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**The fight against trafficking in human beings and their sexual exploitation:
the role of cities and regions**

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EXPLANATORY MEMORANDUM

Introduction

Trafficking in human beings - which includes the sexual or economic exploitation of people, forced labour, slavery, servitude and the removal of organs – is a grave problem of global proportions. It is a crime that not only constitutes a violation of human rights, it also undermines the fundamental principles of democracy and the rule of law and is intolerable in the 21st century.

The Committee on Social Cohesion emphasises that the fight against trafficking in human beings should not be confused in any way with the question of illegal immigration and any measures taken to regulate it. A desire on the part of states to control immigration should not prevent them from recognising their obligations under the Convention for the Protection of Human Rights and Fundamental Freedoms to secure to everyone within their jurisdiction the rights and freedoms laid down by the Convention, notably freedom from slavery and a right to liberty and security.

Since the end of the 1980s, trafficking in human beings has become one of the most serious problems on our continent as a result of the growing number of people, mainly women and children, who fall victim to these practices.

The unprecedented increase in this form of criminal activity over the last few years requires not only immediate action on the part of all countries, but a concerted, collective local and regional approach, complementary to international texts and national policy measures and aimed at a pan-European and global action.

Trafficking is a “transversal” criminal activity that touches upon a number of issues, namely gender equality, organised crime, money laundering and migration, and as such requires a variety of different initiatives, ranging from the elaboration of legal standards, research into the causes and mechanisms of trafficking, legal and technical co-operation, monitoring, protection of victims and awareness-raising and information campaigns.

Trafficking is a complex social problem that knows no borders. Appropriate solutions can only be found through an overall approach as well as co-ordinated international and multidisciplinary action.

While trafficking in human beings is not limited to women and children, nor to the sex industry alone and there are many indications of forced labour in the construction industry, horticulture, agriculture, sweatshops and even for the purposes of organ transplantation, the priority areas of action at local and regional level at this time, as highlighted by this overview, are trafficking in human beings, and in particular women and children, for the purposes of sexual exploitation.

In October 2002 the Committee on Social Cohesion of the Congress of Local and Regional Authorities of the Council of Europe, which contributes to Council of Europe work in the field of promotion of equality between women and men and respect for human rights at local and regional level, proposed that the role of towns and regions in Europe in the fight against trafficking be explored, especially in light of the Council’s preparation of a convention on human trafficking. The Congress has therefore closely followed the work of the Ad Hoc Committee on Action against Trafficking in Human Beings (CAHTEH), whose eighth meeting, its last, was held from 22 to 25 February 2005.

At its meeting on 22 March 2004, the Committee appointed Sandra Barnes (United Kingdom) Rapporteur.

The Committee is invited to discuss and approve this overview as well as the draft recommendation and draft resolution, and to submit them for adoption to the 2005 Plenary Session.

I. The fight against trafficking in human beings: an international approach

A. Action taken by international organisations

1. The United Nations

Since the beginning of the twentieth century, the United Nations has drawn up a significant number of conventions against slavery and trafficking in human beings (see appendix). The additional Protocol to the Convention against Transnational Organized Crime (Palermo Protocol), adopted in 2000, particularly aims to prevent, suppress and punish trafficking in human beings, in particular women and children. The States Parties stressed the need for effective action and defined the purposes of the protocol as follows, to:

- *prevent and combat* trafficking in persons;
- *protect and assist* the victims of such trafficking;
- *foster international co-operation* between States Parties;

The **Protocol** was the first universal instrument focusing on all aspects of trafficking. It is an instrument of criminal law which, whilst also including measures for prevention and victim protection, in particular obliged states to provide victims with appropriate assistance to enable them to assert their views in the course of criminal procedures, as well as the possibility of obtaining reparation for damages sustained. It also encouraged states to provide victims with acceptable housing, medical, psychological and material assistance, possibilities of employment, education and training, as well as the possibility of remaining on the territory.

The protocol established, for the first time at the level of a universal treaty, states' commitment to take back their nationals and permanent residents who are victims of the slave trade, in order to favour the return, preferably voluntary, of victims to their country of origin.

It produced the first internationally agreed, binding definition of "trafficking in persons" which became the definition used by the draft Council of Europe convention (see below).

2. The European Union

The European Union has focused its action on the standing of victims in criminal proceedings, the prevention of trafficking in women for the purpose of sexual exploitation, the protection of witnesses in the fight against organised crime and the granting of short-term residence permits to victims of trafficking (see appendix).

The Brussels Declaration on Preventing and Combating Trafficking in Human Beings, adopted in 2002 at the European Conference on Preventing and Combating Trafficking in Human Beings – a Global Challenge for the 21st Century, organised by the International Organization for Migration in co-operation with the European Parliament and the European Commission, put forward a series of

recommendations, standards and examples of good practice to encourage local action and international co-operation in combating human trafficking, namely:

- co-operation and co-ordination between all governments, international institutions and players concerned by the traffic in human beings;
- the prevention of trafficking in human beings, through an understanding of the root causes, research and training of key players, awareness-raising campaigns addressed to the target population, and particular emphasis on children's rights and concerns;
- protection and assistance for victims.

It addresses the entire trafficking chain, calling for long-term efforts to combat its root causes.

A group of experts on trafficking in human beings has been set up with the aim of making contributions and proposals for implementing the priorities stated in the Brussels Declaration.

3. The Organisation for Security and Co-operation in Europe (OSCE)

The Organisation for Security and Co-operation in Europe (OSCE) recognises the issue of human trafficking as affecting all dimensions of its work, be it human, politico-military or economic, and has therefore elaborated a number of anti-trafficking proposals (see appendix).

At a high-level "Tripartite Plus" meeting (February 2003), the OSCE, which had been asked to consider practical measures for stepping up co-operation in preventing human trafficking, voiced support for the conclusion of a Council of Europe convention on trafficking in human beings to enhance victim protection and international co-operation against this serious form of criminality at pan-European level. Participants at the meeting stressed the importance that other European institutions should attach to this problem by introducing more effective policies and encouraged them to make joint efforts to raise public awareness of this problem, particularly in countries of destination. As regards co-operation in the field, they also agreed that co-ordination was important to avoid duplication. The role of civil society and non-governmental organisations (NGOs) together with governmental and inter-governmental institutions was also stressed.

The Ministerial Council of the OSCE affirmed in Porto, in 2002, in a Declaration on Trafficking in Human Beings, that it was imperative to reduce corruption and the demand for trafficked persons in destination countries as well as taking action against the root causes of trafficking - including economic and social inequalities. The Declaration called upon states to create national strategies and enhance international, national and regional co-operation and co-ordination, including in the domains of return programmes for victims and the fight against transnational crime.

In 2003 the OSCE Action Plan to combat trafficking in human beings was drafted (Decision No. 557, 24 July 2003). The Action Plan gives states the tools to take a multidimensional approach to the fight against trafficking by incorporating best practices and facilitating co-operation between states, the OSCE, and international organisations. National governments are called upon to adopt necessary legislation to punish offenders of a criminal offence, to protect victims, and to elaborate methods of prevention. One of the main areas of prevention is to tackle the root cause of trafficking in origin and destination countries stemming from economic and social policies.

B. The Council of Europe's contribution to the fight against human trafficking

1. Initiatives and existing legal instruments

The Council of Europe, a regional and pan-European organisation whose main aim is to protect human rights and human dignity, has expressed its concern over the spread of this phenomenon and has attempted to deploy all its political and legal resources to fight it.

It has taken various steps to counter this new type of slavery. These activities are designed to draw the attention of governments and civil society to this issue and raise the awareness of people who have contact with the victims of trafficking, who are often very vulnerable and in danger. Seminars and meetings of experts have been held in various countries, in particular South-East Europe and the Southern Caucasus. Member states have been encouraged to draw up national and regional plans to combat trafficking.

Attention should be drawn to two specific regional initiatives supported by the Council of Europe with a view to combating human trafficking in South-East Europe:

- In the context of the Stability Pact, the Lara Project on criminal law reform in South-East Europe, which was finalised in 2003, was designed to co-ordinate and harmonise legislation on the fight against trafficking in human beings. Training seminars were held on criminal law reform as well as for drafting legislation for the protection of victims and witnesses. This project was implemented in the framework of the Stability Pact Task Force on Trafficking in Human Beings
- Under the aegis of Ambassador Gaon, Permanent Representative of Bosnia and Herzegovina with the Council of Europe, the South-East European Diplomatic Training Initiative to Combat Trafficking in Human Beings provided the opportunity for representatives of ministries of justice and the interior of the countries concerned to exchange views. The Congress took part in this debate which was held in March 2004.

Since the beginning of the 1990's, the **Committee of Ministers** of the Council of Europe has adopted a number of texts on the various aspects of sexual exploitation and trafficking in human beings.

With regard to children, in 1991 the Committee of Ministers of the Council of Europe adopted Recommendation R (91) 11 concerning sexual exploitation, pornography and prostitution of, and trafficking in, children and young adults. This was the first international text to address such issues in a comprehensive way.

In 1999 the Council of Europe's Committee of Ministers set up the Committee of experts on the protection of children against sexual exploitation (PC-SE) with the task of, amongst other things, reviewing Recommendation No R (91) 11 and in doing so, the PC-SE took into account Article 9 of the Convention on Cybercrime, dealing with offences related to child pornography, thereby tackling many aspects of sexual exploitation of children through the use of new technologies. The adoption of Recommendation Rec (2001) 16 on the protection of children against sexual exploitation and its explanatory report completed the work of the PC-SE.

In 2002, the Council of Europe set up a Group of Specialists on the protection of children against sexual exploitation (PC-S-ES), mandated with the task of developing measures designed to ensure the protection of children against sexual exploitation in the light of Committee of Ministers Recommendation Rec (2001) 16 on the protection of children against sexual exploitation.

Among other important texts of the Committee of Ministers on trafficking and sexual exploitation are:

- Recommendation No R (97) 13 of the Committee of Ministers to member states concerning the intimidation of witnesses and the rights of the defence, and
- 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;

For the first time, in Recommendation No. R (2000) 11, the Committee of Ministers defines the concept of trafficking in human beings, following the example of the Parliamentary Assembly of the Council of Europe, which was the first to define the concept of trafficking in women and forced prostitution in Recommendation 1325 (1997).

The Parliamentary Assembly, which has also studied the issue of migration connected with trafficking in women and prostitution (Recommendation 1610 (2003)), proposed launching a campaign against trafficking in women (see Recommendation 1545 (2002)) and addressed the issue of trafficking in women and forced prostitution in Council of Europe member states (see Recommendation 1325 (1997)).

The Assembly's texts put forward a pan-European anti-trafficking strategy, covering definitions, measures of a general nature, the basis for action and methodology, prevention of trafficking, assistance to and protection of victims, penal legislation and judicial co-operation as well as measures for co-ordination and co-operation at international level.

There has, however, to date been no specific discussion at the Council of Europe as to how local and regional authorities might help to combat trafficking in human beings.

2. The Council of Europe's future European Convention on action against trafficking in human beings

The Ad Hoc Committee on Trafficking in Human Beings (CAHTEH), working under the aegis of the Committee of Ministers, has, over the course of eighteen months, drafted a new European convention on action against trafficking in human beings.

For the purposes of this future convention, the expression "trafficking in human beings" is taken to mean "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs".¹

¹. Article 4(a) of the revised draft Council of Europe convention on action against trafficking in human beings.

The CAHTEH was instructed to adopt a comprehensive approach embracing the prevention, suppression and punishment of this complex phenomenon. The intention was to create a legally binding convention that would bring added value to existing international human rights instruments and to extend the United Nations work in this field in a European context. The mandate of the drafting committee was to strike a balance between the human rights of victims of trafficking and the rights relating to criminal prosecution. With its emphasis on the protection of victims and the inclusion of a gender perspective, the Convention was to ensure the introduction of trafficking as a criminal offence in member states, harmonise the penalties that may be applied to this offence and facilitate the extradition of offenders within the Council of Europe area.

The work has been carried out jointly by the Directorates General of Legal Affairs and Human Rights and was completed on 25 February 2005. The Congress has had observer status with the CAHTEH and has attended all the drafting meetings.

The last meeting of the drafting committee was devoted to the examination of Opinion No. 253 (2005) of the Parliamentary Assembly on the draft convention, given at the request of the Committee of Ministers. At this meeting consensus was difficult to achieve and only 17 of the 51 amendments proposed by the Parliamentary Assembly were finally included in the revised draft of the convention which will be submitted to the Committee of Ministers in March. A number of proposals for amendments for the questions considered to have political implications appear in footnotes in the text of the draft convention as transmitted to the Committee of Ministers for adoption.

A declaration on behalf of the Parliamentary Assembly, as well as that of the Mexican Government and a joint statement by four prominent NGOs (Amnesty International, Anti-Slavery International, La Strada International and Terre des Hommes) was handed out to participants. These declarations highlight a number of amendments which were not accepted during the discussions but which are felt by the Parliamentary Assembly to be of the utmost importance if the draft convention is to fulfil its mandate of being truly added value to such existing instruments as the Palermo Protocol.

The Congress adds its voice, notably to that of the Parliamentary Assembly, and urges the Committee of Ministers to ensure that the draft convention will achieve the highest standards of victim protection and care, overseen by a single, independent monitoring mechanism.

The opening of this convention for signature by member states will be an important moment for the Council of Europe. The local and regional authorities of Europe could and should take an active part in this process.

II. Complementary activities of the Congress of Local and Regional Authorities of the Council of Europe

On the basis of the principle of safeguarding human rights and human dignity, the Congress of Local and Regional Authorities of the Council of Europe believes that it can help combat this problem using the specific competences and resources available to local and regional authorities, and that it can play a complementary role to action taken at state level and help to implement the objectives of the future convention.

The Committee on Social Cohesion proposes to focus principally on the question of combating problems of sexual exploitation, which would appear to be a priority at local and regional level, with the means at the disposal of local and regional authorities.

A. Why towns and regions should become involved in the fight against trafficking in human beings

Trafficking is a problem that concerns all forty-six member states of the Council of Europe. It is a crime which, over time, ebbs and flows over the continent of Europe and constantly changes direction so that local and regional authorities in all member states may, at different times and different stages, become countries of origin, transit or destination.

The power of towns and regions to prevent trafficking in human beings would appear to be limited. It is clear that much action of a legal or administrative nature cannot always be taken at the local or regional level. This means that the field of action for local and regional authorities in the fight against trafficking lies largely in the social domain.

It is at local and regional level that the drama of human trafficking is played out, whether it is the wholesale shipping out of women and children from disadvantaged areas, to the visible presence of large numbers of them on the streets of Europe's towns. Indeed, the smaller the locality, the less anonymous and therefore the easier it should be to identify people who have been brought in from outside.

Many of the problems related to trafficking are therefore felt at local and regional level and their authorities are increasingly faced with demands from citizens for action in respect of these problems, forcing them to act and to enlist help, in their towns and regions, from the different protagonists involved in the fight against trafficking.

This means that, with respect to solutions on the ground, local and regional authorities are also best placed to react to their citizens' concerns and to delimit and define the issues and then tailor-make policies to the specific needs and problems in their locality.

Indeed, practical examples can already be found in some European towns of the municipal authorities' involvement in action against human trafficking through the different means at their disposal such as prevention policies and information and awareness-raising campaigns. These have not only been favourably received by the public, they have yielded positive results in terms of controlling the phenomenon.

While the Committee on Social Cohesion understands that municipalities have a legitimate need and mandate to react to citizens' complaints about "public nuisance" or "disturbance" such as that caused by overt prostitution in their neighbourhood, and that sometimes this public outcry can be the catalyst for action which can ultimately help victims of trafficking, it emphasises that the Congress' concern, as the local and regional arm of a human rights institution, is not to respond to citizens' desire to "tidy up" their neighbourhoods but with the moral and human rights dimension of the issue, and above all with the protection of the victims themselves.

The involvement of local and regional authorities should be encouraged in all member states. Several European initiatives currently highlight the need to encourage action at this level.

B. Some examples of action already taken by local and regional authorities in response to the increase in problems relating to human trafficking

In view of the upsurge in problems relating to human trafficking at local and regional level, public authorities are beginning to take action and initiatives are now aimed at providing a practical response to the problems with which local and regional authorities are confronted.

In 2002 the **City of Paris** set up a steering committee on prostitution and new forms of slavery to define lines of action and intervention, based on multidisciplinary consultation. The following guiding principles were identified by the committee:

A local authority should:

- provide information and offer a practical response to local residents' expectations;
- provide assistance and advice for prostitutes;
- strengthen and diversify education and prevention campaigns for young people;
- inform and mobilise all municipal staff;
- share resources and experiences by pooling information and examples of good practice at international level.

The committee's mandate was to work against the worldwide problem of forced prostitution with the aim of preventing prostitution in general, not just eliminating it from Paris by moving it to another city. The Observatory of equality between women and men of the City of Paris co-ordinates the city's fight against prostitution through the steering committee, studies on prostitution in Paris, co-ordinating and implementing means of action, and evaluating the results.

In June 2003, the **Association des maires des grandes villes de France** (Association of Mayors of Large French Cities) held a colloquy in Nantes on "urban policies and prostitution", which was attended by elected representatives and experts from France, Germany, Spain, Sweden and Belgium. At the colloquy, plans for local action were proposed including state-funded places of refuge for victims, prevention education, harmonised action between cities, communication with residents, and increasing police action in key areas.

A second colloquy will be held in Paris on June 1 2005, on the protection of victims of trafficking in France and in the European Union. Discussions will have a dual dimension: at local level the work of institutional actors and associations since the first colloquy will be presented, and at international level all texts, directives and European partnerships that exist or remain to be developed will be discussed in the light of current national legislations.

The European Forum for Urban Security has devised three "Secucities: Women victims of Trafficking" projects with the support of the European Commission. From 1998-1999, seven European cities were observed, data was collected and practices were evaluated and shared. In 1999-2000, cities of origin and destination were twinned, to increase co-operation, as follows: Vilnius-Nice, Győr-Vienna, Lodz-Heerlen, Sofia-Brussels, Kiev-Antwerp, Brno-Frankfurt, Kuçova-Bologna². Through ongoing discussion between these twinned cities, ideas were put forward to link

². See the publication *Secucities Women.Trafficking in Women for the Purpose of Sexual Exploitation and Transborder Co-operation*, published in 2003 by the European Forum for Urban Security.

police departments, give shelters help in easing the return of victims to their home countries, help to build self-confidence in women, enhance victim protection and overcome language barriers

C. Areas for action at local and regional level

Local and regional authorities should, in the spirit of the European Charter of Local Self-Government (1985), lobby central government so that they allocate the requisite competences and financial resources necessary for the implementation at local and regional level of action and programmes to combat trafficking and to provide social assistance to its victims and help with their reintegration.

In order to understand the scope of the problem facing local and regional authorities, and the resources needed by them in order to draw up a plan of action, *research* into the causes and mechanisms of trafficking as well as a *concerted pooling of existing information and experiences* should be undertaken at local, regional and national level and between all the different actors, to determine clear priorities, responsibilities and possibilities for action.

Given that the main areas of action for local and regional authorities appears to be in the social domain, three main areas of activity, in addition to general pooling of resources, co-operation and exchange of best practices, have been identified at present as being not only generally within the scope of public authorities' powers and competence but also the most effective at their level.

These areas are:

- awareness-raising,
- education and specialised training, and
- the protection, rehabilitation and reintegration of victims.

Some of these categories of action are preventive in nature; others are aimed at rehabilitating and protecting the victims of this violation of human rights. All apply to a greater or lesser extent to every member state of the Council of Europe.

1. Awareness-raising

Awareness-raising is imperative in countries of origin, transit and destination. It should highlight all the moral, human rights, criminal and health-related issues at stake and be aimed at:

- *in the first place, those most at risk from trafficking*, that is children, adolescents and young women, especially in poorer regions, who should be shown the scale and nature of the danger of trafficking through videos, leaflets and other documentation as well as education programmes in schools on sexual exploitation and trafficking. Information should be available to children who are outside the school system, as well as to parents, guardians and care-givers;

- *the general public in countries of origin, transit and destination*, who should be informed of this issue via conferences, information campaigns and public advertisements, thus helping to dispel prejudice or preconceived ideas and alerting them to the possibility of encountering trafficking in their daily lives. They should be shown what to look for and what they can do to help. Civil society can play an essential role, especially by reporting suspected instances of trafficking but also by actively taking part in the work of associations and organisations intervening in this field;
- *disseminating information on the health risks associated with sexual exploitation* via medical services, social services and through schools;
- *the different actors* liable to come in contact with victims of trafficking - police, judges, social workers, embassy staff, teachers, who need to be alerted to the dangers faced by certain at-risk groups and to their own role with regard to identification and prevention of trafficking;
- *staff in consulates and embassies* in all countries whether origin, transit or destination, but especially those dealing with issuing of visas. They should be made aware of the possibilities of trafficking as well as current trafficking methods and trends. They should be able to act as sources of information with regard to possible dangers and possibly run checks through Europol/Interpol to ensure the validity of work being offered. In the case of victims, whether they have been victimised in their country or have been repatriated, they should be able to give information such as addresses of shelters and help groups;
- *public authorities and local or regional policy makers*, who should have information campaigns specifically designed for them;
- *the media*, who should be encouraged to discuss the issue and cover the work of the numerous bodies involved in action against trafficking (intergovernmental organisations, police bodies, non-governmental organisations). The role of the media is fundamental in changing attitudes and in promoting understanding of this scourge;
- *potential users of the services of trafficked human beings*, who should be targeted and made aware of the human rights, moral and criminal dimension of their actions. Information campaigns should actively discourage potential travellers from engaging in sex tourism;
- highlighting male violence towards women and some of society's attitudes to women as disposable consumer items or second-class citizens through *gender-based information campaigns*;
- *tackling discrimination, xenophobia and intolerance* through educational and public information and awareness-raising campaigns. In many cases a trafficked person's plight is worsened by prevailing attitudes of prejudice with regard to their race. Racism should therefore be identified as an added obstacle faced by victims seeking help.

2. *Education and specialised training*

A lack of education and professional opportunities for women, as well as their low standing in some societies are foremost among the factors rendering them vulnerable to trafficking. In this respect the gender-based perspective of the Council's draft Convention is to be welcomed.

Among measures which should be taken in the field of education and training are the following:

- school curricula should include *human rights education programmes* with particular emphasis on equality between the sexes and avoidance of gender stereotyping;
- there should be *no difference between the basic education received by both boys and girls*, and the concept of gender equality should be an integral part of the curriculum imparted by members of the teaching community;
- *special training* should be given to social workers, as well as to medical and teaching staff, and diplomatic, consular, judicial, customs and police personnel with regard not only to identification and prevention of trafficking but also victim care to avoid secondary victimisation;
- *education and training or work-experience initiatives* should be developed to help women become financially stable, both as a preventive measure in countries of origin – giving women a sense of empowerment and therefore making them less vulnerable – and also as a way of preventing the re-victimisation of women and children who have managed to escape. Aid should be provided – particularly financial aid – through, for example the Council of Europe Development Bank for the education, training and employment of young people and especially women. This training could take the form of workshops on running a small business;
- *Impact of new information technologies*: the Internet, with its decentralised structure and global reach, is increasingly being used as a medium for sexual exploitation. Its anonymity and ease of use facilitate the establishment and development of criminal networks. Different actors must be made aware of the increasing impact of the Internet and other information technologies in the sexual exploitation of trafficked beings. Special anti-trafficking police units should be sufficiently skilled in the new technologies and be appropriately equipped with state-of-the-art material in order to effectively combat this form of exploitation which will certainly have an increasing impact in the future.

3. *Protection of victims and their rehabilitation and reintegration*

A co-ordinated response is necessary not only to fight trafficking but also to respond to the needs of the growing number of victims. The creation of resource centres, support units, or departments at local and regional level specialised in assistance to trafficked human beings should therefore be a priority. With their grass-roots approach, these would constitute local and regional knowledge centres in this field and make regular policy recommendations to central government.

These centres could **co-ordinate all aspects of victim care** and should:

- have a remit to assist victims in their physical, psychological and social recovery by ensuring counselling and information (in particular with regard to their legal rights) in their own language;
- co-operate and work closely with NGOs in this field – and might have representatives of NGOs working with them in an advisory capacity;
- run walk-in shelters for first reception of victims of trafficking. These shelters would provide an immediate refuge and offer the victim security and initial medical and psychological assistance. As they will in many cases constitute the victim's first contact with public authorities, it is important that at this stage the victim be reassured that she will be listened to and that she is physically safe;
- run a dedicated web-site and a free, 24-hour emergency telephone hotline at regional and local level providing information to victims, potential victims, victims' families and the concerned general public and also taking note of reports of suspected trafficking;
- provide numbers and addresses of women's support groups and self-help groups;
- possibly include a mobile welfare unit for the surveillance of women and children at risk, in order to offer them support and information;
- provide free legal representation to victims and assistance to enable presentation of their rights during criminal proceedings and send a representative to be with the victim when being received by police and other law-enforcement bodies;
- have a pro-active protection service which would contact victims when notified by the police of a report of trafficking;
- have a team of specialised professionals. It is imperative that all staff (doctors, psychologists, lawyers) working in such units, shelters and safe houses should be highly trained and equipped to deal with victims of sexual exploitation. While staff does not have to be exclusively female, it is important that the victim be given the option to request a female interlocutor;
- provide free translation services and opportunities for learning the language of the host country;
- supervise and provide funding for the running of longer-term "safe houses" for victims by specialised NGOs. Buildings could be identified and earmarked by local and regional authorities *specifically* for this use and given over to this use rent-free.

4. *Co-operation, pooling resources and exchanging best practices*

It is important that local and regional anti-trafficking action plans and strategies be drawn up, co-ordinated and implemented in close co-operation with central government.

The main actors in the field of action against trafficking are non-governmental organisations, it is therefore of the utmost importance that local and regional authorities work closely with NGOs working in this field, taking advantage of their expertise, but also contributing actively to their programmes and activities.

Trafficking in human beings is an international crime that knows no frontiers and is extremely mobile – trafficked women and children are moved frequently to avoid detection and increase disorientation on the part of the victims. Action against this crime therefore needs to be equally cross-border in nature. Local and regional authorities should co-operate with their neighbouring counterparts and set up regional co-operation bodies in order to exchange information as effectively and rapidly as possible.

In addition to cross-border activities, authorities should actively seek partnerships with other local and regional authorities and seek to develop decentralised co-operation projects with cities and regions in areas affected by this problem. Towns and cities, through networking, town-twinning and other well-established partnerships can draw on practices already implemented in other local authorities thus representing a considerable saving in time and energy and avoiding action which could ultimately prove to be ineffective.

The international nature of criminal networks can best be fought by intensified co-operation of local and national police forces with Interpol and Europol. In this respect there should also be good co-operation and interaction between non-governmental organisations and the police services responsible for the fight against trafficking.

In general, the level of exchanges of experience with other local and regional authorities at national and European level should be increased so as to help disseminate best practice in this area. By pooling resources and information local and regional authorities can draw on practices implemented and tried and tested by other authorities and thus make optimum use of finances available. Existing networks, structures and forums should be used to exchange information (such as the Local Democracy Agencies, the Network of National Associations of Local Authorities in South-Eastern Europe (NALAS) and the Euroregions).

5. Addressing the root causes

Trafficking has many root causes: social exclusion, poverty, not to mention violence and prevailing attitudes towards women in society.

Awareness-raising and education are two ways of addressing this problem, as outlined above, but other specific, practical measures should be envisaged at national as well as at regional and local level.

All member states of the Council of Europe should be encouraged by their local and regional authorities to increase their investments (also via such institutions as the Council of Europe Development Bank, or the European Union) and reinforce economic measures centred on employment, social policies and infrastructures, in regions at risk from trafficking gangs - especially in the most underdeveloped areas where the population may be at risk from criminal networks.

Member states should find funding for programmes and activities aimed at helping local and regional authorities in their fight against trafficking and, in the countries of origin, to provide financial aid for the education, training and employment of young people, especially women, and help with their response to the return of victims in order to avoid, as far as possible, their secondary victimisation.

At local and regional level, the introduction of measures such as small loan schemes would help women become more independent and less vulnerable to trafficking networks, helping to redress the phenomenon of the feminisation of poverty.

6. Addressing the demand

Trafficking for the purposes of sexual exploitation is not a problem concerning only so-called countries of origin; countries of transit and destination must also face their responsibilities in this matter by addressing the demand. This includes the sex industry, sex tourism and the use of material from sexual exploitation via the Internet.

One of the possibilities open to local and regional authorities, in addition to those mentioned above with regard to gender-perspective information campaigns and educational programmes, is to track down “false” advertising (through newspapers, agencies etc) that is actually a cover for trafficking activity.

Public authorities should also consider the introduction of practical measures enabling the temporary or permanent closure of, or withdrawal of licence from, any establishment or businesses found to have been involved in any manner of sexual exploitation.

D. Proposal for follow-up by the Committee on Social Cohesion

It is proposed that a hearing of the Committee on Social Cohesion, during the autumn session of 2005, should focus on the contribution that towns and regions can make to the fight against trafficking in human beings and their sexual exploitation.

The hearing would complement the Congress’s resolution and recommendation and enable the identification of key areas of action at local and regional level, the resources that need to be freed up by towns and regions or placed at their disposal in order to take effective action, and the international activities that should be promoted to facilitate co-operation between towns and regions in the countries of origin, transit and destination.

The ultimate objective would be the formulation of a set of guidelines for local and regional authorities on action against trafficking for the purposes of sexual exploitation.

APPENDIX

Reference documents and international conventions concerning the fight against trafficking in human beings

United Nations treaties

[International Convention for the Suppression of Trafficking in Women and Children \(Geneva, September 1921\)](#)

▶ [Slavery Convention \(1926\)](#)

▶ [Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others \(1949\)](#)

[Convention relating to the Status of Refugees \(1951\)](#)

▶ [Protocol amending the Slavery Convention \(23 October 1953\)](#)

▶ [Supplementary Convention on the Abolition of Slavery, the Slave Trade and institutions and practices similar to slavery \(1956\)](#)

▶ [Convention on the Elimination of all Forms of Discrimination against Women \(CEDAW - 1979\)](#)

▶ [Convention on the Rights of the Child \(1989\)](#)

▶ [Optional protocol to the Convention on the Elimination of all Forms of Discrimination against Women \(1999\)](#)

▶ [Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography \(2000\)](#)

[Convention against transnational organized crime and Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children\(2000\)](#)

▶ [Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organised Crime \(New York, 15 November 2000\)](#)

International Labour Organization

▶ [C 29- Convention concerning Forced or Compulsory Labour Convention \(1930\)](#)

[C 105- Convention concerning the abolition of Forced Labour \(1957\)](#)

[C 182- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour \(1999\)](#)

Legal instruments of the European Union

Framework Decisions

[Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings](#)

▶ [Council Framework Decision of 19 July 2002 on Combating Trafficking in Human Beings \(OJ L203 - 1 August 2002\)](#)

Resolutions and decisions

▶ [Resolution of the Council of 23 November 1995 on the protection of witnesses in the fight against international organised crime](#)

▶ [European Parliament resolution on trafficking in human beings \(OJ C032 - 5 February 1996\)](#)

[Council Resolution of 20 December 1996 on individuals who cooperate with the judicial process in the fight against international organized crime](#)

▶ [Council Decision of 3 December 1998 supplementing the definition of the form of crime 'traffic in human beings' in the Annex to the Europol Convention \(OJ C 026 - 30 January 1999\)](#)

[European Parliament resolution on the communication from the Commission to the Council and the European Parliament 'For further actions in the fight against trafficking in women' \(A5-0127-2000\)](#)

▶ [Council Resolution on the contribution of civil society in finding missing or sexually exploited children \(OJ C283 - 9 October 2001\)](#)

Communications

▶ [Communication from the Commission to the Council and the European Parliament on trafficking in women for the purpose of sexual exploitation \(COM \(1996\) 567 final\)](#)

▶ [Communication from the Commission to the Council and the European Parliament: Combating trafficking in human beings and combating the sexual exploitation of children and child pornography \(COM -2000\) 854\(01\) \)](#)

▶ [Communication from the Commission to the Council and the European Parliament on a Community Return Policy on Illegal Residents \(COM \(2002\) 564\(01\) \)](#)

Proposals under discussion

▶ [Proposal for a Council Framework Decision on combating the sexual exploitation of children and child pornography \(COM \(2000\)854 -3\)](#)

▶ [Proposal for a Council Framework Decision on combating trafficking in human beings \(COM\(2002\) 854 -2\)](#)

▶ [Initiative of the French Republic with a view to the adoption of a Council Directive defining the facilitation of unauthorised entry, movement and residence \(JAI \(2000\)22\)](#)

▶ [Proposal for a Council Directive on the Short-Term Residence Permit issued to Victims of Action to Facilitate Illegal Immigration or Trafficking in Human Beings Who Cooperate with the Competent Authorities \(COM \(2002\) 71\)](#)

Proposals under discussion

- ▶ [Proposal for a Council Framework Decision on combating the sexual exploitation of children and child pornography \(COM \(2000\)854 –3\)](#)
- ▶ [Proposal for a Council Directive on the Short-Term Residence Permit issued to Victims of Action to Facilitate Illegal Immigration or Trafficking in Human Beings Who Cooperate with the Competent Authorities \(COM \(2002\) 71\)](#)