



Organization for Security and  
Co-operation in Europe

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



Supreme Court  
of the Republic of Uzbekistan



Organization for Security and  
Co-operation in Europe

Project Co-ordinator in  
Uzbekistan



Shanghai Cooperation  
Organisation

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6 November 2019

**International Conference**  
**“The Critical Role of the Judiciary in Combating Trafficking in Human Beings”** ENGLISH only

**AGENDA**

**13 – 14 November 2019**  
**Tashkent, Republic of Uzbekistan**

Judges play a crucial role in upholding the rights of human trafficking victims as well as in determining the guilt and punishment of perpetrators. In that regard, OSCE commitments and recommendations related to strengthening the role of judiciary as a part of the criminal justice system to effectively combat trafficking in human beings (THB) are outlined in the *2003 OSCE Action Plan to Combat Trafficking in Human Beings*, its *2005* and *2013 Addenda* as well as a number of Ministerial Council (MC) decisions<sup>1</sup>, including *MC 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* and *MC Decision No. 6/17 Strengthening Efforts to Prevent Trafficking in Human Beings*. The provisions urge special attention to enhancing the capacity of judiciary to tackle human trafficking from the perspectives of both prosecution and victim protection, providing and improving training for judges about all aspects of trafficking in persons, especially in human rights and child- and gender-sensitive approaches, and strengthening international judicial co-operation and co-operation of judiciary with other anti-trafficking stakeholders, where appropriate.

In its efforts to assist pS in combating all forms of human trafficking, the OSCE strives to ensure comprehensive and sustainable approaches whereby all anti-trafficking stakeholders share a common understanding and vision in addressing this scourge as well as in developing and implementing their policies and practices in line with OSCE anti-trafficking commitments. In recent years, the Office of the OSCE Special Representative and Co-ordinator on Combating Trafficking in Human Beings (OSR/CTHB) conducted a number of capacity building activities targeting, among others, law enforcement officials and prosecutors, on combating human trafficking for labour exploitation, the use of information and communication technology (ICT) in committing and responding to the human trafficking and others. In addition, the Office has produced a number of publications aimed at assisting criminal justice practitioners, including judges, in preventing and combating THB, namely *Commentary to the OSCE Action Plan to Combat Trafficking in Human Beings*, *A Summary of Challenges Facing Legal Responses to Human Trafficking for Labour Exploitation in the OSCE region*, *Policy and legislative recommendation towards the effective implementation of the non-punishment provision with regard to victims of trafficking* and others<sup>2</sup>. The efforts of the OSCE Field Operations also help strengthen the capacity of national and local authorities as well as civil society organizations, in preventing and fighting human trafficking, strengthening prosecution and assisting victims.

Continuing to use the OSCE as a platform for dialogue on judicial co-operation, this international conference for judges will further discuss the role of judiciary in combating trafficking in human beings, focusing on current challenges and positive practices in the region. Trafficking in human beings is a multifaceted crime and adjudication in such cases can present a number of challenges for judges, including the need to consider complex human trafficking chains involving diverse criminal groups and multiple victims, unique dynamics

<sup>1</sup> E.g. MC.DEC/5/08 “Enhancing criminal justice responses to trafficking in human beings through a comprehensive approach”, MC.DEC/8/07 “Combating trafficking in human beings for labour exploitation”

<sup>2</sup> For more OSCE anti-trafficking publications and other material, please visit: <https://www.osce.org/combating-human-trafficking>

between victims and perpetrators, a variety of forms of exploitation to be taken into account, and evolving domestic and international law and evidentiary issues. The participants representing the highest supreme / cassation level criminal courts of the OSCE pS, PfC and Shanghai Cooperation Organisation (SCO) Member States are invited to share their approaches to adjudication in human trafficking cases while safeguarding the human rights of all parties. The discussion will also focus on effective application of victim-centred and trauma-informed approaches, the non-punishment principle, abuse of a position of vulnerability, consent of a victim and other challenging and emerging anti-trafficking concepts. A special emphasis will be placed on the role of supreme courts in promoting the effective application of these approaches by local courts and courts of appeal as well as other criminal justice practitioners, including police and prosecutors. The conference will also examine the contribution of supreme courts to continuous specialized training for the judiciary that takes into account positive international practices, human trafficking trends and transformations in the *modus operandi* of traffickers, including the impact of rapid development of technology. In conclusion, the participants will be invited to exchange on the ways to strengthen the role of judiciary in the international arena to respond to this global security challenge, including by consistent application of the law and sharing promising practices in cases involving multiple jurisdictions.

The conference is co-organized by the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, the Supreme Court of the Republic of Uzbekistan and the OSCE Project Co-ordinator in Uzbekistan in co-operation with other OSCE field operations.

The **objectives** of the conference are two-fold:

1. To provide a platform for dialogue on international judicial co-operation by sharing experiences on emerging challenges and trends as well as modern approaches in adjudicating human trafficking cases;
2. To foster exchange on the role of the judiciary in national and regional anti-trafficking responses, including through upholding victims' rights and accountability for perpetrators.

**Target group:** Judges of the highest supreme or cassation level criminal courts of the OSCE Participating States, Partners for Co-operation, and SCO Member States

**Working languages:** English, Russian

**Venue:** International Hotel Tashkent (Amir Temur Avenue 107A, Tashkent)

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## Day 1:

10:00 – 10:30 Registration

10:30 – 11:10 Welcoming and Opening Remarks

Moderator: **Mr. Eldor Tuliakov**, Executive Director, Center “Development Strategy”, Member of the Legislative Chamber of the Parliament, Republic of Uzbekistan

Speakers: **Ms. Tanzila Narbaeva**, Chairperson of the National Commission on Combating Trafficking in Human Beings, Chairperson of the Senate (Upper Chamber) of the Parliament, Republic of Uzbekistan (TBC)

**Mr. Valiant Richey**, Special Representative and Co-ordinator for Combating Trafficking in Human Beings, OSCE Secretariat

**Mr. Kozimdjan Kamilov**, Chairman, Supreme Court of the Republic of Uzbekistan

**Ms. Aizada Subakozhoeva**, Deputy Secretary-General of Shanghai Cooperation Organisation (SCO)

**Ambassador John MacGregor**, OSCE Project Co-ordinator in Uzbekistan

11:10 – 11:30 Keynote address

**Ms. Michelle Brewer**, Barrister, Garden Court Chambers, UK

11:30 – 12:00 Coffee-break

12:00 – 13:30 Session 1 – **Human Trafficking Case Law: Challenges and Positive Practices**

*As a complex crime with a multi-phased and covert nature, trafficking in human beings presents a number of challenges for judges, including in relation to its qualification and adjudication. The first session, therefore, will draw upon existing case law on human trafficking crimes to facilitate the exchange on common regional challenges and to provide for shared understanding of the approaches that might be used to address them. The discussion will also examine the linkages between human trafficking and allied crimes, and ways to effectively apply victim-centred and trauma-informed approaches.*

Moderators: **Mr. Shukhrat Chulliev**, Deputy Chairman of the Committee, the Legislative Chamber of the Parliament, Republic of Uzbekistan

Speakers: **Ms. Nodira Bobokhonova**, Judge of the Supreme Court of the Republic of Uzbekistan

**Ms. Nona Tsotsoria**, Judge of the European Court of Human Rights (ECHR) in 2008 – 2018 (Georgia)

**Ms. Carmen Delgado Echevarría**, Judge, General Council of the Judiciary, Spain

**Ms. Valentina Shepotkina**, Judge of the Supreme Court of Ukraine

*Discussion*

13:30 – 15:00 Lunch

**15:00 – 17:30**

**Session 2 – Judicial Response to Emerging Human Trafficking Trends**

*Globalization, increased mobility, rapid technological development combined with prolonged instability in certain parts of the world, new security and economic challenges reshape human trafficking patterns and the modus operandi of traffickers. Victims are often exploited in more subtle ways and on-line, making it difficult to prove the crime and detect the criminals. They are also coerced to commit petty crimes or even serious offences like trafficking of drugs. Certain evolving forms of human trafficking benefit from the particular vulnerabilities of women and children. The second panel will discuss these trends in order to inform and equip judges for these challenges.*

Moderators:

**Mr. Valiant Richey**, Special Representative and Co-ordinator for Combating Trafficking in Human Beings, OSCE Secretariat

Speakers:

**Ms. Nadiya Stefaniv**, Judge of the Supreme Court of Ukraine

**Ms. Maria Da Conceição Gomes**, Judge of Superior Court, Portugal

**Ms. Laura Agybaeva**, Judge of the Supreme Court of the Republic of Kazakhstan

**Mr. Xavier Laurent**, Deputy Public Prosecutor, Lille Organized Crime Interregional Court, France

**Mr. Alessandro Sutera Sardo**, Deputy Prosecutor, Legal Adviser for the Embassy of Italy in Netherlands

*Discussion*

**18:45 – 21:00**

Dinner in Restaurant Bakhor (departure from the entrance of the International Hotel Tashkent)

## Day 2:

### 09:00 – 11:00 Session 3 – Role of Supreme Courts in Ensuring Effective Application of Human Trafficking Law

*New human trafficking trends and patterns as well as enhancement of international and national legal anti-trafficking frameworks require constant professional development of criminal justice practitioners. It is of vital importance not only to improve knowledge and skills of each and every legal expert, but also to ensure coherent approach to the application of the international and national legal norms. For example, publishing an analysis of the jurisprudence that shares the decisions of the supreme courts with the judges and prosecutors of the first instance courts can significantly clarify the law and the interpretation of THB crime as well as better harmonize courts' THB decisions. The third panel will, therefore, explore the role of regular, continuous and sustainable specialized anti-trafficking training for judges as well as the ways to improve consistency while applying anti-trafficking legislation.*

Moderators: **Mr. Uigun Nigmatdzhonov**, Deputy Head of the Academy of the General Prosecutor's Office of the Republic of Uzbekistan

Speakers: **Mr. Vladimir Davydov**, Deputy Chairman of the Supreme Court of the Russian Federation

**Ms. Biljana Sinanovic**, Judge, Supreme Court of Cassation, Serbia

**Ms. Areti Skafida**, Vice Prosecutor, Court of Appeal, Athens, Greece

**Ms. Rosalyn Chowdhury**, Solicitor, Judge of the Immigration and Asylum Chamber, UK

*Discussion*

### 11:00 – 11:30 Coffee-break

### 11:30 – 13:30 Session 4 – Enhancing International Judicial Co-operation to Combat Trafficking in Human Beings

*As many human trafficking cases have transnational dimensions, with victims recruited in one country, transported through another and exploited in a third country, while traffickers launder their criminal proceeds in other countries, responses to such cases require well-established channels for judicial co-operation. Enhanced international judicial and law enforcement co-operation and co-ordination contributes to consistent application of legal principles as well as comprehensive preservation of victims' rights. The last panel, therefore, will deliberate on the positive practices and mechanisms of stimulating these types of transnational partnerships.*

Moderators: **Ms. Tetiana Rudenko**, Senior Co-ordination Adviser, Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, OSCE Secretariat

Speakers: **Ms. Anita Poļakova**, Judge of the Department of Criminal Cases of the Supreme Court of Latvia

**Mr. Lepes Temirbekov**, Judge of the Supreme Court of the Kyrgyz Republic

**Mr. Ashot Khachatryan**, Judge, Constitutional Court of the Republic of Armenia

**Ms. Ganna Yudkivska**, Judge of the European Court of Human Rights (ECHR), Section President in 2017-2019

*Discussion*

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**13:30 – 14:00**      **Closing remarks**

Speakers:            **Mr. Ikrom Muslimov**, Deputy Chairman, Supreme Court of the Republic of Uzbekistan

**Mr. Valiant Richey**, Special Representative and Co-ordinator for Combating Trafficking in Human Beings, OSCE Secretariat

**Ambassador John MacGregor**, OSCE Project Co-ordinator in Uzbekistan

**14:00 – 15:30**      Lunch