

Opinion of the Experts Group on Trafficking in Human Beings of the European Commission

On the Anti-Trafficking Day, 18th October 2007

Considering the organisation by the European Commission of an Anti-Trafficking Day on 18th October 2007 in Brussels and the relevance of such an event;

Considering the clear necessity to implement effective action to prevent and combat trafficking in human beings at the European level;

Recalling The Hague Programme, the Brussels Declaration, and the recommendations contained in the Report of the Experts Group on Trafficking in Human Beings of the European Commission;

The Experts Group on Trafficking in Human Beings issues the following opinion with a view to contribute to strengthen the European anti-trafficking policy design and implementation.

The Group would like to congratulate the European Commission for organising a Conference that will bring together Member States, institutions, NGOs and individuals to discuss this important issue.

Consistent with the analysis and recommendations of our Report, submitted on 22nd December 2004, the Group would like to make some practical suggestions for the organisation of the Anti-Trafficking Day and possible accompanying activities.

OPINION

The Expert Group considers that a title for the Conference could be “Trafficking in Human Beings: Time for Action”. This title would reflect a clear need for the implementation of stronger measures to prevent and combat trafficking and to protect victims of trafficking at the level of the EU and neighbouring countries. In the framework of this conference this could mean to highlight best practices implemented at the level of the Member States.

In the framework of the Conference it would be important to reiterate the global dimension of trafficking in human beings through enhancing a policy dialogue among States, NGOs, IGOs and individual experts while putting emphasis on the field experience and practices. This dialogue should commence before the Anti-Trafficking Day and should be targeted at assessing ongoing strategies at the EU and national levels; analysing current trends of trafficking and defining new appropriate anti-trafficking strategies. Such an approach would allow for a wide impact of the Anti-Trafficking Day all over the EU.

The global dimension of trafficking in human beings should acknowledge the need for a human rights based approach and the integration of the human rights perspective as a normative framework in the further development and implementation of policies to address trafficking. According to this perspective, the main element is to combat the exploitation of forced labour or slavery-like conditions, whether in the sex industry or any other form of labour exploitation where human beings are victims of trafficking.

In order to ensure the proper identification, referral and assistance of trafficked persons, it would be advisable to reiterate on the occasion of the Anti-Trafficking Day the importance of the establishment of coordination and cooperation mechanisms involving all actors participating in counter trafficking, such as the National Referral Mechanisms. In this context, the discussion of a reflection period of no less than three months to allow victims' recovery would be crucial at the Conference.

The Group strongly believes that the Commission should take the initiative towards the adoption of a legally binding instrument covering the status of trafficked persons to supersede current Member States commitments and lay down minimum European standards of treatment to which all trafficked persons would be entitled, independent of their capacity or willingness to cooperate in criminal proceedings.

The idea of the creation of a European Anti-Trafficking Network that would facilitate cooperation, exchange, monitoring and evaluation could also be raised at the Conference. This cooperation would only be possible if relevant data is available and exchanged at the European level. The idea of establishing National Rapporteurs on Human Trafficking and a similar mechanism at the European level should also be raised at the Conference.

Prevention of trafficking as a crucial responsibility of States should also be highlighted at the Conference. More research, data collection and information are needed, as well as deeper awareness raising activities among victims, potential victims, employers, clients of victims and public in general. Training of government officials in countries of origin, transit and destination would contribute to the prevention of trafficking. Prevention could not be efficient without tackling the problem of root causes of trafficking, such as poverty, unemployment, and lack of opportunities, gender discrimination and marginalisation in countries of origin. One crucial element to be raised in this context is the promotion of regular and managed migration policies.

The Commission should promote the celebration of this European Anti-Trafficking Day not only in Brussels but to be replicated on the same date in the different EU capitals.

Finally, and in line with the EU Action Plan on trafficking in human beings from December 2005 the Expert Group would like to reiterate the need to create tools to measure policy progress in the field of combating trafficking in human beings. At the occasion of the Anti-Trafficking Day the Experts Group would like to present some basic work it has done on this issue.

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