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Council of Europe Action against Trafficking in Human Beings

Action against Trafficking in Human Beings

Introduction

Since the late 1980s, the Council of Europe has been active in the fight against trafficking in human beings. The Organisation has, among its member states countries of origin, transit and destination of the victims of trafficking. All these countries are directly concerned by the scourge of trafficking.

Trafficking in human beings constitutes a violation of human rights and an offence to the dignity

and the integrity of the human being. The Council of Europe, whose principal vocation is to safeguard and promote human rights, became the "natural home" for activities aimed at combating this phenomenon which constitutes a violation of people's dignity and integrity, their freedom of movement, as well as, in some cases, their right to life.

As far as the individual is concerned, trafficking undermines

the principle of equal dignity for all human beings. At society level, it constitutes a modern form of slavery and questions the rule of law and fundamental democratic values.

Based on the fundamental principles of pluralist democracy, respect of human rights and the rule of law, the Council of Europe has organised activities aimed at combating trafficking in human beings.

Actions undertaken by the Council of Europe

As far back as 1991, a *Seminar on Action Against Trafficking in Women, considered as a violation of human rights and human dignity*, was organised by the Council of Europe.

Then, through the *Group of Experts on traffic in women* (1992-93), which reported to the *Steering Committee for Equality between Women and Men* (CDEG), the Council of Europe identified the most urgent areas for action which were included in a *Plan of action against trafficking in women*. The Plan proposed areas for reflection and investigation in view of making recommendations to the member states on legislative, judicial and punishment aspects of trafficking; on assisting, supporting and rehabilitating its victims and on prevention programmes.

Trafficking aroused the collective concern of Council of Europe Heads of State and Government at the **Strasbourg Summit** (October 1997): the final declaration states that

violence against women and all forms of sexual exploitation of women constitute a threat to citizens' security and democracy.

Numerous activities have been organised since the Summit. Initially activities aimed to raise awareness and encourage action. The Council of Europe organised seminars to **heighten the awareness** of governments and civil society to this new form of slavery in order to alert the different players (police, judges, social workers, embassy staff, teachers etc) to their role vis-à-vis trafficking victims and the dangers facing certain individuals.

In addition, member states were encouraged to draw up national action plans against trafficking. To that end, the Council of Europe prepared the above-mentioned model plan of action against trafficking in women in 1996 and since then has encouraged the preparation of both **national and**

regional action plans, in particular in South-East Europe and the South Caucasus.

Studies and research have also been carried out to apprehend the problem of trafficking from its many different angles. In particular the CDEG prepared a report on the *Impact of the use of new information technologies on trafficking in human beings for the purpose of sexual exploitation*.

In addition, targeted seminars and meetings of experts have taken place in many member states, providing them with both the necessary **technical assistance** for drawing up or revising legislation in this area and assisting them to adopt the necessary measures for combating this scourge. In particular, the *LARA Project* to support the reform of criminal legislation in South-East Europe as a means of preventing and combating trafficking in human beings (July 2002 - November 2003). This

Council of Europe Project, implemented within the framework of the Stability Pact Task Force on Trafficking in Human Beings, enabled the participating countries to adapt and review their national legislation in this field. As a result of this Project, nearly all the

participating countries adopted national action plans against trafficking in human beings, covering prevention, prosecution of traffickers and protection of the victims.

During the 3rd Summit of the Council of Europe (Warsaw, May 2005) the Heads of State and

Government of the member States firmly condemned trafficking in human beings which undermine the enjoyment of human rights and which is an offence to the dignity and integrity of the human being.

Legal texts

The awareness-raising activities led to setting up a **legal framework** for combating trafficking in human beings. The Committee of Ministers adopted two legal texts dealing specifically with trafficking in human beings for sexual exploitation, most of whose victims are women and children:

- Recommendation No. R (2000) 11 of the Committee of Ministers to member states on action against trafficking in human beings for the purpose of sexual exploitation;
- Recommendation Rec (2001) 16 of the Committee of Ministers to member states on the protection of children against sexual exploitation.

These put forward a pan-European strategy taking in definitions, general measures, a methodological and action framework, prevention, victim assistance and protection, criminal measures, judicial cooperation and arrangements for international cooperation and coordination.

Furthermore, the Parliamentary Assembly of the Council of Europe has adopted the following texts:

- Recommendation 1325 (1997) on traffic in women and forced prostitution in Council of Europe member States
- Recommendation 1450 (2000) Violence against women in Europe
- Recommendation 1523 (2001) Domestic slavery

- Recommendation 1526 (2001) A campaign against trafficking in minors to put a stop to the east European route: the example of Moldova
- Recommendation 1545 (2002) Campaign against trafficking in women
- Recommendation 1610 (2003) Migration connected with trafficking in women and prostitution
- Recommendation 1611 (2003) Trafficking in organs in Europe
- Recommendation 1663 (2004) Domestic slavery: servitude, au pairs and "mail-order brides".

Council of Europe Convention on action against trafficking in human beings

The Council of Europe considered that it was necessary to draft a legally binding instrument which goes beyond recommendations or specific actions. On 3 May 2005, the Committee of Ministers adopted *the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197)*. The Convention was opened for signature in Warsaw on 16 May 2005, on the occasion of the 3rd Summit of Heads of State and

Government of the Council of Europe and entered into force on 1 February 2008.

This new Convention, the first European treaty in this field, is a comprehensive treaty focussing mainly on the protection of victims of trafficking and the safeguard of their rights. It also aims to prevent trafficking and to prosecute traffickers. In addition, the Convention provides for the setting

up of an effective and independent monitoring mechanism capable of controlling the implementation of the obligations contained in the Convention. Monitoring will begin in 2009.

A Fact Sheet on this Convention is available on the following website: www.coe.int/trafficking.

Council of Europe Campaign to combat trafficking in human beings

The entry into force of the *Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197)* also marked the end of the *Council of Europe Campaign to Combat Trafficking in Human Beings*, launched in 2006 under the slogan "*Human beings – not for sale*".

A total of 41 member states participated in one or more of the eleven regional information and awareness raising seminars which were organised to highlight the measures which can be taken to prevent this new form of slavery; to protect the human rights of victims

and; to prosecute the traffickers and their accomplices.

The seminars were attended on average between 100 and 150 participants, representatives from governments, national parliaments and non-governmental organisations.

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