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Council of Europe: Require comprehensive protection of trafficked persons' rights

The Council of Europe has a unique opportunity to draft a comprehensive framework for the safeguarding of the human rights of victims of trafficking - it must not waste it, Amnesty International said today as the Ad Hoc Committee on Action Against Trafficking in Human Beings (CAHTEH) prepares to meet to discuss the draft of the *European Convention on Action Against Trafficking in Human Beings*.

"Trafficking is an abuse of human rights including the rights to: physical and mental integrity; life; liberty; security of the person; dignity; freedom from slavery, torture and other inhuman or degrading treatment; family life; freedom of movement; privacy; the highest attainable standard of health; and safe and secure housing. The number of trafficked people in the Council of Europe region has dramatically increased over the last decade," Amnesty International said.

Existing international treaties on trafficking do not comprehensively address states' obligations to respect and protect the rights of trafficked persons. Non-governmental organizations have the experience and expertise that can help CAHTEH in its work on the draft of the *European Convention on Action Against Trafficking in Human Beings* before it is submitted to the Council of Europe at the end of 2004.

Amnesty International, Anti-Slavery International and Terre des Hommes will address the CAHTEH on 29 June 2004, urging it to strengthen provisions of the current draft of the treaty. In a document published today, Amnesty International recommends that the following key issues must be addressed in the proposed treaty :

Identification of victims of trafficking - under international and domestic law these individuals should be identified correctly and not treated as criminals suspects. This requires comprehensive training of officials.

Reflection Period - persons reasonably believed to be trafficked should be allowed to remain in the country for at least three months to escape the power and influence of their traffickers, be advised of their rights and make informed decisions about their future and venues of redress.

Provision of support services and protection - states must be expressly required to provide all ranges of services and to protect trafficked persons. Under international human rights and refugee law standards no person should be expelled or returned to a country where they are at risk of torture or other serious human rights abuse.

Repatriation or Resettlement of Trafficked Persons - any repatriation of a trafficked person must be consistent with and fully respect their human rights, and thus be safe, sustainable and, as far as possible, voluntary. The safety of their family members' must also be taken into account.

Remedies - victims of trafficking must have an international legal right to access to effective remedies, including adequate reparation.

Amnesty International also calls on each of the 45 Council of Europe member states which are negotiating this treaty to consult with members of civil society, particularly those who work with and on behalf of trafficked persons. "The views of the member states should be informed by these consultations" Amnesty International said.