

## Organization for Security and Co-operation in Europe Ministerial Council Vienna 2017

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Second day of the Twenty-Fourth Meeting

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## DECISION No. 7/17 STRENGTHENING EFFORTS TO COMBAT ALL FORMS OF CHILD TRAFFICKING, INCLUDING FOR SEXUAL EXPLOITATION, AS WELL AS OTHER FORMS OF SEXUAL EXPLOITATION OF CHILDREN

The Ministerial Council,

Reaffirming the Copenhagen Document (1990), Sofia Ministerial Council Decision No. 13/04 on the special needs for child victims of trafficking for protection and assistance (2004), Brussels Ministerial Council Decision No. 15/06 on combating sexual exploitation of children (2006), Madrid Ministerial Council Decision No. 9/07 on combating sexual exploitation of children on the Internet (2007), and Kyiv Ministerial Council Decision No. 7/13 on combating trafficking in human beings (2013),

Reaffirming, if they are a party, the relevant provisions of pertinent international instruments, including the UN Convention on the Rights of the Child and the UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, as well as the decisions and recommendations of pertinent international bodies,

Deeply alarmed by the persistence of all forms of child trafficking, both transnational and internal, including the trafficking of children for the purposes of sexual and labour exploitation, and reiterating the need to take more vigorous measures against it,

Reaffirming that the best interests of the child shall be a primary consideration in decisions taken with regard to trafficked or sexually exploited children, and the importance of respecting the special needs of children for protection and assistance, and the opportunity for the child to be heard.

Distressed that sexual exploitation of children can result in serious, lifelong consequences for the physical and psychological development and well-being of a child and, in many instances, is a form of human trafficking,

Recognizing that all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children violate human dignity and undermine the enjoyment of human rights and fundamental freedoms,

Considering that all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children constitute grave and heinous crimes, in many cases involving organized crime, that must be prevented, investigated, prosecuted and penalized,

Recalling that the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings calls on participating States to develop and implement policies and actions, including law enforcement co-operation between participating States, to prevent the tourism industry from being used for all forms of trafficking in human beings, in particular for sexual exploitation of children,

Acknowledging that the sexual exploitation of children in travel and tourism, which can include travel from one country to another, is a serious crime and contributes to the demand that fosters trafficking in children for sexual exploitation,

Commending participating States that are working with the travel and tourism industry, including airlines and other modes of transportation, as well as hotels, the broader hospitality industry, civil society, and relevant international organizations to prevent all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children, and to establish and implement procedures for identifying, reporting and addressing suspected child trafficking,

Underlining that information and communications technologies (ICTs) can play a positive educational, developmental, and awareness-raising role for children, but can also be misused to facilitate access to children for exploitation or for advertisement of children for sexual exploitation, and that social media platforms can be misused to groom children who may be subjected to sexual exploitation as well as all forms of child trafficking,

Recalling that the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings calls on participating States to train border officials, law enforcement officials, judges, prosecutors, immigration, and other relevant officials regarding the use of the Internet and other information and communication technologies for human trafficking and related crimes, including all forms of child trafficking and sexual exploitation of children,

Concerned that children who access pornography on the Internet may become desensitized to it and more likely to become a victim of or perpetrate sexual exploitation,

Taking note that new forms of age verification technologies have been developed over the last decade and could help protect children from accessing pornography on the Internet,

Expressing concern that children in migration flows, particularly unaccompanied minors, can be particularly vulnerable to human trafficking and sexual exploitation and that specialized facilities, adequate security, training for and sufficient numbers of staff, as well as of female patrollers, can mitigate these risks,

- 1. Encourages co-operation among participating States, international organizations, and civil society in combating all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children, taking note of their efforts to combat these crimes;
- 2. Encourages participating States to adopt a victim-centred and trauma-informed approach that takes into account the respective gender-specific concerns of girls and boys, in the best interests of the child, and fully respects the human rights and fundamental freedoms of children subjected to human trafficking or sexual exploitation;
- 3. Calls on OSCE participating States which have not already done so to consider legal measures that would allow them to prosecute their citizens for serious sexual crimes against children, even if these crimes are committed in another country;
- 4. Calls on OSCE participating States to prevent all forms of child trafficking and sexual exploitation of children, including in tourist destinations, through education and awareness-raising, and to work with the private sector and civil society to raise awareness among the tourism industry, as well as business travellers and tourists, to help eliminate demand that fuels child trafficking and sexual exploitation of children;
- 5. Calls on OSCE participating States to strengthen co-operation and co-ordination among relevant authorities, such as law enforcement and immigration and border services of participating States, Partners for Co-operation, and destination States outside the OSCE region, including through considering measures, in full accordance with national laws and national and international data protection frameworks, such as:
- (a) Adopting additional administrative measures in relation to perpetrators, such as the registration in sex offender registers of persons convicted of child sexual exploitation or abuse, as appropriate;
- (b) Where relevant, a means to exchange and/or receive information transnationally among law enforcement agencies and/or judicial authorities on persons convicted of child sexual exploitation or abuse;
- 6. Urges participating States to prosecute human traffickers and perpetrators of sexual exploitation of children, including those who misuse information and communication technologies to recruit children or facilitate access to children for the purpose of subjecting them to trafficking or sexual exploitation, and impose penalties that are effective dissuasive, and proportionate to the crime;
- 7. Calls on participating States which have not already done so to promote the implementation of age verification technologies with a view to limit the access of children to pornographic websites;
- 8. Encourages participating States to call on information and communication technologies and social media companies to prevent the distribution of and take down child sexual abuse content online, and to protect children by combating grooming by human traffickers online for all forms of child trafficking as well as other sexual exploitation of children, including through the development of new tools and technologies;

- 9. Calls on participating States to share data, as appropriate and while protecting personal data from criminal use, concerning child trafficking and sexual exploitation of children with the Interpol International Child Sexual Exploitation (ICSE) image database, which is a hub for victim identification worldwide and also can help identify traffickers and their collaborators, and trace the financial flow to dismantle criminal networks;
- 10. Calls on participating States to enhance further specialized training on information and communications technologies for border officials, law enforcement officials, judges, prosecutors, immigration and other relevant officials as well as teachers and health professionals, as appropriate, to combat all forms of child trafficking as well as other sexual exploitation of children;
- 11. Encourages participating States to raise public awareness on the vulnerabilities of children in migration flows to all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children, to increase the capacity and broaden the scope of first line responders to identify child victims of trafficking and other sexual exploitation, and provide them with protection, as well as appropriate assistance and referrals for legal assistance as well as effective remedies and other services as applicable, in line with the relevant provisions of the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings;
- 12. Tasks the relevant OSCE executive structures in accordance with their mandates and in co-ordination with the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings to continue to assist participating States, upon their request, with implementation of their commitments related to all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children;
- 13. Invites OSCE Partners for Co-operation to share voluntarily the commitments of the participating States on combating all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children.

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## INTERPRETATIVE STATEMENT UNDER PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE OF THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

By the delegation of the Russian Federation:

"In joining the consensus regarding the OSCE Ministerial Council decision on strengthening efforts to combat all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children, we should like to express our satisfaction at the adoption of a document on such an important topic as countering trafficking in children, which, as we have repeatedly emphasized, is a priority for our country. We are grateful to our United States, Belarusian and Italian colleagues for such an important initiative.

However, we express disappointment that our proposal on the importance of protecting children not only from pornographic content, but also from other forms of harmful information, which threatens their life, physical and mental health, and also increases the risk of them falling victim to exploiters, was not included in the decision. We believe it necessary to further reflect these aspects in similar documents.

At the same time, we should like to emphasize that in the light of the importance of the issues considered in the document, we expect the participating States to implement it in its entirety.

We request that this statement be appended to the decision adopted and the journal of the day."