



Summary of the CEIPA/Payoke European Conference on Trafficking in Human Beings: A Global Challenge for Good Governance and Human Rights

11 October 2012 the City Hall, Brussels

6th EU Anti-Trafficking Day – Together Against Trafficking in Human Beings

The CEIPA/Payoke European Conference was organised in close cooperation with the City of Brussels with the aim to provide a strong boost to the European Union's Anti Trafficking day which took place on 18 October 2012 under the auspices of the European Council's Presidency of Cyprus and the European Commission's Directorate for Home Affairs.

The event was attended by a great number of representatives from EU and non EU countries' governments, European institutions, non-governmental and international organisations and academia. Distinguished speakers with an in depth experience and expertise made valuable contributions on issues regarding recent anti trafficking efforts and achievements in advancing prevention, improving investigation and prosecution and extending victims protection in accordance to the European and international legislation.

What follows is a brief summary of the minutes of the conference. More detailed, individual speakers' contributions are available on the Ceipa web site www.ceipa.eu under the Publications link.

Short summary and main highlights

Trafficking is a major violation of human rights that can never be condoned by democratic states. Any exploitation is wrong and should be tracked by local police in municipalities as well as at the larger national and European level. There is no successful prosecution of perpetrators without genuine international cooperation.

According to the recent ILO (International Labour Organisation) statistics some 20 million people are trafficked each year for trafficking and labour exploitation. At the EU level an estimated 880 000 persons are trafficked, out of which 610 000 for the purpose of forced labour and 270 000 for sexual exploitation. In spite of this less attention is paid to the forced labour with no coordination among labour inspectors. The greatest problem is still the victims' identification which also impacts on the number of accusation and convictions. If there is no identification there is no conviction and thus no trafficking. The evolving trafficking patterns reveal a growing tendency of inside- the –EU- trafficking and victims with an EU



nationality. This is why the approach that favours border control only is not appropriate any more. According to the US TIP Report eight EU Member States fall into the tier 2 watch list, meaning that their governments do not fully comply with trafficking protection standards. The EU Directive on preventing and combating trafficking in human beings and protecting its victims should be implemented by all EU countries which will also help the law enforcement, as trafficking is often aggregated with other criminal acts.

The role of the EU Agency Eurojust is to facilitate coordination, cooperation and provide training in judicial matters. Trafficking in human beings occupies an important place among EU Council priorities in the field of criminal policy. The Joint Statement signed by all seven EU Agency on the occasion of the 5th Anti Trafficking Day in 2011 in Warsaw stipulates that agencies step up cooperation, reinforce prosecution and improve confiscation of trafficking assets. The role of the Eurojust is to contribute to a better exchange of information thus helping investigation and prosecution to gather evidence to track and convict criminals. At the end of 2011 the Operational Coordination Centre was developed within Eurojust to coordinate simultaneous operations between police and judiciary. It also provides evidence of the implementation of the European Arrest Warrant. Over the last year Eurojust has held 48% more coordination meetings of which 24% accounted for human trafficking. The number of trafficking cases amounted to 79 in 2009, 85 in 2010, whereas 2011 experienced a decrease. In 2011 six Joint Investigation Teams have been formed whereas this year this number increased to 69. Trafficking by its nature requires multidisciplinary, integrated approach with all stakeholder involved, including the private sector, tax authorities etc. This in turn calls for more training to enable concrete action and better evidence.

The Council of Europe Convention against trafficking is one of the fundamental instruments against trafficking rooted in respect for human rights. Entered into force in 2008 the Convention is now signed by 37 member countries, from which 22 members of the EU. It is of vital interest that all 47 CoE member countries sign and implement the Convention. One of the special features of the Convention is the so called GRETA monitoring mechanism aimed at looking at the Convention implementation. A qualified group of experts is assigned to carry out country visits, to assess the effectiveness of implementation and produce reports advising on the steps to be taken. Described by the CoE President as “European tragedy”, trafficking is a multimillion business generating approximately 30 bil \$ worldwide. People are trafficked not only for sex but for forced labour, domestic servitude and begging, even though these forms are still insufficiently addressed. Countries’ responses to trafficking vary depending largely on financial and human resources committed as well as the support provided by and the involvement of civil society. Victims’ protection does not have to be linked to her willingness to cooperate with law enforcement authorities and the right to compensation should not remain a theoretical option but a right the victim is entitled to. Council of Europe pleads for more and better cooperation among international institutions (EU, OSCE, UN) and is ready to offer its GRETA experience to support the implementation of EU Directive.

Romania has made great strides against human trafficking. The national inter-ministerial working group was founded back in 2007 gathering Ministry of Interior, Foreign Affairs, Ministry of Justice, Ministry of Economy, Finance Culture, Labour and Health as well as NGO’s and international organisations. Party to the UN Convention and its Palermo Protocols Romania has harmonised its legislation with international standards and has transposed the CoE Convention into the national legal system. The Romania National Strategy against trafficking 2012-2016 is based on the newly adopted EU Strategy for eradicating THB. The EU 2001/36 Directive has been transposed into national legislation by the National



Anti-Trafficking Agency with the exception of Art. 19. of the Directive regarding the appointment of the National Rapporteur. Partner to the UN Global Initiative to fight trafficking (UN GIFT) Romania is committed to the global, multidisciplinary approach based on international standards. In this vein the victims' assistance and the National Referral Mechanism provide for good services aimed at recovery and reintegration of victims, both at the civil society and state level. The national centralised evidence system of data has been established, offering statistics on combating and preventing THB and granting victim's assistance. In view of a more efficient EU external policy against trafficking Romania is in favour of Ceipa's proposal to establish a Focal point for THB within the European External Action Service structure.

Hungary is committed to the goals outlined in the new EU Strategy towards the eradication of THB and is ready to frame its national coordination accordingly. Key priorities such as child victims' protection, the understanding and reducing demand, the establishment of multidisciplinary law enforcement units and the developing of better cooperation at EU level and more efficient communication with the public sector are issues to be particularly looked at when drafting the new Hungarian Anti trafficking Strategy. At the institutional level, the Deputy Secretary for EU and International Relations in the Ministry of Interior is appointed as Anti trafficking coordinator for Hungary with a role to facilitate interaction between state and non state actors and to represent Hungary at European and international level. Beside formal coordination the Coordinator is also closely cooperating with NGO sector. As a stand- alone offence trafficking is punishable by Hungarian law. Victims are entitled to specific assistance such as safe accommodation, health screening and counselling in shelters set up for trafficked persons. Among awareness raising activities, Hungary has recently reached out to young people attending the Sziget Fesztivál and has set up the web site containing the list of indicators based on UNODC document. Together with IOM Hungary has carried out several awareness raising activities including the demand reduction campaign targeting clients of sexual exploited victims.

As a country of origin and transit Albania has framed its National Anti Trafficking Strategy around four main pillars; prosecution, prevention, protection and coordination. Albanian National anti trafficking Coordinator is also Deputy Minister of Interior. Out of four rehabilitation centres in the country the National Centre for VT is entirely state funded whereas the other three situated in the three main regions of the country receive funding from a variety of donors. Temporary Residence Permit is offered to victims of trafficking and as of June 2012 free health service is on their disposal. Victims' compensation is drawn from a fund consisting of assets confiscated from traffickers. Standard Operation Procedures for Identification and Referral of Victims and Potential Victims were approved by the Council of Ministers in 2011, providing for a complete chain of services from identification to referral and assistance to trafficked victims. Particular attention is paid to children and unaccompanied minors. With the aim to boost regional cooperation Albania has in 2006 signed the Agreement with Greece on protection and assistance to trafficked children, part of which consists of appointing a "Responsible Authority" to ensure the protection and monitoring of children's rights. Protocols of cooperation are also signed in recent years with Kosovo and Macedonia.

In Norway the majority of victims are identified and registered in Oslo via the centralised national system. The victims' protection is based on services provided by NGO's, church charities as well as by the state which through several ministries provide funding for five housing units. Services available include language courses, rehabilitation and counselling but also the employment courses aimed at increasing victims chances to accede the labour market. For those victims who return in their home country a



facilitated return is assured. Norway promotes the idea of more and better international cooperation with other countries and praises the Council of Europe GRETA system of monitoring progress and achievements.

From the Europol perspective the police and the judicial have a key role in combating THB and protecting the human rights of victims. The victims' protection and her enabling to use the rights are not only important for victims' recovery and rehabilitation but contributes to the successful prosecution of a trafficking case. In this regard, identification is the first necessary step. Failure to identify the victim of trafficking impacts negatively on her access to assistance and protection measures. The counter trafficking action needs to be carried out by knowledgeable officers who do not conflate victim with the offenders of crime. Inter-agency and international cooperation are key for successful investigation and prosecution. Maximising the range of both proactive and reactive THB investigation and providing maximum input to financial investigations while identifying, tracing and confiscating criminal assets should be further pursued as part of a successful strategy against trafficking. The Europol THB project Focal Point Phoenix received in 2012 257 new trafficking cases, many of which were supported on the spot through the development of Europol's mobile office, allowing investigation to access Europol data base directly from the field. In this framework 54 suspects have been arrested and 154 victims have been identified.

The fight against trafficking of human beings in Belgium is based on a multidisciplinary and integrated approach of the 4 P's (prevention, prosecution, protection and partnership). The Ministry of Foreign Affairs is one of the players in aforementioned approach and is also member of the Interdepartmental Coordination Unit for the Fight against Trafficking and smuggling in human beings. The main role of the Ministry of Foreign Affairs is to streamline the cooperation between the services concerned with this issue and to help the Belgian diplomatic missions developing the governmental policy, more specifically in terms of prevention and information. Since 2004, the Ministry of Foreign Affairs participates in the working group "Stop child prostitution" together with public partners (Defence, Justice, Police), private partners (Touristic Federation, Transporters Federation, Railways) and NGO's (ECPAT, Samilia, Plan Belgium, Child Focus. In this framework, three prevention campaigns were launched to raise awareness and to inform travellers about child prostitution. Belgium applies special measures to the domestic staff of diplomats posted in Brussels, where the domestic worker is put in direct contact with the officials in Security department of Ministry of Foreign Affairs. He or she receives first hand information about rights, and existing procedures in case of problems, which allows the uncovering of possible cases of abuse or exploitation.

Samilia Foundation is one of the Belgian civil society organisations whose aim is to bridge the gap between policy makers and private sector. Its activities consist of raising awareness, carrying out preventive actions and contributing to the reduction of demand. In one of the recent actions the Delhaize group and its local partner in Bucharest agreed to train and employ trafficked victims and to carry out school awareness campaign against trafficking. In another case regarding the football sector training was provided to football managers against trafficking of players. Invisibility and the difficulty to identify victims are still the major problems in the fight against trafficking. Especially challenging is working with the private sector where low production costs usually outweigh any other concern. Also problematic are the evaluation of anti trafficking measures and the absence of clearly defined criteria for result's evaluation.



For Frontex the first important thing is to identify a victim or a potential victim of trafficking. In this process first line border officers can only start the identification process while speaking to victims and offering protection or making a warning. They only see signs of trafficking and can collect information or intelligence which is then sent to a central place, mostly within police. But these signs are indispensable and very much needed, as they represent the pieces of puzzle that later allow successful investigation and prosecution. It is therefore important to work together with border guards, immigration services, labour inspectors, doctors in hospitals, NGO's, social services and international organisations. Frontex provides training courses in order to enable those in the process to recognise signs and learn about the existing procedures. Last year Frontex has hosted the Anti Trafficking Day in Warsaw under the EU Polish Presidency and in close cooperation with the European Commission. Seven EU Agencies (Europol, Eurojust, CEPOL, European Asylum Support Office, the Fundamental Rights Agency, the European Institute for Gender Equality and Frontex have signed a Joint Statement, committing themselves to fight human trafficking and reinforcing mutual cooperation. It is hoped that this initiative will be followed by EU Member States counterparts, as only by combining forces the results can be achieved.

In concluding remarks Payoke organisation, which was co-organising this event, stressed the importance of the need to support civil society activities, praising in particular the Soroptimist contributions. Even though the progress in fighting trafficking may appear slow it does exist and should be therefore further supported. Financial support to civil society activities must be continued to enable people in the field to carry on their work providing victims with a much needed assistance, protection and rehabilitation.