



**Joint Seminar on Combating and preventing trafficking in human beings:
the way forward
European Parliament
Brussels, 10 June 2010**

**Statement by Ms Lydie Err (Luxembourg, SOC)
Chairperson of the PACE Sub-Committee on Trafficking in Human Beings**

Madam Chairperson of the Committee on Women's Rights and Gender Equality,
Mister Chairperson of the Committee on Civil Liberties, Justice and Home Affairs,

I would like to thank you for your hospitality and for inviting me to speak on behalf of the Council of Europe. My presence here today is a perfect illustration of the commitment to co-operation enshrined in the Memorandum of Understanding between the Council of Europe and the European Union and the Agreement for the development of the cooperation between the Parliamentary Assembly of the Council of Europe and the European Parliament¹. The two institutions are strategic, complementary partners.

Ladies and gentlemen Members of the Parliament, dear Colleagues,

Since 1991 I have been a member of the Parliamentary Assembly, representing the Chamber of Deputies of the Grand Duchy of Luxembourg, and in this role I took part in all the work which resulted in the adoption of the Council of Europe Convention on Action against Trafficking in Human Beings. For many years now the Assembly has been one of the chief advocates of action against trafficking in human beings. Already in 1997, it asked for a Council of Europe Convention to be drawn up, and it fought for this Convention to include high standards of protection for victims, which is one of its main strengths.

It is now my honour to chair the Sub-Committee on Trafficking in Human Beings of the Parliamentary Assembly.

The decision to draw up the Council of Europe Convention on Action against Trafficking in Human Beings was taken by the Heads of State and Government of the member states of the Council of Europe, meeting at the Warsaw Summit in May 2005. It is the first European treaty on trafficking in human beings.

¹ Agreement concluded on 28 November 2007.

It came into force on 1 February 2008, and to date 28 European countries have ratified it (**including 18 members of the European Union**), while 15 others have signed it (including 8 EU members).²

The Council of Europe Convention is currently one **highly developed instruments** in the sphere of action against trafficking, involving **countries of origin, transit and destination** and combining effectiveness with due regard for human rights. I will not go into the details of the Convention. The Convention is not only open to the member states of the Council of Europe but also to other States and the European Union. A very comprehensive description has been made available to you³ by Ms Lasen Diaz of the GRETA Secretariat, in which she describes the content of its provisions.

Instead, I would like to focus on a few of its strong points:

1. The Convention centres on the **3 Ps**, namely preventing trafficking, protecting victims and prosecuting perpetrators. I would emphasise that it protects all victims –women, men and children – regardless of the type of exploitation involved, which may be sexual exploitation or forced labour or services.

2. The Convention combats both national and international trafficking.

3. It offers the **47 Council of Europe member states** a complete range of measures to protect and promote victims' rights. The states parties undertake to:

- introduce procedures for the identification and categorisation of victims within the meaning of the Convention;
- allow a 30-day recovery and reflection period;
- grant victims a temporary residence permit whether or not they co-operate with the national authorities;
- set up systems of compensation, legal redress and repatriation;
- introduce prevention measures and measures to promote gender equality.

4. When ratifying the Convention, the states parties willingly agree to **comply with the European standards** enshrined therein and **to be supervised by the independent monitoring mechanism⁴ which it provides for**. The Convention is a **binding** legal instrument.

5. The independent Monitoring Mechanism (GRETA consisting of 13 independent experts) and the representatives on the Committee of Ministers of the Council of Europe of the member States Parties to the Convention and representatives of the Parties to the Convention, which are not members of the Council of Europe (the Committee of the Parties) ensure that **Convention provisions are fully implemented** through a binding mechanism to monitor and evaluate countries' anti-trafficking policies. The first evaluation round began in February 2010. This year, ten countries will be monitored, six of which – Austria, Bulgaria, Cyprus, Denmark, Romania and Slovakia – are EU member states, the remaining four being Albania, Croatia, Georgia and Moldova. The first reports will be completed by the end of September 2011. All of the states parties will be evaluated by the end of 2013.

² 18 Member States of the European Union already **ratified** the Convention up to 10 June 2010: Austria, Belgium, Bulgaria, Cyprus, Denmark, France, Latvia, Luxembourg, Malta, the Netherlands, Poland, Portugal, Rumania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

³ 8 Member States of the European Union already **signed** the Convention up to 10 June 2010 : Germany, Estonia, Finland, Greece, Hungary, Ireland, Italy, Lithuania

Source :

<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=8&DF=09/06/2010&CL=FRE>

⁴ <http://www.europarl.europa.eu/activities/committees/hearingsCom.do?language=EN&body=FEMM>

⁴ The Convention is the only international treaty with an independent control mechanism.

I would add that in January 2010, the Parliamentary Assembly decided to **ask the national parliaments of countries which had ratified the Convention** to present the Parliamentary Assembly with appraisal reports on its implementation, thus paving the way for **parliamentary monitoring of its implementation**.

I am glad that the European Union is making efforts to take action against trafficking in human beings, which is **one of the goals it shares with the Council of Europe**. I believe it is vital for us to **co-operate and co-ordinate our work** if we wish to set up effective systems to protect victims and combat trafficking. In this connection, I would like to thank the European Parliament for calling on all the EU member states to ratify the Council of Europe's Anti-Trafficking Convention⁵.

I would like in turn to **point out two essential facts**.

1. The Parliamentary Assembly has strongly encouraged the European Union itself to accede to the Convention as soon as possible, so that the same standards can be applied throughout Europe, including the European Union, and to ensure that Council of Europe standards serve as a reference point for all international instruments currently being drawn up on the subject⁶.

2. I consider it imperative that the standards which the European Union is intending to set out in its future directive are neither incompatible with, nor less demanding than, those of the Council of Europe.

In January 2010, in Resolution 1702 (2010) and Recommendation 1895 (2010), the Parliamentary Assembly reaffirmed its commitment to combating trafficking in human beings, promoting the Council of Europe Anti-Trafficking Convention and supporting the work of the Group of Experts on Action against Trafficking in Human Beings (GRETA).

The Assembly also advocated **co-operation between the various international organisations**, aiming at effective, co-ordinated action against trafficking **centred on human rights**. It is with this goal in mind that I am pleased to be able to announce that **the Parliamentary Assembly will be holding an international parliamentary conference on *Action against trafficking in human beings in Europe* on 3 December 2010**. The aim will be to take stock of the work of international organisations, the implementation of international legal instruments and the involvement of national parliaments, including those of the states parties to the Council of Europe Convention. I hope that the European Parliament will be able to make an active contribution in order to share its expertise and experience in this field.

Thank you for your attention.

⁵ European Parliament Resolution of 10 February 2010 on preventing trafficking in human beings.

⁶ Assembly Resolution 1702 (2010) on Action against trafficking in human beings: promoting the Council of Europe Convention and Doc. 12096 (rapporteur: Ms Wurm, Austria, SOC)

APPENDIX

Links to:

- [Presentation of the Council of Europe Convention by Ms Carolina Lasen Diaz](#), from the Secretariat of the GRETA
- Report of Ms Wurm (Austria, SOC) on [Action against trafficking in human beings: promoting the Council of Europe convention](#) (Doc. 12 096)
- [PACE Resolution 1702 \(2010\)/PACE Recommendation 1895 \(2010\)](#)
- [Handbook for parliamentarians: the Council of Europe Convention against trafficking in Human Beings](#)
- [PACE webpage dedicated to Combating Human Trafficking](#)
(<http://assembly.coe.int/trafficking>)