek risky economic opportunities where they are at risk of coercion, abuse and trafficking. Trafficking in women and girls does not happen in isolation. It happens in a continuum of violence. Efforts to flee situations of violence and abuse prompt women and girls to take risks that may lead to them being trafficked.³ The links between domestic violence and human trafficking have already been documented.⁴ The exponential increase in reports of domestic violence during the COVID-19 pandemic can thus continue to be a push factor. Emerging trends in human trafficking and sexual exploitation, as well as consequences of the COVID-19 pandemic are also marked by gender-specific vulnerabilities and are further exacerbated by already existing gender inequalities.⁵ Prior to the COVID-19 pandemic, women and girls, especially those from marginalized communities, constituted the majority of detected victims of human trafficking and it is likely that this trend will continue.⁶

This requires robust prevention strategies and development of exit strategies from situations of sexual exploitation. The 189 States Parties to CEDAW are under a direct and binding obligation to suppress all forms of exploitation of the prostitution of others.⁷ In addition, the UN CEDAW General recommendation No. 38 on trafficking in women and girls in the context of global migration (2020)⁸ affirms as a priority duty of States, both individually and collectively, to prevent women and girls from exposure to risk of being trafficked. States are also obliged to discourage the demand that fosters exploitation and leads to trafficking. It sets out practical guidance on implementing anti-trafficking interventions that are based on a gender transformative and intersectional approach, with the focus on realizing women's and girls' human rights as a strategic priority for achieving sustainable development. It recalls States parties' obligations under international law, including the Committee's jurisprudence, to identify, assist and protect trafficking survivors, to prevent their revictimization, and to ensure their access to justice, and punishment of perpetrators.

Furthermore, the Palermo Protocol, Article 9 (5)⁹ states that "States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking." It is important

² UNODC (2021), [Global Report on Trafficking in Persons 2020](#).

³ UN General Assembly (2018), [Trafficking in women and girls: Report of the Secretary-General](#), 27 July 2018, A/73/263, para. 19.

⁴ NNEDV (2017), [The Intersections of Domestic Violence and Human Trafficking](#).

⁵ ODIHR & UN Women (2020), [Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic](#).

⁶ UNODC (2019), [Global Report on Trafficking in Persons 2018](#).

⁷ See OHCHR, [Status of ratification: Interactive Dashboard](#).

⁸ Committee on the Elimination of Discrimination against Women (2020), [General recommendation No. 38 \(2020\) on trafficking in women and girls in the context of global migration](#), 20 November 2020, CEDAW/C/GC/38.

⁹ UN General Assembly (2000), [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime](#)

to engage immediately and with urgency in the prevention of all forms of sexual exploitation including trafficking for the purpose of sexual exploitation. Therefore, multi-agency stakeholders should come together to find common understandings and agreed policy and legal approaches in order to create systems of anti-trafficking work that can be followed in a variety of national contexts, including Germany.

Against this backdrop, the German Alliance *Together Against Human Trafficking* has been organizing regular conferences since 2016 to shed more light on various aspects of this issue and to support its fight. Currently, strategies for combating trafficking for the purpose of sexual exploitation and its interlinkage with prostitution are being re-discussed in Germany - also from the perspective of gender equality. The legislative approaches regulating prostitution and the sex industry are being reconsidered. The conference will therefore focus on reexamining the German legal and policy approaches in these areas, highlighting international perspectives and best practices, and developing promising approaches to dealing with the issue. The conference will produce a set of recommendations on addressing human trafficking and all forms of sexual exploitation, with a focus on the following four areas: (1) long-term and sustainable policy solutions, (2) strengthening of national legal frameworks, (3) civil society innovative approaches addressing emerging trends and challenges, and (4) promising criminal justice approaches.

German Alliance Together Against Human Trafficking, the Konrad Adenauer Foundation and OSCE/ODIHR strive to continually foster an effective exchange of information, promising practices and lessons learned on the ongoing and future activities in the field of combatting human trafficking and all forms of sexual exploitation.

In this context, the Conference will take place over two days, with the first day high-level forum highlighting international and German perspectives on long term solutions to combatting human trafficking and all forms of sexual exploitation and provide a reflection on the current challenges posed by the COVID-19 pandemic. The second day of the conference will focus on civil society's innovative approaches to provision of victim and survivor support and services during the COVID-19 pandemic and promising practices in Germany and internationally in combatting organized crime in the context of human trafficking and sexual exploitation. The conference will facilitate the exchange of views among government (including policymakers and criminal justice actors), civil society, academia and survivor leader stakeholders.

“Tighten the punishment for those who recruit, exploit, sell those who, due to economic problems, find themselves unemployed in the labor market and become a good target for traffickers.” Kazakhstan

“Introduce a criminalization of sex purchase - focusing on the “clients” rather than the persons in prostitution. A reduction of demand will reduce the supply of victims of trafficking for sexual exploitation.” Germany

“Ensure channels for legal labour migration are in place for sectors typically filled by migrants, e.g., agriculture, in-home care, construction.” Austria

“Doing much more to reduce the demand for prostitution with the penalty to the pimps, the closure of private apartments where it is exercised, etc.” Spain

“Traffickers are protected on one side and the processes are not punished, which makes combatting trafficking and exploitation even more difficult.” Colombia

ODIHR & UN Women (2020), Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic¹⁰

Draft agenda

Day 1: Thursday 24 June 2021

Time (CET)	Topics	Speakers
13:30 – 13:45	<u>Online Access and Technical Information</u>	
13:45 – 14:15	<u>Welcoming Remarks</u>	Frank Heinrich, MP Germany and Director of the Board of Gemeinsam gegen Menschenhandel (Together Against Human Trafficking) Tatiana Kotlyarenko, Adviser on Anti-Trafficking Issues, OSCE/ODIHR Thomas Birringer, Deputy Head of Analysis and Consulting Department, Konrad Adenauer
14:15 – 15:00	<u>Keynote Addresses</u>	

¹⁰ ODIHR & UN Women (2020), [Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic](#).

		<p>Moderator: Frank Heinrich, MP Germany</p> <p>Kevin Hyland, Member of Council of Europe Group of Experts on Action against Trafficking in Human Beings</p> <p>Shandra Woworuntu, Founder and Vice-President of Mentari and Member of the International Survivors of Trafficking Advisory Council (ISTAC)</p> <p>Annette Widmann-Mauz, German Minister of State to the Chancellor, Federal Government Commissioner for Migration, Refugees and Integration, Chairwoman of the Women's Union of the CDU of Germany</p>
15:00 – 16:30	<p>Panel I: International Perspectives: Combatting human trafficking and all forms of sexual exploitation by developing long-term solutions</p> <ul style="list-style-type: none"> ➤ Addressing the demand that fuels human trafficking and sexual exploitation through comprehensive prevention strategies ➤ The importance of including the expertise of survivors into the development of sustainable strategies ➤ Q&A 	<p>Moderator: Tatiana Kotlyarenko, Adviser on Anti-Trafficking Issues, OSCE/ODIHR</p> <p>Gregorz Poznanski, Secretary General of Council of Baltic Sea States</p> <p>Carlos Ruiz González, Spanish Ambassador for the Fight Against Human Trafficking</p> <p>Gudrun Kugler, Member of the National Council, Austria, Spokesperson for Human Rights and for Displaced Persons, Member of the OSCE Parliamentary Assembly</p> <p>Diane Martin CBE, Member of the OSCE/ODIHR International Survivors of Trafficking Advisory Council (UK)</p> <p>Dalia Leinarte, Member and former Chair of CEDAW</p>
Break 16:30 – 16:45		
16:45 – 18:30	<p>Panel II: Robust national legal frameworks and their implementation: Key factors in addressing human</p>	<p>Moderator: Taina Bien Aime, Executive Director, Coalition Against Trafficking in Women</p>

	<p>trafficking and all forms of sexual exploitation</p> <ul style="list-style-type: none"> ➤ How to ensure political commitment to adopt and strengthen legislation to combat human trafficking and all forms of sexual exploitation ➤ Effective legal frameworks to address demand for human trafficking and all forms of sexual exploitation ➤ Legislative measures to target the impunity of users of sexual services of victims of trafficking and all forms of sexual exploitation ➤ Challenges in implementation ➤ Q&A 	<p>Catharine A. MacKinnon, Legal scholar, activist, and author, Elizabeth A. Long Professor of Law at the University of Michigan Law School and the James Barr Ames Visiting Professor of Law at Harvard Law School</p> <p>Jean-Claude Brunet, Ambassador-at-Large on transnational criminal threats, Ministry for Europe and Foreign Affairs (France)</p> <p>Anna Ekstedt, Ambassador-at-Large for Combating Trafficking in Persons (Sweden)</p> <p>Sandra Norak, Member of the OSCE/ODIHR International Survivors of Trafficking Advisory Council (Germany)</p> <p>Presentation of the study commissioned by KAS on the implementation of the Nordic Model in Sweden by Wanjiku Kaime Atterhög, Senior Lecturer and Researcher at Mid Sweden University.</p>
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Day 2: 25 June 2021

<p>14:00 – 15:30</p>	<p>Panel III: Addressing Human Trafficking during the COVID-19 pandemic: Focus on Civil Society and Survivor Led Initiatives</p> <ul style="list-style-type: none"> ➤ Challenges and trends due to the COVID-19 pandemic regarding combating human trafficking and provision of assistance and support to victims by civil society ➤ Increased vulnerability of women and children to trafficking and sexual exploitation online and offline ➤ The role of survivors of trafficking in providing comprehensive support and assistance to victims and survivors ➤ Promising practices of civil society and survivor-led initiatives 	<p>Moderator: Youla Haddadin, Senior Advisor on Trafficking in Persons, OHCHR</p> <p>Presentation of the joint OSCE/ODIHR and UN Women Report on Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic by Maximilian Scheid, Assistant Project Officer on Anti-Trafficking Issues, OSCE/ODIHR</p> <p>Gregoire Thiery, Founder of CAP International</p> <p>Dr Esohe Aghatise, Founder and Executive Director of the Association Iroko Onlus</p> <p>Anna Zobnina, Strategy & Policy Coordinator, European Network of Migrant Women</p> <p>Malaika Oringo, Footsteps to Freedom and Member of the OSCE/ODIHR International Survivors of Trafficking Advisory Council (Netherlands)</p>
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	➤ Q&A	Bernadette Nyamekye, SOLWODI, Germany
Break: 15:30 – 15:45		
15:45 – 17:15	<p>Panel IV: Addressing Organized Crime in the Context of Human Trafficking and Sexual Exploitation: Promising Criminal Justice Practices in Germany and Worldwide</p> <ul style="list-style-type: none"> ➤ Measures to enhance the investigation of organized crime related to human trafficking and improve victim identification rates, especially through proactive investigations ➤ Strengthened cybercrime and financial investigations related to human trafficking ➤ The role of cross-border co-operation among criminal justice actors, especially law enforcement ➤ The importance of a victim-centered, gendered sensitive and trauma-informed approach to investigating organized crime ➤ Promising practices by law enforcement worldwide ➤ Q&A 	<p>Moderator: Sigma Huda, former UN Special Rapporteur on Human Trafficking</p> <p>Helmut Sporer, former Detective Chief Superintendent, Augsburg, Germany</p> <p>Innocentia G. Apovo Monteiro, Coordinator of the Trafficking in Human Beings Unit within INTERPOL</p> <p>Bashir Garba Lado, Director General, National Agency for the Prohibition of Trafficking in Persons, Nigeria</p> <p>George Adrian Petrescu, Deputy Director, National Agency Against Trafficking In Persons, Romania</p> <p>José Luis Pérez Fernández, Inspector, U.C.R.I.F. Central, Comisaría General Extranjería y Fronteras, Spain</p>
17:15 – 17:45	Closing Remarks:	<p>Tatiana Kotlyarenko, Adviser on Anti-Trafficking Issues, OSCE/ODIHR</p> <p>Gabriele Baumann, Head of Office for Nordic Countries, Konrad Adenauer Foundation</p> <p>Angelika Franke, Executive Director, Gemeinsam gegen Menschenhandel (Together Against Human Trafficking)</p>