



**COUNCIL OF
THE EUROPEAN UNION**



Council conclusions on establishing an informal EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings

*2946th JUSTICE and HOME AFFAIRS Council meeting
Luxembourg, 4 June 2009*

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD TO the key European documents dealing with the establishment of national reporting mechanisms as an essential condition to set up effective policy aimed at preventing and combating trafficking in human beings such as:

- The 1997 Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation, in particular part III.1.4,
- - Recommendations from the Report of the Experts Group on Trafficking in Human Beings of the European Commission to the EU Member States of 22 December 2004,
- - The European Commission working document "Evaluation and monitoring of the implementation of the EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings", COM(2008) 657 final, in particular paragraph 3.1,

P R E S S

- The proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA, which is currently being discussed in the Council and which proposes in its Article 13 that Member States shall take the necessary measures to establish National Rapporteurs or other equivalent measures.

and

WITH REGARD TO many existing European and international projects and databases such as:

- The 2004-2007 Project "Fight against Trafficking in Human Beings to the EU from EU Accession and Neighbouring Countries: Operational Network and Multidisciplinary Training Process" funded by the European Commission,
- The Joint EC-ILO project in 2008 with the aim of implementing the Delphi methodology as a set of operational definitions to be used by means of on-line expert consultation and resulting in a list of operational indicators structured according to terms used in the Palermo Protocol,
- The Joint EU Action Plan 2006-2010 on developing a comprehensive and coherent EU strategy to measure crime and criminal justice (COM 2006, 437 Final), where the development of EU statistics on trafficking in human beings is considered one of the priorities and where the expert group set up to assist the Commission in its work has also taken steps to develop indicators and measures that could be used to monitor trends and make possible comparisons between Member States,
- The IOM global human trafficking database as a standardized anti-trafficking data-management tool facilitating management of the IOM direct assistance, reintegration processes and mapping the victim's trafficking experience,
- Conclusions of the Final Ministerial Conference "Guidelines for the collection of data on trafficking in human beings, including comparable indicators" of 23 and 24 February 2009 implemented by the Federal Ministry of the Interior of Austria in cooperation with IOM and supported by the European Commission¹,

¹ 8189/09 CRIMORG 51 MIGR 38 ENFOPOL 67.

- Trafficking in Human Beings: Data Collection and Harmonized Information Management System"(DCIM-EU) initiated in 2008 by ICMPD as well as similar project carried out by ICMPD in South-Eastern Europe,
- The EU-funded project “Trafficking in Human Beings: Data Collection and Harmonised Information Managements Systems”, under implementation by the Ministry of Internal Affairs of Portugal, in co-operation with the ICMPD, the Ministry of Interior of the Czech Republic, the Ministry of Interior of Poland and the Ministry of Interior of the Slovak Republic,

BEARING IN MIND that preventing and combating trafficking in human beings remains a priority of the European Union in its goal to fight this serious human rights violation,

CONFIRMING the need for the EU to set up an architecture for its internal exchange of the information on trafficking in human beings in order to enable the Member States and other relevant bodies and institutions to participate in the development of targeted measures, which take into account the human rights of victims of trafficking in human beings.

BEING AWARE OF insufficient amount of reliable and comparable data and the fragmented character of available information to describe the phenomenon of trafficking in human beings in the EU Member States as a whole,

BEARING IN MIND that many Member States have already appointed a National Rapporteur or an equivalent mechanism and also taking into account the various reasons why certain tasks exercised by such bodies in some Member States are bound together with the National Coordinator or National Task Force,

RECALLING the Council Conclusions adopted by the Justice and Home Affairs Council on 8 and 9 November 2007, which stressed the need to ensure continued action against trafficking in human beings, taking also note of the Porto Declaration,

REAFFIRMING that the collection and exchange of relevant information on trafficking in human beings remains a priority,

The Council concludes the following:

1. All Member States are invited to participate in an informal and flexible EU network of National Rapporteurs or equivalent mechanisms (hereinafter “the network”) in order to improve the understanding of the phenomenon of trafficking in human beings and with a view to providing the Union and its Member States with objective, reliable, comparable and up-to-date strategic information in the field of trafficking in human beings.

2. The network should be open to EU institutions and EU agencies; relevant international institutions such as the OSCE, the UNODC, the IOM, the ILO, the UN Special Rapporteur on trafficking in persons, particularly of women and children and the ICMPD may be invited to participate as observers.
 3. The network should serve as a forum for exchange of experience and best practices in the field of preventing and combating trafficking in human beings at the EU level. Personal data or findings of investigations may be exchanged only if allowed by national law of the Member State concerned.
 4. The network should complement agreed activities based on the existing EU instruments and carried out by existing EU structures. In particular, the network should not interfere with law enforcement and judicial co-operation, e.g. by exchanging findings of investigations, including personal data.
 5. Each Member State, on the basis of national conditions, is invited to designate a National Rapporteur or equivalent mechanism, with the scope of activity that includes collection of information and advising on human trafficking to participate in the activities of the network.
 6. In order to contribute to proper functioning of the network the National Rapporteurs or equivalent mechanisms are invited, in particular, to:
 - Contribute to the exchange of best practices and sharing of experience at a national and European level;
 - Contribute to existing efforts to develop indicators and criteria that will improve the comparability and consistency of information and assist in the development of the European Union activities related to statistics on trafficking in human beings;
 - Contribute to gathering and analysing of necessary qualitative and quantitative information related to trafficking in persons, which has been collected by National Rapporteurs or equivalent mechanisms in the course of their activities, while fully respecting the applicable rules on the protection of personal data.
 7. The Commission is invited to support the network and to report on its progress. The Presidency, in cooperation with the Commission, should coordinate the activities and chair the meetings of the network. "
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