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Sixth EU Anti-Trafficking Day, 18 October 2012
Working together towards the Eradication of Trafficking in Human Beings: The
Way Forward

Delegations will find in the Annex a summary report of the Sixth EU Anti-Trafficking Day on 18 October 2012.



**Summary Report
Sixth EU Anti-Trafficking Day, 18 October 2012**

**Working together towards the Eradication of Trafficking in Human
Beings:
The Way Forward**

The **Sixth EU Anti-Trafficking Day** was co-organised by the Cyprus Presidency and the European Commission and took place in Brussels on 18th October 2012. Nearly 300 high-level policy makers, government officials from all Member States, representatives of civil society organisations, experts, front line workers, artists and the media reflected on how to best work together towards the eradication of trafficking in human beings. With the new **EU Directive on preventing and combating trafficking in human beings and protecting its victims (2011/36/EU)** and the **EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016**, EU legislation and policy are in place. Now it is time to implement and act.

Morning Session:

The chair for the day's events, **Ms Myria Vassiliadou, EU Anti-Trafficking Coordinator**, welcomed all participants and gave an outline of the day. She emphasised the importance of having the commitment and support of the EU Presidency, the European Commission and the European Parliament in our joint efforts to address trafficking in human beings and as vital to efforts to ensuring a coordinated, multidisciplinary approach across the EU. She cited the importance of the timely implementation of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims and the new and integrated EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016. She explained that the conference aimed to further motivate the exchange of information, knowledge and best practices amongst the experienced and diverse actors working in this field and highlighted the importance of a multidisciplinary approach to working against trafficking of human beings.

Ms Eleni Mavrou, Minister of Interior of Cyprus opened the conference and reiterated the need for coordinated action both at the EU and national level, underlying partnerships and



keeping the victim at the centre of our approach to further strengthen cooperation, protection of victims, prevention and effectively proceed with the prosecution of traffickers. She stressed that we must have zero tolerance to this gross violation of human rights and we need to strengthen cooperation with civil society. There legislative and practical tools to effectively tackle this crime are in place and what is now necessary is to remain alert and implement these tools in our day to day work.

Ms Cecilia Malmström, EU Commissioner for Home Affairs reminded the conference participants that trafficking in human beings is one of the most terrible crimes of our times and close to her own heart and the hearts of European citizens - according to Eurobarometer, 93% of EU citizens want action against human trafficking. The ILO estimates around 880,000 victims of forced labour within the EU, while preliminary EUROSTAT data shows that women and girls comprise nearly 80% of victims within the EU. The Commissioner stresses that given the extent and nature of this terrible crime, we have both a moral and legal obligation to act. The economic crisis has not undermined support for action, in fact more action is needed since economic hardship increases the vulnerability of victims. Indeed, it is less costly to prevent the problem than to deal with it later. At an EU level, we have two strong tools to guide us: the EU Directive on trafficking in human beings about to enter into force in all Member States, and the EU Strategy. The deadline of 6 April 2013 for implementing the new, stronger legislation is fast approaching. Ms Malmström called upon all EU Member States to transpose the Directive on time, and to ensure that all elements, including mechanisms for early identification and protection of victims, are in place.

Ms Edit Bauer, Member of the European Parliament expressed satisfaction with the Directive setting minimum standards and emphasised the importance of its timely and full transposition. Its multidisciplinary, coordinated approach which recognises the centrality of human rights and the victim would ensure an appropriate response to this phenomenon, as would the incorporation of the gender dimension and the special needs and status of child victims. The complex nature of trafficking in human beings, which involves actors and stakeholders across different fields, invites multiple policy responses which range from the prevention of demand to the protection of the judicial rights of victims. This necessitates the coming together of these different actors and stakeholders; the range and number of people attending the conference today was therefore extremely encouraging. Ms Bauer amongst others called on the Commission to improve and further encourage cooperation,



coordination and coherence between all stakeholders, essential factors for success in this challenging policy field.

The Way Ahead: Three Priority Future Actions

The panel discussions in the morning session aimed at identifying future actions needed to work towards the eradication of trafficking in human beings. This concerned an increased focus on strengthening partnerships, including new actors working in the field, identifying innovative approaches for identification and referral of victims, investigating and prosecuting cases of trafficking in human beings and convicting traffickers and establishing ways to better monitor and evaluate the actions taken.

Panel 1

Ms Krisztina Berta, Deputy State Secretary of EU and International Relations Ministry of Interior of Hungary, reiterated the need for destination and origin countries to cooperate in addressing trafficking in human beings. She highlighted the adoption of new legislation in the Hungarian penal code, the new Victims Support legislation and changes in the legislative basis for the National Referral Mechanism that is underway. This is expected to be a major step forward in order to increase the number of shelters and thus the number of assisted victims. Besides legislation, awareness raising campaigns have been conducted through social networks and the Sziget festival to target young people and training courses on the identification, investigation and prosecution have been provided. A roundtable has been established for continuous cooperation with NGOs and IGOs. As the national anti-trafficking strategy expires, a new one will be elaborated on the basis of the EU Strategy.

Mr Klaus Rösler, Frontex, informed the audience on the achievements of the seven Justice and Home Affairs EU Agencies one year after the adoption of the Joint Statement to address trafficking in human beings in a more coordinated, coherent and comprehensive manner and to increase cooperation and provide for synergies between EU Agencies active in the field. Among the achievements reported, the number of cross-border investigations coordinated by Europol has doubled in 2012. The Fundamental Rights Agency (FRA) provided data and assisted the EU Agencies in the implementation of their activities. Frontex has appointed a fundamental rights officer and developed a trafficking in human beings training manual based on the Directive. The European Asylum Support Office (EASO) addressed trafficking in human beings in its activities, including the training of asylum officials and information exchange. The European Police College (CEPOL) has developed a wide spectrum of specifically targeted training activities addressing trafficking in human beings: courses,



online seminars, Common Curricula and E-learning tools. The European Institute for Gender Equality (EIGE) offered expert advice on the gender related aspects of this phenomenon. Eurojust is addressing trafficking in human beings in its “Strategic Project on Eurojust Action against Trafficking in Human Beings”, which aims at strengthening and improving cooperation between national judicial authorities; improving the efficient use of existing legal instruments; intensifying efforts in prosecuting these crimes at national level; and enhancing the involvement of Eurojust.

Ms Joy Ezeilo, UN Special Rapporteur on Trafficking in Persons, cited the importance of political commitment and implementation towards addressing trafficking in human beings and urged all states to ratify the UN Protocol on Trafficking in Persons. She emphasised the key points in addressing trafficking in human beings: Protection, Prosecution, Punishment Prevention, Promotion and Partnership as well as Redress, Recover, Reintegration and Capacity, Cooperation and Coordination, which are consistent with the EU Strategy. She highlighted the importance of a victim-centred approach and in particular the need to involve, assist and cooperate with victims at all stages.

Ms Eva Biaudet, Ombudsman for Minorities in Finland reiterated the need for independent evaluation and careful analysis of anti-trafficking legislation and policies measures. Victim assistance has to be principled and practical so that it supports police investigations and resources are focussed in the appropriate areas. Priority actions should be the creation of comprehensive legislation on human trafficking victims, better assessment of the best interests of child victims and obliging responsible authorities to document how this is done; discuss the implementation of the Dublin procedure; the enactment of a proper transnational referral mechanism with a human rights-centred approach; and avoiding re-victimisation once a victim of trafficking in human beings has been repatriated.

Mr Jozef de Witte, Director of the Centre for Equal Opportunities and Opposition to Racism in Belgium presented their annual report and its priorities on victim identification, prosecution (including financial investigations) and the provision of information to victim. He recommended the immediate creation of a specialist financial investigation team, given the importance and comparative lack of attention given to this field, which can provide additional evidence during prosecutions of alleged traffickers in human beings, provide a greater investigative insight into the organised crime gangs and networks which facilitate trafficking in human being. He also recommended enhancing international cooperation given the transnational nature of this phenomenon and the need to coordinate actors across



different countries and disciplines. Further to the theme of coordination police, civil society and judicial authorities needed to act in partnership. There should also be the maximal seizure of criminal assets in order to act as an effective deterrent against traffickers.

Panel 2

Ms Michèle Coninsx, President of Eurojust, explained Eurojust's role in the coordination of investigations and prosecutions of cross-border organised crime and the facilities provided by Eurojust, such as the Operational Coordination Centre. She then presented Eurojust's Strategic Project and the Action Plan against trafficking in human beings 2012 – 2016, which is closely linked to the EU Strategy since it incorporates common themes and emphases by enhancing common knowledge of some of the issue surrounding this phenomenon, such as the comparatively low number of prosecutions and the need to increase cross-border and inter-institutional cooperation. She emphasised among other matters the importance of financial investigations and need for a coordinated approach, especially between the law enforcement and judicial authorities of Member States and highlighted the importance of common training and standard operation procedures, not just between Member States, but also between the EU and non EU countries dealing with trafficking in human beings.

Mr Mick Quinn, Department of Justice and Equality of Ireland, thanked the Presidency and the European Commission for their organisation of the conference and praised the EU Strategy. He stressed the need for effective communication between victims on the one hand and national authorities and NGOs on the other. Discrimination has the potential to impede appropriate operational and policy responses towards the needs of certain victims and attempts to reduce victimisation among certain communities, due to a lack of understanding as to how they are differentially affected by trafficking in human beings and a lack of communication between these communities and state organisations.. He endorsed one of the key actions of the EU Strategy, namely the importance of comparable and reliable European data and methodologies for policymakers to use as the basis for broad-based interventions. This will be reflected in better identification of victims taking into account the obstacle of discrimination. Another issue which is also reflected in the EU Strategy is the need for all actors, such as the state, civil society and the private sector, to better inform victims of their rights in a clear and concise manner. He further emphasised the key role of civil society and the private sector who often play the role of first responders and are thus a vital link to the establishment of trust between the victim and national authorities. He concluded by reiterating the Ireland Presidency's continued prioritisation of trafficking in human beings.



Mr Nicolas le Coz, President of GRETA,¹ highlighted the need to dismantle existing prejudices towards victims of trafficking in human beings – it does not only affect certain communities or a single gender. Therefore, it is important that practitioners are appropriately trained and that anti-discrimination policies are in place to protect the vulnerable within a national coordination mechanism involving NGOs. Victims should not be penalised and their needed to be a better respect for their rights, especially in regards to compensation. He said that a stronger focus on financial investigations and special investigation teams is necessary. Finally, in terms of the implementation of the Directive, Mr le Coz suggested coordinating this activity with GRETA, who would be able to report on progress, in the spirit of the Strategy's emphasis on enhanced international cooperation and coordination.

Ms Linda Lapa, Director of CYPRUS STOP Trafficking, gave an account of the work of her NGO over the last five years as an example of the important contribution of civil society. Cyprus Stop Trafficking had lobbied for the abolition of "artiste visas", thereby reducing the number of female victims trafficked into Cypriot cabarets by several thousand. They had worked hard to get leaflets for potential victims distributed at airports but despite getting Ministerial clearance, she explained that this had never been implemented by the civil service. She also elaborated in her organisation's cooperation with the Department for Education to prevent the exploitation of students who are tricked into coming on the promise of a Western education at low rates. Ms Lappa explained that these students are not told that full time employment is not allowed so are unable to pay their fees and are forced to work illegally. She stressed that in order to prevent trafficking in human beings, we need to raise awareness not only among potential victims, but also among potential clients. It is essential to change mentalities.

Intermezzo

Ms Cora Bissett, an award-winning theatre director, actor and musician, showed the conference filmed excerpts from her theatre production 'Roadkill', a harrowing story following a young girl from West Africa who is trafficked to Scotland where she is forced to undergo brutal sexual exploitation. After these terrible experiences, she is able to escape and flees into an uncertain future. The film was based on a series of interviews that Ms

¹ Group of Experts on Action against Trafficking in Human Beings, a monitoring mechanism established by the Council of Europe



Bissett had conducted with victims of sexual exploitation, NGOs and anti-trafficking organisations. The aim of the film was to provide the victim with a voice and increase awareness of this phenomenon.

Side event: NGO Platform

During lunch, the Commission organised a side event to brainstorm on the Civil Society Platform to be established as a concrete action of the EU Strategy. The platform will serve as a forum for civil society to interact, exchange experiences and best practices and contribute to advocacy efforts. It is a concrete opportunity for new stakeholders to be involved in the debate on trafficking in human beings and coordinate various actions, including awareness-raising activities, in a targeted manner. By bringing together organisations and service providers from 27 Member States working at European, national and local levels, the platform will create partnerships and synergies in this field. Reflecting the key role of civil society in protecting, assisting and supporting victims of trafficking in human beings, the Platform will also help the European Commission to implement the EU Strategy.

Ultimately, it is anticipated that through the work of the Platform, the European Commission will be better informed about the main challenges that the civil society organisations face nowadays on the ground, helping the European Commission and other stakeholders better ensure that the needs of the victims are properly addressed at the EU level policy framework.. This informal meeting gathered 80-100 persons, mainly from NGOs, and provided a good first opportunity to exchange views and make suggestions on how best to launch the platform. In general the concept of setting up a civil society platform was welcomed by participants and several NGOs expressed interest in further discussing the way forward. Ideas such as the layering and structure of the platform were discussed.

Afternoon Session:

The afternoon session was dedicated to specific topics to be discussed in three working groups selected on the basis of the EU Strategy priorities on Prevention, Prosecution, and Protection/Assistance respectively: 1) reduction of demand (and supply) as key to preventing trafficking in human beings; 2) financial investigations; and 3) EU Transnational Referral Mechanisms. These topics have been identified due to the level of complexity that they entail, including their transnational aspects. They all require innovative and ambitious approaches in their operationalisation, such as forging systematic and closer partnerships among relevant actors. All topics have cross-border aspects which create additional challenges for practitioners.



Working group on the Reduction of Demand

Ambassador Elisabeth Tichy-Fisslberger from the Federal Ministry for European and International Affairs of Austria moderated a discussion with Ms Josie Christodoulou, Policy Coordinator of the Mediterranean Institute of Gender Studies of Cyprus (rapporteur), Mr Stefan Descheemaeker, CEO of the Delhaize Europe of Delhaize Group, Mr Howard Rosen, former President of the Council of British Chambers of Commerce in Europe, Mr Grégoire Thery, Secretary General of Mouvement Nid and Ms Sarah Schwarze, Advisor to the KOK Bundesweiter Koordinierungskreis gegen Frauenhandel und Gewalt an Frauen im Migrationsprozess, NGO Network.

Representatives from government and civil society, including NGOs and the private sector, discussed how to address demand for the goods and services provided by victims of human trafficking and the criminalisation of the buyers of prostitution, or whether prostitution should be seen as a form of labour. Many agreed that we need to examine different models where prostitution is legal and pimping and procuring is illegal, or where the prostitutes themselves are penalised and the effects of these approaches on demand and the working practices of pimps and traffickers.. Some viewed prostitution primarily as a human rights issue, others argued that the terms of the debate needed to be changed – prostitution in all its forms needed to be included in the discourse of trafficking in human beings for sexual exploitation.

Participants also stated the importance of prevention in the countries of origin and not only in Europe and asked what mechanisms should exist in non EU countries on prevention and before they enter the EU.

Further questions were asked on how NGOs and the governments can work with business (for example, hotels that are being used for the purpose of prostitution) in the efforts of combating trafficking in human beings for sexual exploitation. One possibility would be for NGOs and the governments to facilitate cooperation with business managers, explain that they might be involved in criminal activity, show them how this occurs and ask them to establish and/or review ethical recruitment procedures for their organisation whilst raising awareness among consumers. The private sector could also play a role in re-integrating victims of trafficking in human beings, for example through employment.



Working Group on Financial Investigations

Mr Liam Vernon, Deputy Head of the UK Human Trafficking Centre moderated a discussion with Mr Mickaël Roudaut, Policy Officer for the European Commission (rapporteur), Mr Burkhard Mühl, Senior Specialist for the EUROPOL Criminal Asset Bureau, Mr Adrian Petrescu, Police Commissar for the National Agency against Trafficking in Persons of Romania, Mr Cor Veenman, Forensic Intelligence Specialist for the Netherlands Forensic Institute and Mr Ola Laurell, Assisting National Member for Sweden, Eurojust.

The participants in the panel highlighted the importance of financial investigations in fighting trafficking in human beings. They are a vital component to tackling demand (by removing the financial incentives to trafficking in human beings), increasing prosecutions (since they widen the evidence base which can be submitted in court), protecting the victims (since recovered proceeds can provide direct compensation) and facilitating the wider fight against organised crime. For example, parallel financial investigations are sometimes carried out when a human trafficking case is opened by the police in a Member State. They are conducted by trained specialists and a different standard of proof is offered for judges to allow the freezing or seizure of assets than with other crimes. The use of data analysis and data mining in the identification of victims of trafficking in human beings and the prosecution of perpetrators was highlighted. The data should come from different sources, such as employee data from private sector sources that could reveal unusual transactional patterns suggesting that some employees may have been the victims of trafficking. Currently, financial investigations are not routinely conducted across Member States.

Therefore proactive, parallel financial investigations should take place which will involve a Member State-wide capacity and best practice building. Member States and EU Agencies need to mutualise their expertise for financial investigations, rather than creating 'islands' of expertise which lack a coordinated and centralised approach. Agencies such as Europol and Eurojust need to be fully leveraged by Member States to support cross-border investigations. Work should be carried out in partnership with the private sector who can provide the information and data for identifying victims and traffickers, especially when it comes to labour exploitation. There is a need to train law enforcement and also judges on financial investigations and its complexity.



Working Group on Transnational Referral Mechanism

Mr Laurence Hart, Head of the Migrants Assistance Division for the International Organisation for Migration moderated a discussion with Mr Martijn Pluim, Director for Capacity Building and Operations for the International Centre for Migration Policy Development (rapporteur), Mr Mark Ovenden, former victim of trafficking for labour exploitation, Ms Sarah de Hovre, Director of PAG-ASA, Ms Antoaneta Vassileva, Secretary-General of the National Commission for Combating Trafficking in Human Beings for Bulgaria and Ms Ala Vechiu, Social Assistant of the Permanent Secretariat of the National Committee for combating Trafficking in Human Beings of Moldova.

Mr Ovenden, who had been trafficked for forced labour, shared his experiences. Aside from the ordeal that he suffered at the hands of the traffickers, when describing his experience interacting with governmental authorities he highlighted the need for improved communication on the available rights of victims and for better coordination and communication between authorities in involved countries. Representatives from both governments and NGOs elaborated on the issue from their perspectives, highlighting the need to have a victim-oriented, non-discriminatory, multidisciplinary and human rights based approach. Participants also discussed the development of a transnational referral mechanism, a key plank of the EU Strategy. At present, when victims move across borders, problems are generally solved bilaterally on an ad hoc basis. This is often time-consuming and inefficient. In line with a victim-centred approach, by 2015 the Commission will develop a model for an EU Transnational Referral Mechanism which links national referral mechanisms to better identify, refer, protect and assist victims. The need for transnational cooperation was emphasised by the participants. Issues which need to be carefully considered include the issues raised by cross-border cases of human trafficking face related to the exchange of information, jurisdiction, procedures when victims move to another country and different levels of protection between countries. Based on the experiences of the functioning Transnational Referral Mechanism in South Eastern Europe, a network of contact points in participating countries should be established and clear Standard Operating Procedures and mechanism should be developed. It was highlighted that issues to be included in the mechanism are identification, referral, reintegration, durable solution for return, compensation, support and assistance and protection. It is crucial to identify potential victims, so that anyone who has dealings with a victim of human trafficking can best attend to the needs of victims.



Conclusion

Ms Myria Vassiliadou thanked all the participants for their valuable contributions to the discussion. The participation of so many different actors across Member States, NGOs, the private sector, EU agencies, international organisations and others was indeed encouraging. It pointed to the recognition of the transnational, multifaceted nature of trafficking in human beings and the need for us all to work together to ensure the implementation of a multidisciplinary and coordinated approach which places the victim and their human rights at the heart. Ms Vassiliadou stressed the need for all to continue to be ambitious in addressing trafficking in human beings – the statistics show how great the problem is and the difficulties involved in addressing trafficking in human beings. We need to maintain ongoing dialogues, increase cooperation between all stakeholders involved and keep the cross-border nature in mind.

Depriving an individual of their liberty and treating them as a commodity is unacceptable. Given the nature and the scale of the phenomenon, there is a moral and legal obligation to act and a cooperative imperative. Member States need to transpose in a timely manner the Directive on trafficking in human beings whilst maintaining the necessary flexibility to ensure a victim-centred approach and adopting a multidisciplinary approach. Member States also need to take concrete actions as described by the EU Strategy to further assist victims and address trafficking in human beings, from a human rights and gender-specific perspective. This can only be accomplished by prioritising the protection and identification of victims, stepping up the prevention of trafficking in human beings; increasing the prosecution and conviction of traffickers which is currently unacceptably low; enhancing coordination and cooperation amongst actors, one of the key aims of the conference today and increasing our knowledge.

The Directive, the EU Strategy and the gathering of so many people at the conference, who welcomed both the Strategy and Directive, demonstrate that the EU, its Member States and Civil Society acknowledge the legislative framework, policy tools and indicate above all the will to address trafficking in human beings – now is the time to act. Other key themes which emerged over the day included the need for independence in terms of evaluation and reporting and the need to involve civil society. The Commission will work with the Irish Presidency of the EU Council towards better and consistent dissemination of the rights of victims of trafficking in human beings, a central theme throughout the day, a need highlighted by Mark Ovenden, a victim of trafficking.



Ms Eleni Mavrou reiterated Ms Vassiliadou's message – the clear message of the day was the need to maintain and strengthen a coordinated, multidisciplinary approach. This is practically achieved not just by bringing together governmental actors but also by ensuring the involvement and active participation of civil society. Coordination and cooperation does not just take place within the EU, but also has a global dimension and is advocated by the EU Strategy's commitment to engagement with international organisations. The Cyprus Presidency has kept these issues high on their agenda due to its violation of human rights and growing nature. The Justice and Home Affairs Council will adopt Conclusions endorsing the EU Strategy and highlighting specific elements for action. Ms Mavrou reiterated the need to implement and execute the legislative and policy instruments that were available and to continue to work together in that spirit.