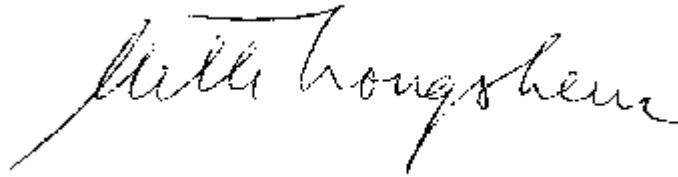


PC.DEL/1191/04
4 December 2004

ENGLISH only

To: All Delegations
Secretariat

Please find attached the summary of the meeting of the **Informal Working Group on Gender Equality and Anti-Trafficking** held on 15 November 2004.

A handwritten signature in cursive script, appearing to read "Kongshem".

Ambassador Kongshem,
Chairperson of the Group

**Summary
of the meeting of the Informal Working Group
on Gender Equality and Anti-Trafficking**

15 November 2004

Chairperson: Ambassador Mette Kongshem (NORWAY)

1. Adoption of the agenda:

The *Chairperson* noted the late distribution of the agenda as a result of technical problems.

2. Implementation of the OSCE Action Plan to Combat Trafficking in Human Beings:

(a) Presentation by Ms. Jyothi Kanics, Programme Manager of the Separated Children in Europe Programme (a joint initiative by Save the Children and UNHCR) on 'Promoting and Protecting the Rights of Separated and Trafficked Children'

The Programme Manager of the Separated Children in Europe Programme informed delegations that the Programme, established in 1997, was a joint initiative of the International Save the Children Alliance and the United Nations High Commissioner for Refugees. She reported that the Programme had developed a network of NGOs across 28 countries in Europe and that that network could be a valuable partner for the OSCE as it comprised expert practitioners with long experience in countries of destination, origin and transit. She stated that the Programme defined separated children as children under 18 years of age who were outside of their country of origin and who were separated from their parents or their previous legal/customary primary caregiver. Those children were entitled to international protection under a broad range of international and regional mechanisms. The aim of the Programme was to promote the rights of separated children and to support the raising of standards in all policies, practices and services that impacted upon them. She noted that that aim focussed on the following: the need for international protection of separated children, the need to address the well-being and developmental rights of separated children, and the importance of the participation and empowerment of separated children. Providing an overview of the Programme's goals, she outlined the legal and policy framework for protecting child victims of trafficking and discussed the range of standards and tools available for protecting child victims of trafficking. She reported on the need to prevent child trafficking through improving child welfare and urged OSCE participating States to strengthen and develop their national child welfare and protection agencies and hoped that the issue could be addressed in future Human Dimension meetings. She also suggested that OSCE participating States should consider ratifying the *International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families* and that authorities should improve their reception of asylum seeking children through the use of child-friendly interview techniques. The Programme Manager made a number of key recommendations specifically addressed to OSCE participating States. She stated that prevention efforts should focus on the following: poverty reduction and development aid, education, alternatives to institutionalisation, street children and safe migration. In addition, she noted the importance of clear legal definitions in

national legislation and believed that the best interests principle should be enshrined in national legislation and respected in practice. *The Chairperson* stated that although many of the tools mentioned by the Programme Manager had already been adopted, there was a need to do more.

(b) Draft Ministerial Decision on Protecting the Rights and Addressing the Needs of Child Victims of Trafficking

The Chairperson informed delegations that the text contained some minor linguistic amendments and that a few new elements had been added, such as the reference to a UN protocol. Following that, delegations engaged in a paragraph-by-paragraph reading of the text. Alongside a number of recommendations concerning the formulation of the text, the primary issues of concern centred on the following: *one delegation*, under instructions from its capital, wished for the document to be considered as a PC draft decision and not as an MC draft decision. *Numerous delegations*, noting the importance of the draft decision's content, disagreed with that suggestion. On a separate issue, *another delegation* sought clarification concerning the use of the phrase 'special needs and rights of children'. It believed that children had special needs but it remained unconvinced that they had special rights and felt that the legal implications of creating a different category of rights needed to be considered. *The Chairperson* stated that there was an increasing awareness that child victims of trafficking in human beings indeed had different needs and as a consequence also had special rights and that special rights for children were indeed codified in different international conventions. *One delegation* wondered what human rights a child had that were different to those of an adult and it debated the difference between a human right and a special need. Although it did not have a problem with the concept, it needed to check the wording. *The Chairperson*, believing that the document did not set out to institutionalise a special kind of human rights, hoped that the word 'rights' could be retained. On another issue, *one delegation* wished to have the references to NGOs and the UNICEF Guidelines deleted. *The Chairperson* argued against that, noting the important role played by some NGOs and the importance of the UNICEF Guidelines.

3. Draft Ministerial Decision on the 2004 OSCE Action Plan for the Promotion of Gender Equality

The Chairperson noted that the draft Action Plan had received full support in the Prep Comm but that some concerns remained on the political will of delegations to allocate sufficient financial resources for two new positions in the Secretariat to implement the Action Plan. She hoped that it could be discussed within the ACMF prior to the Sofia MC. During a paragraph-by-paragraph drafting process, a number of delegations made some recommendations concerning the formulation of the text.

4. Any other business:

The US Representative informed delegations that the Inspector General of the United States Department of Defence would give a presentation on 'The United States Department of Defence Policy on Military Troops and Combating Trafficking in Persons' on 17 November at 3 p.m. in Room 425.