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Amnesty International and Anti-Slavery International call on European States to Ratify the Council of Europe Convention against Trafficking

Amnesty International and Anti-Slavery International call on the 46 member states of the Council of Europe to become parties, without delay, to the Council of Europe Convention on Action against Trafficking in Human Beings.

The Convention is being opened for signature at the Council of Europe's Third Summit of Heads of State and Government on 16-17 May 2005 in Warsaw, Poland. It was adopted by the Council of Europe's Committee of Ministers on 3 May 2005.

"This Convention is a critical step forward in protecting trafficked people's rights. It is the first international treaty specifically designed to provide minimum standards for such protection. Through the adoption of the Convention, the Council of Europe demonstrates official recognition of the need for governments to provide protection and support to all trafficked people", Mary Cunneen, Director of Anti-Slavery International, said.

"As recognised in this new Convention, trafficking is a violation of human rights and an offence to human dignity and integrity. The Convention requires those states which become parties to take measures, individually and collectively, to prevent trafficking, to prosecute those responsible for trafficking and to take specific measures to protect and respect the rights of trafficked persons", Jill Heine, Legal Adviser at Amnesty International, said.

The Council of Europe Convention on Action against Trafficking in Human Beings, expands the scope of UN definition of trafficking (set out in the Palermo Protocol) to expressly include internal trafficking within the borders of one state and trafficking not necessarily involving organized criminal groups. It provides a framework for the enhanced protection of the human rights of trafficked persons by requiring the Parties to the Convention to take a number of measures including:

- activities aimed at preventing trafficking and prosecuting those responsible for trafficking;
- adoption of procedures to identify trafficked persons, and ensuring that this key task is undertaken by trained and qualified people;
- ensuring that people who are reasonably believed to have been trafficked are not involuntarily removed until the identification process has been completed and they are offered assistance and protection;
- provision of assistance and protection to all people reasonably believed to be trafficked, including at a minimum: safe and secure housing; psychological and emergency medical assistance, interpretation and translation services, information about their rights -- including to compensation; such assistance may not be conditioned on their willingness to act as a witness in any proceedings against those

responsible for their trafficking;
authorisation of the presence of trafficked people in the state in which they are found for a period (of not less than 30 days), which is sufficient for them to begin to recover, escape the influence of their trafficker(s) and to make informed decisions about their future, and in certain situations (when their stay is necessary for their personal situation and/or for their cooperation in investigations or criminal proceedings) to grant them renewable residence permits;
ensuring that any repatriation of a trafficked person is carried out with due regard to his or her rights, safety and dignity; and
ensuring that the trafficked persons have access to redress and receive compensation for the abuses of their human rights to which they have been subjected.

The Convention also establishes an independent body of experts to monitor the implementation of the Convention by parties.

Amnesty International and Anti-Slavery International consider that the Council of Europe Convention on Action against Trafficking in Human Beings, provides a solid basis for individual and collective state action to combat trafficking and respect and protect the rights of trafficked people. The organizations therefore urge all 46 states of the Council of Europe to become parties to this treaty.

Background

The European Convention against Trafficking is open for signature not only by Council of Europe member states but also the European Community and states not members of the Council of Europe (Canada, the Holy See, Japan, Mexico and the United States) which took part in drawing it up.

Once the Convention enters into force (after 10 ratifications), the Council of Europe may invite other non-member states to become parties to the Convention.

Amnesty International and Anti-Slavery International together with many other national and international non-governmental organizations (NGOs) have campaigned for enhanced protection of the human rights of victims of trafficking, including throughout the negotiations of this Convention. Among other things, in November 2004 they submitted to the Committee of Ministers of the Council of Europe a NGO joint statement, signed by more than 170 other non-governmental organizations (NGOs) from 30 countries. (The text of the NGO Joint Statement is contained in appendix 2 of Council of Europe: Recommendations to strengthen the December 2004 Draft European Convention on Action against Trafficking in Human Beings (AI Index: IOR 61/001/2005 <http://web.amnesty.org/library/index/engior610012005>)).

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