

## **Partnerships and co-operation: towards better implementation of the international legal tools (Panel 4)**

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Co-operation and partnerships are indispensable prerequisites for successful action against trafficking in human beings. Their importance is acknowledged by international legal instruments (the Palermo Protocol, the Council of Europe Convention on Action against Trafficking in Human Beings, EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims) which create obligations for States to co-operate at different levels, in particular:

- co-operation between various stakeholders in the prevention of trafficking,
- co-operation between state and non-state actors in the identification of victims and their assistance,
- international co-operation in the investigation and prosecution of traffickers,
- international co-operation in the prevention of trafficking, as well as in the protection and repatriation of victims.

According to Article 35 of the Council of Europe Anti-trafficking Convention, Parties “shall encourage state authorities and public officials to co-operate with non-governmental organisations, other relevant organisations and members of civil society, in establishing **strategic partnerships** with the aim of achieving the purpose of the Convention”. According to the Explanatory Report on the Convention, “strategic partnership” means the setting up of co-operation frameworks through which state actors fulfil their obligations under the Convention, by co-ordinating their efforts with civil society. How does this look in practice?

### **Building strategic partnerships within countries**

GRETA’s reports highlight differences in the degree of co-ordination and the extent to which civil society is involved in a comprehensive effort to address all aspects of human trafficking. Most countries have set up an institutional form of co-operation

between the government and NGOs providing support to victims. Some countries have chosen to formally recognise civil society through the adoption of Memoranda of Understanding or protocols which specify the role of the NGO and spell out the principles of co-operation. This is a positive development because it acknowledges the specialised knowledge that NGOs can provide. However, the involvement of NGOs in designing, implementing and assessing anti-trafficking policies and activities is still limited. While in some countries NGOs are full members of national co-ordinating structures, in others they are only sporadically invited to participate as “observers” and no attempt is made to involve them in policy making. Governments need to adopt an inclusive approach and develop formal and systematic consultation between governmental and non-governmental actors on trafficking.

We need strategic partnerships in order to improve our knowledge of trafficking and be more effective in preventing and combating it. It transpires from GRETA’s reports that although considerable efforts are being invested in preventing human trafficking, there is insufficient knowledge about this dynamic phenomenon and a lack of impact assessment of the preventive measures taken. While there is no shortage of awareness-raising initiatives, in particular in countries of origin, increased knowledge of trafficking does not necessarily lead to changes to behaviour. A young Moldovan woman may accept a dubious job offer abroad as a way of escaping domestic violence and achieving “independence”. A Bulgarian migrant construction worker who has been jobless for several years in Spain may well know that he will be exploited by the “middle man” who promises him work in Germany, but he will still prefer this to unemployment and inactivity. Because of their difficult material situation, people enter into an “employment-like” relationship with traffickers who do not have to use force or coercion – it is a “win-win” situation.

Human trafficking feeds on increasing inequality and the fight against it is intrinsically linked to labour, social and migration policies. That is why partnerships should involve a broad range of actors – NGOs (not only specialised in providing support to victims but also working with and representing migrants and ethnic minorities), social workers, labour inspectors, trade unions, parliamentarians, professional associations, businesses, academia, journalists. It is crucial to go beyond awareness-raising campaigns and adapt anti-trafficking policies in the light of

research evidence and impact assessment. Improving our knowledge will help us go beyond persisting clichés about human trafficking.

The Council of Europe Anti-Trafficking Convention, as well as the EU Directive, recognise the important role which NGOs play in the identification of victims of trafficking. According to Article 10 of the Council of Europe Convention, identification is a collaborative process between the authorities and relevant victim support organisations. However, GRETA's evaluation reports show that in some countries identification is entirely within the competence of law enforcement agencies and depends in practice on the presumed victim's readiness to co-operate in the investigation. This limits the number of formally identified victims. Assumptions based on a narrow pool of identified victims lead to programme interventions which focus on a narrow picture of trafficking. GRETA considers that there should be a differentiated approach to victim identification, enabling a series of actors to perform identification. NGOs providing support to victims, social workers and labour inspectors among others can substantially contribute to the victim identification process and should be involved in a multi-agency effort to ensure that no victim of trafficking remains unidentified. GRETA's reports refer to positive practices in some countries, for example, Austria, Croatia, Poland and the Republic of Moldova. In the last case, multidisciplinary teams set up at the regional level and composed of representatives of the social services, medical establishments, the police and NGOs, are involved in the identification of victims of trafficking.

### **Making the most of international partnerships**

The international mobilisation against human trafficking has been gathering momentum over the last 15 years and we all want to see it bear fruit. There is a whole series of international actors resolved to make a difference. Back in September 2010, the Council of Europe organised a thematic debate on how to strengthen partnerships and improve co-ordination between international organisations on action against trafficking in order to achieve better impact on the ground and avoid duplication and overlap of activities. The *Alliance* against trafficking in persons established by OSCE in 2004 is an example of a broad partnership which promotes exchanges of information on activities, as well as the

development of common positions and recommendations, such as the recent paper on non-punishment. Action against trafficking in human beings is one of the four priority areas of co-operation between the Council of Europe and the OSCE and the annual meetings of the Co-ordination Group between the Council of Europe and the OSCE are an occasion to strengthen co-operation. Another example is the recent exchange of views organised between GRETA and the UN Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, which was an opportunity to discuss how to strengthen synergies through enhanced information sharing and co-ordination of initiatives.

The EU Civil Society Platform against human trafficking which was launched in May 2013 aims to enhance co-ordination and co-operation amongst key actors. There are other examples of networks which have been set up in the past and whose potential should be utilised, such as the ARIADNE Network against Trafficking in Human Beings in South-Eastern and Eastern Europe, the European NGOs Observatory on Trafficking, Exploitation and Slavery led by the Italian Association *On the Road*, and the RENATE network of religious organisations against trafficking and exploitation.

The monitoring of the Council of Europe Convention by GRETA provides an important and authoritative source of information on different aspects of the fight against trafficking in human beings. The need to avoid duplication of monitoring operations has been stressed repeatedly. GRETA's reports are already being used as a basis for the preparation of new national action plans, legislative changes and other measures. It is encouraging to see that donors such as the Norway Grants are linking anti-trafficking projects in Romania and Poland to GRETA's recommendations. Thus as a follow-up to GRETA's recommendation, a project in Romania envisages the setting up of a shelter for victims of trafficking in Bucharest (there has been no such shelter since 2010). The project also aims at evaluating the national assistance system and raising awareness on trafficking among the Roma community. The French Government is providing funding for a prevention programme for high-risk groups in two Roma neighbourhoods in the city of Varna. We need to see more such projects taking place.

“When all is said and done, more is said than done”. This quote, which is usually attributed to Aesop who lived in 6<sup>th</sup> century BC, reminds us of a fundamental feature of humanity: unfortunately, moving from talk to action takes time.

The Council of Europe is developing co-operation activities aimed at implementing GRETA’s recommendations and is ready to explore areas where joint activities can be undertaken in order to benefit from the expertise, institutional support and resources of different organisations. This conference is an excellent example of partnership in action and will provide us with inspiration on how to become more effective in our collective fight against human trafficking. GRETA is preparing to launch the second evaluation round of the Convention later this year and the conference will provide insight into how to maximise the impact of the international legal tool which is monitored by GRETA.