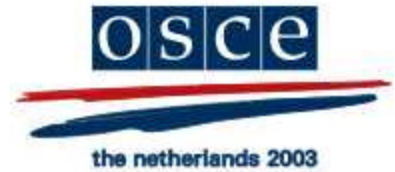


EF.DEL/3/03  
14 May 2003

ENGLISH only

**Chairmanship 2003  
Permanent Representation of the  
Netherlands to the OSCE**



Vienna, 14 May 2003

Dear Colleagues,

As was announced in CIO.GAL/28/03 of 4 April 2003, the Netherlands Chairmanship has invited experts to prepare discussion papers for the three working groups at the Economic Forum, which will take place in Prague from May 20 to 23.

It is my pleasure to forward herewith the discussion paper for Working Group C, written by Mr. Robert Templer of the International Crisis Group. It should be noted that this paper reflects the opinion of the author and not necessarily that of the Netherlands Government.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jos Schellaars'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Jos Schellaars  
Counsellor

To: All OSCE Delegations

**OSCE ECONOMIC FORUM 2003: TRAFFICKING IN HUMAN BEINGS,  
DRUGS, SMALL ARMS AND LIGHT WEAPONS: NATIONAL AND  
INTERNATIONAL ECONOMIC IMPACT**

**WORKING GROUP C: ANTI-TRAFFICKING AND THE OSCE  
ORGANISATION: BRIEFING PAPER**

## **INTRODUCTION**

Illegal trafficking of human beings, drugs, and arms is an increasingly serious issue in the OSCE region. Until now, government officials and international organisations have tended to view the trafficking issue as one of inadequate law enforcement, and have therefore concentrated anti-trafficking efforts on improving the capacity of police forces, border guards, and customs officials. There has been relatively little emphasis on the human rights of trafficked persons, or on the side-effects of trafficking in drugs or arms on transit societies, including their economies and political systems.

The OSCE has some role to play in trafficking, but so far its efforts have been diverse and unfocused. It is not clear whether the organisation has sufficient expertise to tackle the issue in its broadest sense, nor whether it should be a priority in an organisation where resources are limited. However, the broad spread of the OSCE, and its network of field offices, could offer some ways of contributing to the issue, although the organisation needs to avoid overlapping with other international organisations and participating States' bilateral efforts.<sup>1</sup> It also needs to be recognised that while trafficking is an important issue, in many cases it is a symptom of other much more difficult social, political and economic ills, which should remain the focus of OSCE activities, from good governance, poor law enforcement and judicial systems, to economic development.

Almost all states in the OSCE area are in some way involved in the trafficking business, either as recipient states (predominantly but not exclusively Western Europe) or as source states predominantly the Balkans, the Caucasus and Central Asia. Some states, such as Russia and the Baltics, act both as source and recipient states. Russians, for example, are known to be caught up as victims of trafficking to Western Europe, while many Tajiks and Kyrgyz have become entangled as indentured labourers or sex workers in Russia or other CIS countries.<sup>2</sup>

The role of participating States in Central Asia is much less studied than other regions, and there have been only a small number of OSCE projects, or work by other international organisations in this area. Governments in the region have been slow to

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<sup>1</sup> The OSCE is not widely seen as a key organisation in the fight against trafficking of either drugs or people although it is better recognised for its work on small arms and light weapons. The Organisation is not mentioned in the Brussels Declaration of 20 September 2002 or its annex although representatives attended the meeting on trafficking of people.

<sup>2</sup> Most of the research in this report comes from Central Asia. Trafficking is a problem across all the participating States but much less is known about the problem in this region than others.

recognise the problem, and in some cases actively hostile to international programs to tackle the issue.

## CENTRAL ASIA

### Human Trafficking

There is limited reliable research on human trafficking in and from Central Asia. Most evidence has been accumulated in a series of reports by the IOM, with some work by local NGOs, and organisations such as the Open Society Institute (OSI). Government agencies have either avoided the topic entirely<sup>3</sup>

Trafficking takes place within the context of mass migration from poor countries in Central Asia to Kazakhstan and Russia, and further afield to the Middle East and in some cases Europe. Young people from Kyrgyzstan, Uzbekistan, Turkmenistan and Tajikistan are frequently those who most want to leave to work elsewhere. The OSI conducted a survey of women in Uzbekistan aged 16-22: 95 per cent of all want to leave Uzbekistan. 80 per cent did not realise the danger of trafficking in women.<sup>4</sup>

Against such a backdrop, it is easy for unscrupulous individuals, criminal groups and companies to deceive people into offers of work abroad, visas to other countries and so forth. Most of those who travel to work abroad, whether in the sex trade, or in ordinary casual labour, do so voluntarily and are not necessarily caught up in trafficking, at least in a narrow definition. However, a significant minority become involved in situations in which they lose the freedom of action, and can be considered as trafficked persons.

Most of this migration is informal and migrants do not enjoy the rights that regular citizens would have. There are many cases of Tajiks who have migrated to Russia to work, being effectively turned into slave labour by employers who have confiscated their documents, or warned them that they will be deported unless they work. Law enforcement agents and courts are seldom concerned with such cases. Thousands of Kyrgyz and Uzbek citizens work in tobacco farms in southern Kazakhstan in conditions rife with exploitation. Many are recruited from labour markets in southern Kyrgyzstan and Uzbekistan: they are driven to Kazakhstan and delivered to tobacco plantations where they are left without contracts and documents. They complain of modern-day slavery conditions of hard labour without pay, beatings, and even rape.<sup>5</sup> In this context, of

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<sup>3</sup> At a recent conference on trafficking, held in Almaty, Kazakhstan, the representative of the Turkmenistan government stated that 'there was no trafficking problem in Turkmenistan'.

<sup>4</sup> Information provided at IOM conference on trafficking, Almaty, April 2003.

<sup>5</sup> Rysaliev, Almaz, "Rabstvo mezhdunarodnoe" ("International Slavery"),

<http://freewww.elcat.kg/respub/old/29/12.htm> Mozhaeva Alina and Vyacheslav Oseledko, "Bezhavshie iz rabstva" ("Fleeing from Slavery"), <http://www.delo.to.kg/2002/17/07.shtml>, Kim, Alexander, "Tabachnie rabi" (Tobacco Slaves), <http://www.vb.kg/2001/05/14/14.htm>.

course, it is important to note that conditions for workers in their own countries may not necessarily be any better.

There is a thin line between abused labour migrants and those that can be considered trafficked persons, but in many cases migrants are indeed working in conditions associated with trafficking. Once there, they do not turn to the police for assistance because they fear being beaten. Many are also there on falsified documents that they bought from a source in the government to get to their destination.

The causes of this mass labour migration, and the inevitable place that trafficking takes within it, can be placed within three broad sectors, which also point to the main areas that governments and international organisations, including the OSCE, need to address:

#### *Economic failure*

The widespread poverty of Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan is based partly on difficult objective economic problems, but much more on poor government policies. The failure of Uzbekistan and Turkmenistan to achieve any serious economic reform that impacts on living standards; high levels of corruption in all states in the region; and the difficult aftermath of war in Tajikistan; all contribute to the desperate desire of many residents to seek economic opportunities abroad.

#### *Political alienation*

Some migration from Central Asia arises from a combination of economic and political problems. Many Uzbeks and Turkmen see little future under present authoritarian and corrupt regimes, and seek self-fulfilment elsewhere. Others find little opportunity for self-expression, religious freedom or political outlets, and move abroad to find a better life, not just in economic activities, but in greater freedom of expression and action.

#### *Corrupt law enforcement/government*

The Kyrgyz Ministry of Internal Affairs recognised that “there is corruption and some officers in the Ministry [of Interior] are believed to be involved in the trafficking of people... but no concrete facts are available.”<sup>6</sup> But customs, border guards, and other security sector officials, transport and airport officials are all also involved. None of the Central Asian governments has made a serious effort to tackle this kind of criminality and corruption within their security structures for human trafficking issues. In fact, frequently trafficking cases are covered up because of official complicity. The authorities also often directly profit off the sex and labour trades when the victims return to their home countries. Harassment of sex workers is especially brutal. They report blackmail by the police and other authorities to not spread information in their communities about their work in prostitution.<sup>7</sup>

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<sup>6</sup> IOM Report on Trafficking: Kyrgyzstan, p. 27.

<sup>7</sup> See IOM reports on trafficking for Tajikistan and Kyrgyzstan.

Trafficking constitutes only a small part of the overall labour migration in the region, but government actions often feed the involvement of criminal groups. The more restrictions that are placed on migrants – either through stricter visa regimes (either exit or entry), the introduction of more and more documentation for migrants, and their lack of access to justice in recipient countries – the more criminalised migration becomes. When there is lack of legal possibilities for migration, inevitably aspirant migrants turn to corrupt means of obtaining documents or are willing to approach criminal groups to achieve migration.

## **Drug Trafficking**

As with human trafficking, there is very little reliable information on the real extent or pattern of drug trafficking in the region. Most information comes from official government sources, and relates only to seizures of drugs. While government sources suggest that just 55 kg of heroin was seized in Turkmenistan in 2002, the actual amount transiting the country is unknown, but is believed to be a large proportion of the total transit through Central Asia.<sup>8</sup> Since it is transited with the active involvement of senior government officials, there is little potential to calculate the actual problem or to do anything about it.

Because of links between civil servants and businesses, and drug traders, governments have been reluctant to go after major narcotraffickers, chasing instead the small time dealers and peddlers. Female couriers serving as human containers are easy targets for law enforcement agencies in order to show a strong track record on arrests and prosecutions. Uzbekistan seized 839 kg of narcotics in 2002,<sup>9</sup> and instigated over 8,000 criminal cases, which resulted in over 900 prosecutions.<sup>10</sup> Such a track record suggests that each prosecution was for less than one kilogram. Uzbek drugs officers admit that they tend to go after low-level gangs, and are warned off tackling major traffickers who have significant political protection.<sup>11</sup> High numbers of drug arrests give governments a positive image in the international arena in the fight against drugs. Donor countries funnelling support to Uzbekistan, Kyrgyzstan, Tajikistan, Kazakhstan and even Turkmenistan need to demonstrate quick results to their home governments for programmes to continue.

### *Impact*

First, drugs trafficking undermines the political will for economic reform and corrupts government institutions. The drug industry hinders any attempts to improve governance or tackle corruption since it depends on state weakness to operate freely. High-level connections in the security services or in government can ensure that major drug barons

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<sup>8</sup> Official figures actually vary from 55 to 400 kg depending on the government source. Statistics compiled by UNODC ROCA.

<sup>9</sup> Drug seizures statistics made available by UNODC ROCA, 2003.

<sup>10</sup> “Uzbek Authorities Seize 900 Kgs of Drugs in 2002, Prosecute 900 People,” ITAR-TASS News Agency, Moscow, 28 February 2003, BBC Monitoring Global Newline Central Asia Political File, 1 March 2003.

<sup>11</sup> Confidential interviews, Tashkent, 2002.

have not only immunity, but also gain influence on policy-making. As a result, there is a lack of interest in reforms and improving the independence and impartiality of the courts.

Secondly, it draws many ordinary people into crime and distracts attention from legal enterprises and agriculture. Most drug seizures and narcotics-related arrests are of the small-time traffickers and occasionally a mid-sized dealer. Unemployment, difficult material conditions and the desire to make money are the main reasons that many turn to drug trafficking. Often the couriers are women, who have few other opportunities for an income. While the business brings undetermined millions of dollars into the economy every year, most stays with a few crime bosses. Dependency upon lucrative trafficking creates disincentives to find other long-term sources of income for many until the reality of an arrest sets in too late.

Thirdly, it has a knock-on effect on health, as local consumption increases rapidly. From being merely transit countries, the states of Central Asia have now become a market for narcotics themselves. While increasingly high quality heroin is transited to Europe, low-grade heroin and opium is marketed in Central Asia itself at low prices. The hidden costs in terms of reduced productivity and strains on the healthcare system will be an increasing burden on economies.

The drug trade impedes economic growth because this illegal income is rarely transformed into productive capital investments which are necessary for long-term and sustained economic expansion. Drug revenues are not reinvested into factories or industry. Nor, of course, are the proceeds from the business taxed. The informal “taxes” in the form of bribes and payoffs again only enrich certain individuals rather than contribute to the general good. Many proceeds from narco-business leave the country.

The problem of the drug trade is clear. What to do about it is not. Attempts at interdiction leave up to 90 per cent of drugs freely transiting Central Asian states. Increased support for law enforcement agencies in interdiction capacities has only limited impact, since most transit takes place under the protection of senior criminal figures with close links to government or law enforcement agencies.

New attempts to build more secure borders are largely useless. Much more useful, paradoxically, would be pressure on states to open up borders to normal trade and the flow of people, allowing more real control over traffic flows and cutting down on contraband networks. For example, Uzbekistan’s restrictions on cross-border trade, introduced in 2002, have encourage the growth of a major contraband network across its borders. This criminalisation of normal trade flows also ensures that many small traders are effectively acting outside the law, and actively working with corrupted border and customs officials to establish illegal cross-border trade routes.<sup>12</sup> Naturally, such routes are

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<sup>12</sup> A good example of the ineffectiveness of international efforts in this field is a major U.S. program to introduce expensive equipment at the Uzbek-Kazakh border to check for smuggled radioactive materials. For a bribe of about U.S.\$4 it is now possible to circumvent the official border post and cross the border without any checks whatsoever.

equally accessible to drugs and arms traffickers, and further undermine the credibility of border and customs officials against criminal networks.

While the profitability of drugs remains so high, these limited attempts at interdiction are bound to fail, and are usually counterproductive, blocking economic growth and increasing the power of law enforcement agencies. If the OSCE wants to tackle the problem, it needs to find more creative solutions to an apparently insoluble problem.

### **Arms Trafficking**

Small arms and light weapons proliferate throughout Central Asia – especially in Tajikistan, which fought a brutal civil war and has a poor track record of decommissioning. Most of the weapons emerged from old arsenals left behind at the end of the Soviet Union, and were renewed largely from state arsenals with inadequate controls and protection.

The export, both legal and illegal, of SALW, from former Soviet states to conflict zones around the world has become a major source of concern. The Soviet Kalashnikov, the gun of choice of rebel movements world-wide, has been supplied largely from Soviet stockpiles and off-record production at post-soviet production units. Former Soviet states have been slow to act against this illegal export, largely because it provides lucrative profits for many actors, both inside and outside government.

During the 1990s Kazakhstan was embroiled in a series of damaging scandals regarding the illegal exports of weapons, culminating in the well-known illegal sale of MIG-21 fighters to North Korea in 2001. Given the scale of this kind of activity, it may seem rather self-defeating for the OSCE to organise seminars in Almaty on SALW proliferation, but any activity that draws more attention to the problem is possibly a plus. But it is only through high-level political pressure and more common standards on arms exports and brokering activities that real progress might be made.

Export of weapons from the former Soviet states to other parts of the world is the most damaging aspect of SALW activity in the region. Within Central Asia the majority of the small arms that are proliferate in Central Asia are connected to the drug trade. Drug couriers are armed with Makarov pistols, Kalashnikovs, mobile telephones and communications equipment and jeeps. As everywhere else, they are always a step or two ahead of the police. As law enforcement agencies improve their technology, the weaponry of the drug rings will also become more sophisticated.

An absence of monitoring mechanisms, a dearth of national regulatory instruments and a lack of political interest and will on behalf of regional and international governments means that there is little tracking of SALW in Central Asia or elsewhere in the OSCE realm. Goods also routinely disappear from long-term storage making any transfers of small arms particularly vulnerable to smuggling. These illegal weapons transfers of legally imported armaments – whether to organised criminal gangs or ad hoc affiliations – contribute to the shadow economy and undermine economic and political reforms.

# STATE OF INTERNATIONAL INVOLVEMENT/DISCUSSION

## Drugs

The lead role in Central Asia is played by the UNODC, which has a regional office in Tashkent, and has set up a Drug Control Agency in Dushanbe, which is funded by the UN and separate from other law enforcement agencies. It is thought to have been fairly successful in increasing seizures and actions against small-time traffickers, but it is not clear how it will tackle major traffickers, and those involved in the trade from other security agencies.

There are also bilateral programs on drugs interdiction. The UK has two drug liaison officers, and the US has a number of programs by several agencies, and is providing significant financial assistance to border guards, although with little transparency and with apparently limited monitoring of end-results. The EU has also initiated a new program on countering drugs trafficking in the region.

One of the few international agencies that has tackled drugs as a development issue is the Aga Khan Foundation, which has linked humanitarian and development assistance to the remote Gorno-Badakhshan region in Tajikistan to a cut in drugs transit through the area. Other border areas receive little attention from international agencies.

Predominantly the state of international discussion remains overly focused on interdiction, and on improving law enforcement capabilities and border controls. There is little evidence that this will have a major impact on the problem, and may well have adverse countereffects, through increasing the problems for cross-border trade and widening the powers of security agencies against business and individuals.

There is still little real information available on the major players in the drugs trade, on the involvement of senior law enforcement and government officials in the business, and on the reality of drugs seizures and counter-narcotics programs. International organisations are restricted in their ability to report on such issues by their multilateral nature; there are few alternative sources of information because of the danger for journalists or other investigators in assessing the real nature of the business. There is also little evidence that intelligence agencies have significant knowledge of the trade. On countries such as Turkmenistan, an increasingly important transit country, there is a major vacuum of information.

None of the international efforts against drugs are likely to have any major impact on the flow of narcotics through the OSCE space. While demand remains high, and supply continues from Afghanistan, drugs will continue to cross the region. The best that can be done is to attempt to mitigate their impact on transit states, and work on slowly improving the corruption, poor governance and economic difficulties that fuel the trade.



## **Human trafficking**

In much of Central Asia, even basic information on this issue is not available. IOM has conducted a number of useful preliminary studies, but it remains an area of inadequate research. Data on Uzbekistan and Turkmenistan are particularly poor. The main players in this issue are the IOM and international and local NGOs, mostly those dealing with women's rights. The Government of Uzbekistan has not permitted IOM to open an office in Tashkent, which is seriously slowing any serious work in this field in that pS. Government agencies are much less active in addressing this issue, although it is slowly emerging from its previous status as a taboo subject; law enforcement agencies tend not to take the issue seriously enough.

Other actors, such as OSI together with ABA and Winrock International, have worked with women's groups and NGOs, and most work on trafficking has started from such women's' centres. The OSCE has also begun work in this sphere.

Although some countries have adopted new laws on trafficking, most need updated or more concrete criminal laws to deal with the problem. Law enforcement agencies, lawyers and judges are inadequately informed about international law in this area, and about the parameters of the problem.

## **SALW**

OSCE's work on SALW in Central Asia has been reasonably successful in providing training to law enforcement officers, although in most cases the officers were apparently already reasonably well aware of the issues at stake. Work on decommissioning weapons, in Tajikistan for example, has been much less successful. There has also been very little work on tackling arms smuggling: much is transited by agencies or businesses closely connected to governments, sometimes through semi-legal channels, and usually in association with international criminal groups. There has been only limited action against illegal or grey arms sales to conflict zones outside OSCE areas; mostly it has come from bilateral pressure by interested states.

In most cases, police forces are reasonably equipped to deal with some of the technical issues involved, at least in terms of interdiction. They tend to be less willing or sufficiently well equipped to conduct complex investigations of criminal activities. This is partly an issue of police culture, supported by a counterproductive reporting system focused on narrow statistics of seizures and persons arrested rather than wider successes. But mostly it is an issue of political will and leadership in law enforcement agencies, which can only be addressed in terms of wider reform of justice sectors, and active willingness by governments to tackle high-level corruption.

## **Overlaps/cooperation**

There is little emphasis in international studies on the overlaps between different types of trafficking, partly because there is little research evidence that such overlaps exist. They probably do in various ways, but the subject has not been tackled in any systematic way. Arms seizures are regularly reported alongside drugs seizures, but these mostly relate to the arms used by drugs gangs. There is some evidence that drugs transfers to Central Asia from Afghanistan were often exchanged in the past for arms shipments from the former Soviet Union countries to Afghan warlords. How much that exchange continues in the changing context in Afghanistan is hard to ascertain.

There is some danger in insisting too much on the overlap between different types of trafficking, since it tends to focus attention not on the root causes, but on security approaches to the issue: blocking trafficking channels, increasing surveillance of financial flows, and providing more resources to police agencies. In reality the motivations and underlying causes of human trafficking and arms trafficking tend to be very different and require different responses.

Where overlaps do occur is in the context in which trafficking takes place: the corruption of government institutions; the ineffectiveness of border regimes; the treatment of trafficking as a security problem; and the problems of economic failure that provoke much of the criminal activity in this sphere. Corruption is a key problem in all countries that face severe problems of trafficking and it is vital that this is understood when policies are considered. Often the problem is seen as one of smuggling, a surreptitious activity to evade state controls, while in reality it often occurs with the involvement or help of government officials.

## **OSCE INVOLVEMENT: PROPOSALS FROM PREPARATORY SEMINARS**

Given the wide scale of the problems, it is difficult to find a focus on how the OSCE might be involved in concrete activities that will have a real impact on the problem. This is noticeable in the suggestions that emerged from the preparatory seminars. Few of these were particularly specific, and most concentrated on wider issues of information-sharing, better coordination and similar ideas.

### **SOFIA**

Useful suggestions include pressure on governments to implement international conventions in this sphere, to improve export controls on licensed production and improve end-user certificate systems;

An agreement on the control of brokering activities would be a useful step, and should include extra-territorial control of foreign agents, who are known to have been involved in illegal arms sales from former Soviet states to other parts of the world.

### **IOANNINA**

Training for law enforcement officers is the main suggestion from this seminar. One suggestion was to incorporate training into the ILEA in Budapest. This may be useful, but it only reaches a small number of officers. Training programs on the ground, for example in the context of the OSCE training program in Kyrgyzstan, would be more productive, and should be focused on victims' rights and international conventions in this sphere.

The suggestion 'to recognise the important role of NGOs' in this area is important: the OSCE should follow up by helping with funding, development activities, and protection of such NGOs.

## **TASHKENT**

Very few concrete suggestions came out of the Tashkent meeting. 'Raising awareness of the public on drug trafficking through the media' might be important, but does not take into account the censorship present in most Central Asian states or the dangers journalists face in investigating this issue.

In several of the preparatory seminars, mention was made of the need for greater regulation by governments of financial transactions, banking systems and the activities of businesses. In most cases, pressure for such measures is likely to have serious side effects. In Uzbekistan, for example, there is already a high level of surveillance, both formal and informal, of bank accounts, which is one of the reasons that entrepreneurs prefer not to use the banking system. Further controls will merely drive more financial transactions into the black economy, and increase the opportunities for extortion of businesses by government agencies.

Similar caveats must be held in mind when talk is of improving border controls or introducing anti-trafficking checkpoints. In most cases, these are largely useless to control the flow of narcotics, at least within the context of the reality of present law enforcement agencies.

## **ROLE OF THE OSCE: WAYS FORWARD**

The preparatory work led to a focus for this paper on ways in which the OSCE could assist in the problem in the following areas:

*"As a forum for international consultation between participating States and International Organisations"*

This may be the strongest role that the OSCE can play in trafficking. At present there is only limited connection between 'demand' and 'supply' states, and little exchange of information. Acting as an intermediary of information brokerage could be useful in building up links, particularly among a wider set of institutions than merely law enforcement agencies. Being able to act as a broker between say, western police forces, and NGOs dealing with human trafficking in supply countries would be a useful role.

The OSCE will only gain credibility in the sphere of trafficking if pS from both western Europe and from other areas of the OSCE sphere are included in trafficking programs. Both supply and demand must be addressed equally.

- ☐ Many West European countries have inadequate legislation with regard to trafficking, and the OSCE could play a useful role in stimulating movement on more progressive legislation;
- ☐ Police forces throughout the OSCE area, not just in ‘supply states’ have an inadequate understanding of the problems of victims of human trafficking. Training in this area for all police forces could usefully bring together experiences from all parts of the OSCE area rather than stigmatising one particular region.
- ☐ Drug trafficking is primarily a problem of demand in richer countries. Any overarching strategy that fails to address demand for drugs is bound to fail;

*“As an organisation for building political commitment”*

Here again the OSCE can play a role in breaking down resistance to tackling trafficking. Examples of issues that the OSCE could address in this area in Central Asia include:

- ☐ The role of Turkmenistan in narcotics-trafficking should be investigated seriously and relevant pS – notably the U.S. and Russia - should take serious measures to limit the government involvement in the trade, either in the context of the OSCE or outside its framework;
- ☐ The role of senior government and diplomatic representatives in trafficking in other states should also be brought up in political discussions, again both inside and outside the OSCE framework;
- ☐ The refusal by the government of Uzbekistan to permit the IOM to open an office in Tashkent should be discussed in political negotiations;
- ☐ Having missions take a tougher line on issues such as corruption. Often these issues go unraised by heads of mission in their discussions with government representatives.

Many of these points should be among the issues addressed by the CiO in political visits to the region, and by others, such as the CiO’s Special Envoy to Central Asia.

*“From the perspective of activities of the various OSCE institutions”*

**The Office of the Coordinator of Economic and Environmental Activities**

Given the limited resources available to the OCEEA, it is not clear how much of a lead role it can take in this field. The main focus on the OCEEA seems likely to be most productive in examining the economic causes of trafficking, notably focusing on the

- ☐ Political obstacles to economic growth;
- ☐ Issues of corruption, good governance and improvements in the business and investment climate;
- ☐ Issues of cross-border trade and movement of goods and people in the OSCE area;
- ☐ Monitoring the implementation of anti-corruption legislation.

Within this, the OCEEA might find a useful niche in addressing the issue of legal and illegal economic migration, within which trafficking occurs, and offering projects and ideas to provide more opportunities for legal migration, chances for migrants to receive greater education and economic skills; and better protection of migrants in the economic sphere.

## **ODIHR**

ODIHR has more experience and resources in this field, but its field projects so far seem to be somewhat ad hoc and divorced of their international and national contexts. And, they generally only address Central Asia as countries of origin rather than as destination countries, as well.

Two particular areas in which ODIHR could use its experiences and resources well, in conjunction with field officers are:

- ☐ Legislation on trafficking: encouraging all OSCE pS to review existing legislation and international commitments to bring legislation up to date in all three spheres of trafficking;
- ☐ Protecting the rights of victims: protection of victims of human trafficking needs to be developed in all OSCE pS. Here a number of agencies are involved: including law enforcement agencies, which often need training and awareness in this field; NGOs to work with victims; consular departments of embassies, who tend to be unsympathetic to the plight of citizens caught up in trafficking.
- ☐ Supporting the recommendations laid out in the Brussels Declaration and its Annex.

There are very few places for women – or men – to turn to if they have been exploited as a commercial sex worker or labour migrant. A representative of the presidential administration in Tajikistan asserted to the authors that trafficking is not an issue for the

country because no women have made an official appeal to the police or prosecutors' offices;<sup>13</sup> in reality, exploited women feel that they will be found guilty themselves and shunned from their families and communities if the problem is made public. Developing specific protection programs and legal advice for victims of trafficking through local NGOs or other bodies would be one of the most useful areas in which the OSCE could make a difference.

### **Police Unit**

In drugs/human/SALW traffic, the OSCE can play a role in its police training programs and other assistance to police forces. However, in many cases police forces, in Kyrgyzstan for example, are quite well trained to tackle drugs and SALW trafficking; the problem is corruption in the force, and lack of political will. There is a danger that new assistance to police forces will again focus on increased interdiction facilities – more checkpoints, more computers – which in the past have done nothing to reduce the flow of drugs and only created a counterproductive impact on local people.

Programs to combat drugs through more effective law enforcement are unlikely to be successful unless there is the political will to tackle corruption. Assistance to police academies should include trafficking issues within training programmes, while offering wider understanding of the plight of victims and international policing standards in this area. Police training needs to consider issues of gender and exploitation – these are particularly acute problems in Central Asia and the Balkans.<sup>14</sup> Projects such as the “Termez-Hayraton cross border training program,” are also a good first step to integrating wider concepts of border control than just interdiction, but need to be linked to internal reforms at the national level as well in order to reach as many border guards as possible and assure the long-term sustainability of results.

### **Forum on Security Cooperation**

The OSCE could offer increased assistance to Central Asian states to develop better export controls, storage policies and destruction methods for weapons. The current SALW project, which encompasses a series of training seminars on the confiscation, stockpiling and destruction of small arms is a good starting point, but there is only so much that technical assistance can achieve, when there is a lack of political will to address such issues. There needs to be greater discussion of breaches of arms exports conventions in the PC, and in informal political discussions among pS.

The OSCE can also tackle trafficking by supporting efforts for all pS to ratify major international conventions such as the UN Conventions Against Transnational Organised Crime; and Against Illicit Traffic in Narcotics; as well as the Protocols to Prevent, Suppress and Punish Trafficking in Persons; and Against the Smuggling of Migrants;

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<sup>13</sup> Interview, Dushanbe, May 2003.

<sup>14</sup> As a starting point on this issue, the OSCE might examine its own record on hiring women in Central Asia and the degree to which it considers specific problems faced by women in the development of its programs.

Against the Illegal Manufacturing and Trafficking of Firearms. Accession to these instruments could also be used to generate public discussion. New legislation on arms exports and on the activities of arms brokers could be developed by most pS, with specific controls on extraterritorial activities of citizens.

## CHALLENGES

Although there are a number of areas outlined above where the OSCE might play a useful role in tackling trafficking, there are also a wide range of caveats to such a program.

*Comparative advantage:* it is not always clear what comparative advantage the OSCE has in the various fields of trafficking. In terms of drugs trafficking, at least in the Central Asian area, most expertise is gathered in the UNODC, although its focus tends to be narrow, largely on law enforcement and interdiction. There is no real indication that the OSCE can contribute significantly to the problems of drugs trafficking, beyond providing a wider element of human rights and rule of law issues: but the following are possible areas where the OSCE might be able to use its advantages to some benefit:

- ☐ Highlighting corruption in law enforcement agencies and government agencies that contributes directly or indirectly to trafficking, either through informal political representation or through formal censure in the Permanent Council and other forums;
- ☐ Highlighting and seeking to overcome ineffective border regimes that severely restrict trade possibilities, but allow drugs to flow unimpeded through the region;
- ☐ Emphasising human rights concerns for law enforcement agencies involved in tackling drugs issues; and a focus on the excessive sentencing of small-time couriers;

In human trafficking the OSCE is likely to act mainly as a partner in projects with IOM, or by supporting local NGOs in this field. One area the OSCE might be useful is in linking destination pS to supply pS, and also acting as a possible information exchange between law enforcement agencies and NGOs in destination and supply states.

Only in SALW does the OSCE have a lead role. Here too it could usefully take a broader view than merely focusing on states where SALW is seen as a 'problem', and focus much more on the linkages between supply/demand states, whether Russia, CIS states, or Western Europe, and on the export of arms from OSCE pS to conflict zones around the world.

*Expertise* There are insufficient resources available to develop any real expertise in trafficking either in OSCE institutions in Vienna, or in the field offices. Only in ODIHR is there some specialisation on this issue. Given the wide scope of issues with which economic/environmental field officers are presently expected to deal, it seems unlikely

that they will be able to make a major contribution to the issue in small missions. There is a danger that establishing new projects in this area will distract from other economic issues in which the OSCE could play a greater role. If the OSCE is to take trafficking seriously, this area needs an expansion of resources in terms of personnel in the field. Given the cross-dimensional nature of the issue, it would make sense to have officers who focus solely on trafficking across the three dimensions.

To really make a difference the OSCE would have to set up a network of experts, with the ability to investigate supply and demand countries. An OSCE unit on trafficking in western Europe would send a strong message that this is not just a problem of Central Asia or other supply areas, but is also a serious issue of demand countries. To tackle the abuse of migrants from Central Asia, for example, would require not only an officer in Dushanbe, but also counterparts in Russia, and other European pS.

*Information-gathering* There is little evidence from the preparatory seminars, at least, that there is sufficient information and research to plan programs properly in any of the trafficking areas. Since most organisations active in this field are multilateral agencies they are restricted in how much unofficial information they can gather and disseminate. But a reliance only on official information in this area is unlikely to provide the background necessary to plan adequate responses. The OSCE needs to consider carefully how to fill this information vacuum by using non-governmental agencies or independent journalists and researchers in a variety of ways. It must be recognised though that research in some of these areas can be dangerous because of the involvement of criminal gangs and government and law enforcement officials in trafficking. OSCE field offices might play a useful role by offering some protection to NGOs and other researchers, by providing an OSCE ‘cover’ for such research. The OSCE, IOM, OSI, USAID and other organisations should seek ways to work together on research efforts, both to provide additional political protection to researchers and to ensure that research efforts are not unnecessarily duplicated.

## **CONCLUSION**

As noted above, there are some strong caveats about the emphasis of the OSCE economic forum on trafficking:

- ☐ There is little comparative advantage for OSCE institutions in this area, with the possible exception of some legal aspects and activities in the human dimension with NGOs and victim protection; there seems to have been little serious research into the problem initiated by the OSCE, at least in Central Asia, and it does not seem to have conducted any kind of real needs assessment that would lead to an overall strategy.
- ☐ The OSCE does not seem to have the expertise or resources at present to conduct serious research and programs both in recipient/demand countries and in supply countries in drugs and human trafficking. Nor does it have field offices that could monitor traffic in drugs/humans in recipient countries.



- ☐ Where the OSCE does have experience – in the area of SALW for example – it is not clear how much further it can go than training and outreach activities.
- ☐ There is no evidence of a long-term commitment by the OSCE to the issue of trafficking, and a danger that it will be merely a short-lived interest that may be downplayed by future CiOs.

Our conclusion for the workshop is that the result of an emphasis on trafficking by the OSCE is likely to be an unfocused series of small programs, with no overall direction or strategy, underfunded and under-resourced; and concentrating too much on conferences, training seminars and exchanges of dubious utility. In the worst case, a new emphasis on trafficking will legitimise existing bad border regimes, increase government interference in small business and financial transactions, and accentuate the conditions that give rise to the problem in the first place.

Nevertheless, some small programs with NGOs in the human dimension focused on victim support, funding for research projects by non-governmental agencies, some work on legal and illegal migration by the OCEEA; further work on SALW and encouragement on OSCE-wide legislation on arms exports and brokering; and a role in information-exchange would be useful. Nevertheless, the overall impact on the problem is likely to be slight.

A more serious strategy is possible, but to achieve it, the OSCE would need to:

- ☐ Seriously address both supply and demand aspects of trafficking, establishing programs that address the demand for drugs and human trafficking in Western Europe, Russia and elsewhere;
- ☐ Establish dedicated officers in field offices who would be able to promote real programs and activities in this area;
- ☐ Address serious political questions such as the involvement in trafficking by government officials and structures of pS,

In its present form and at the present levels of resources, the OSCE is unlikely to be able to achieve any of the above, and we suggest that the workshop should ensure above all that any allocation of resources and personnel to the problems of trafficking does not undermine programs and activities in other areas of the OSCE mandate, particularly those that are focused on the root causes of trafficking:

- ☐ wider issues of corruption in government institutions and law enforcement agencies, and good governance;
- ☐ overall economic development that undercuts the demand for migration and involvement in criminal activities;

- effective and transparent law enforcement agencies, and effective border control regimes that encourage legal trade, but make trafficking more difficult.