



**COUNCIL OF
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NOTE

from : Presidency
to : Multidisciplinary Group on Organised Crime
Subject : Draft Council Conclusions on establishing an informal EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings

THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD TO the key European documents dealing with the establishment of national reporting mechanisms for combating and preventing 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;
- The OSCE Action Plan to Combat Trafficking in Human Beings, Decision No 557/2003, in particular part VI.1;

- Recommendations from the Report of the Experts Group on Trafficking in Human Beings of the European Commission to the EU Member State as 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;

and

WITH REGARD TO many existing European 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 to implement the Delphi methodology as a set of operational definitions being used by means of anonymous surveys and resulting in a list of operational indicators structured according to terms used in the Palermo Protocol,
- 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" as 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 Commission;

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

BEING AWARE OF the lack 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,

CONFIRMING the need for the EU to set up architecture for its internal exchange of the information on the scale and trends of all the forms of trafficking in human beings to enable the Member States and other relevant bodies and institutions to participate in development of targeted measures,

RECALLING initiatives for establishing a central focal point at the national level where information from different sources and actors comes together and can be analyzed,

MINDFUL OF the recommendations to appoint a National Rapporteur or an equivalent mechanism to play this important role,

BEARING IN MIND the responses to the questionnaires showing that many Member States appointed a National Rapporteur or an equivalent mechanism and also taking into account the various reasons that such bodies in some Member States are bound together with the National Coordinator or National Task Force,

TAKING INTO ACCOUNT variations reflecting national specifics of a National Rapporteur or an equivalent mechanism already established in Member States,

BEING CONVINCED that **the tasks** of National Rapporteurs or equivalent mechanisms within the EU network should cover at minimum as follows:

- Systematic collection and analysis of information from different sources and actors;
- Systematic monitoring and analysis of issues related to trafficking in persons in the context of prevention, protection and prosecution, including measures taken to protect victims;

- Periodic preparation, publication and dissemination of national reports;
- Providing the Commission with contact points and annual reports;
- Reflecting findings and recommendations from relevant projects on the harmonization of data collection, methodology or indicators on trafficking in human beings;
- Adopting and implementing agreed criteria, indicators and methodology for monitoring trends and results;
- Conducting research in the field of anti-trafficking policies as an integral part of the work of a National Rapporteur or an equivalent mechanism;
- Cooperating closely with the Commission, EUROPOL, EUROJUST, FRONTEX, Council of Europe, OSCE Special Representative for Combating Trafficking in Human Beings, IOM, UNODC and other international and national bodies combating and preventing trafficking in persons.

REAFFIRMING that the collection and exchange of relevant information, in particular of basic data collected according to the agreed methodology, on trafficking in human beings, remains the absolute priority,

The Council concludes the following:

1. **The EU network** of National Rapporteurs or equivalent mechanisms (hereinafter “the network”) **is established** as an informal (...) monitoring and reporting mechanism improving European cooperation (...).
2. **The network shall involve all Member States taking into account national needs and particular circumstances.**

3. **The network shall develop and maintain** effective and efficient cross-border cooperation and information exchange in the field of trafficking in human beings at the EU level.

4. The network **will complement** activities based on the existing EU instruments and carried out by existing EU structures.

5. All Member States shall **designate National Rapporteurs or equivalent mechanisms**, having responsibilities to collect information on human trafficking and to advise on human trafficking practice, policy and legislation, **to participate in the activities of the network.**

6. In order **to contribute to good functioning of the network** National Rapporteurs or equivalent mechanisms **shall ensure**, in particular:

- **Contributing** to the exchange of best practice and sharing of experience at a national and European level;

- **Contributing** to the development and implementation of 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,

- Regular **gathering** of necessary qualitative and quantitative information related to trafficking in persons from wide range of (...) sources and actors, both institutional and non-governmental.

- Protection of security of collected and processed data and integrity and privacy of trafficked persons in accordance with relevant European and national data protection rules and international standards,

- Systematic **monitoring** and **analysing** data in the context of the ‘three Ps’ (prevention, protection and prosecution),

- **Addressing** measures for protection of victims of trafficking in human beings,
- **Submitting** regular (...) reports to the respective national legislative bodies comprising a minimum set of comparable data and items on the agreed methodology,
- **Providing** up-to-date, objective, reliable and comparable information on trafficking in human beings, with a view to supporting policy-making in the European Union in this field,
- **Preparing** conditions for the development of a user-friendly information exchange system accessible through a dedicated website,
- **Involving civil society** in their work,
- **Raising public awareness** about their activity and trafficking in human beings in general.

(...)

[7. **The Commission is invited to** evaluate every three years through its Experts Group on Trafficking in Human Beings the progress made by the network of the National Rapporteurs or equivalent mechanisms and to take appropriate measures to support its monitoring and reporting functions.]