

STATEMENT BY THE COUNCIL OF EUROPE

HUMAN DIMENSION IMPLEMENTATION MEETING SPECIAL DAY ON TRAFFICKING IN HUMAN BEINGS – 3 OCTOBER 2006

ACTION AGAINST TRAFFICKING IN HUMAN BEINGS

Council of Europe Convention on Action against Trafficking in Human Beings

One of the primary concerns of the Council of Europe is the safeguarding and protection of human rights and human dignity. Trafficking in human beings directly undermines these values. It is logical that finding solutions to this problem is a top priority for the Organisation.

On 3 May 2005, the Committee of Ministers adopted *the Council of Europe Convention on Action against Trafficking in Human Beings*. 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.

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.

The Council of Europe Convention affirms that trafficking in human beings constitutes a violation of human rights and an offence to the dignity and the integrity of the human being and that greater protection is therefore needed for all its victims.

Measures to protect and promote the rights of victims of trafficking are essential in contributing to breaking the cycle of trafficking. The identification and protection of victims, firstly, allow the victims to withdraw from exploitation, thus making possible their removal from the cycle of trafficking. Secondly, it enables the victims to cooperate with the law-enforcement authorities, thus making possible the efficient prosecution of traffickers.

The Council of Europe Convention is the first international legal instrument which defines the notion of “victim” of trafficking in human beings, and which mainly focus on the protection and promotion of the rights of victims of trafficking. The Convention deals with the protection and promotion of the rights of victims of trafficking in its Chapter III.

Article 4 of the Council of Europe Convention defines “victim”; Article 10 deals with identification of victims of trafficking as being essential if they are to be given the benefit of the rights laid down in the Convention; Article 11 deals with protection of their private life; Article 12 specifies the assistance measures to which trafficking victims are entitled; Articles 13 and 14 lay down a recovery and reflection period –of at least 30 days- to which victims illegally present in a Party’s territory are entitled and provide for issue of a residence permit. Article 15 deals with compensation of trafficking victims for harm suffered and Article 16 with repatriation or return.

To date, the Council of Europe Convention has been ratified by Moldova and Romania and signed by 31 other states. The Convention will enter into force with 10 ratifications. We expect the 10th ratification in late 2007. This would enable the monitoring mechanism of the Convention to take up its work in 2008.