

APPEAL BY THE COLLECTIVE ENSEMBLE CONTRE LA TRAITE DES ÊTRES HUMAINS IN THE CONTEXT OF THE EUROPEAN ELECTIONS 2019

Trafficking in human beings is a growing scourge both in the European Union and on a global scale. It takes different forms, including sexual exploitation, forced labour, exploitation for criminal activities, forced begging, and forced marriage, yet there is a lack of coordinated and effective state policies to combat trafficking in human beings.

There are neither sufficiently robust action plans to address the issues nor funding to implement them.

In France, third sector organisations were the first to raise awareness of this scourge and their activities in this fight must be acknowledged by the European Parliament.

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28 associations gathered together to fight against trafficking in human beings.

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**CONTRE
LA TRAITE
DES ÊTRES HUMAINS**

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In order to facilitate more effective policies to prevent and combat human trafficking, the Collective "Ensemble contre la traite des êtres humains" (Together against Trafficking in Human Beings) is drawing the attention of candidates for the European Elections in May to the following recommendations:

- Mechanisms for **cooperation** between EU Member States must be introduced to ensure effective solidarity offering fair procedures, a high level of protection, and humane reception conditions.
- Harmonisation of **best practice**.
- Greater cooperation with **civil society**.
- In order to facilitate assistance and protection for victims of human trafficking across the European space, a **national reference mechanism for victim identification and support** must be implemented by all European states in compliance with their international commitments.
- The **principle of non-punishment of victims of trafficking in human beings** must be established and extended to all European countries in order to afford genuine protection to victims and allow them to approach investigating authorities and denounce traffickers or trafficking networks without fear of arrest or expulsion.

- A rights-based **approach** which focuses on the interests of the victims rather than solely on security, must be adopted in order to restore victims' dignity.
- Access to **compensation mechanisms** must be guaranteed in practice and by law for all victims of human trafficking.
- Initiatives on an international scale must target **third countries of origin** transfer of victims, in order to raise public awareness of the human trafficking phenomenon, reduce vulnerability, offer victims a means of rebuilding their lives, prevent trafficking by addressing the root causes, and **support local stakeholders** in implementing and enforcing adequate anti-trafficking legislation. The **European Union** must engage with international programmes supporting local initiatives to identify, protect and support victims of human trafficking and raise awareness.
- Furthermore, the Collective denounces the instrumentalization of trafficking in human beings to serve policies which **for political ends fail to differentiate between economic migration, smuggling of migrants, and trafficking in human beings, and calls on candidates to put an end to this practice.**

The Collective draws candidates' attention to its analysis of **three critical current issues** which must be taken into account:

1

Particular attention must be paid to **minors who are victims of human trafficking or at risk of being trafficked**

2

European Union **migration policies** must play a part in preventing and combatting trafficking in human beings

3

The European Union must contribute to the eradication of **trafficking in human beings for forced labour** in Europe

- 1 -

Particular attention must be paid to **minors who are victims of human trafficking or at risk of being trafficked**

ALL minors are entitled to **special protection and assistance**¹. Minors who are victims of trafficking in human beings or at risk of being trafficked must therefore be the focus of even greater attention and be afforded **unconditional protection**².

All minors who are victims of human trafficking in a European Union country must be cared for within the child protection framework of that country. In order to achieve this, a system for **detecting and identifying victims of human trafficking** must be systematically implemented at borders and across the whole of the national territory. Refusal to provide care for a minor is never acceptable.

Unaccompanied foreign minors are particularly vulnerable and exposed to the risk of human trafficking because they are alone and on a migration journey. They must be given the same protection as any other child who is temporarily or permanently deprived of

their family environment for whatever reason. They must immediately and systematically be given a legal representative and accommodation in humane conditions appropriate to their needs. In particular, they must be offered an unconditional emergency reception.

All minors, with families, alone, or in a child welfare environment, must enjoy the same protection inherent to their status as children, irrespective of nationality. In this capacity, they must be protected against all forms of trafficking in human beings. Their physical safety and mental wellbeing must be guaranteed by their right to an environment which ensures their healthy and happy development.

- 2 -

European Union **migration policies** must play a part in preventing and combatting trafficking in human beings

EUROPEAN Union Member States must re-establish a **European migration policy** centred on the dignity of the individual which guarantees **respect for human rights and fundamental freedoms**, and strives to prevent trafficking in human beings and protect victims of trafficking.

Each state must **make a robust commitment to a harmonised international policy** to fight against trafficking in human beings, as advocated in the Global Compact on Migration.

Beyond a need for a **Dublin regulation reform**, Member States should commit themselves to achieve a true common **asylum system for the Union, based on solidarity**. This new system should allow victims of human trafficking to apply for asylum in their **chosen country**, one that offers them effective **protection** against trafficking networks.

Policies which are being implemented by the European Union and its member states both inside and outside the European space **to systematically turn away migrants at borders must end** immediately as they expose migrants to the risk of human trafficking and **play into traffickers' hands**.

The reintroduction of internal border controls infringes on the principle of **free movement of people within European Member States**. It is critical that every country favours detection and support for victims of trafficking. Therefore, the continued construction of 'Fortress Europe' must cease; as well as the ever-tightened border controls and the criminalization of victims under the guise of combating human trafficking.

¹ Article 25, Paragraph 2 of the Universal Declaration of Human Rights (1948). Article 24 of the Charter of Fundamental Rights of the European Union (2000). Preamble of the International Convention on the Rights of the Child (1989).

² Art 13 of Directive 2011/36/UE (2011): "Child victims of trafficking in human beings shall be provided with assistance, support and protection. In the application of this Directive the child's best interests shall be a primary consideration." Art 12-6 of the Council of Europe Convention on Action against Trafficking in Human Beings (2005): "Each Party shall adopt such legislative or other measures as may be necessary to ensure that assistance to a victim is not made conditional on his or her willingness to act as a witness".

³ Article 22, Paragraph 2 of the International Convention on the Rights of the Child (1989)

The European Union must contribute to the eradication of trafficking in human beings for forced labour in Europe

« Everyone has the right to work, to free choice of employment, to just and favourable conditions of work [...] ensuring for himself and his family an existence worthy of human dignity »

Article 23 of the Declaration of Human Rights

SOME employment sectors grossly violate these principles notably extractive, food processing, and textile industries, but also intermediary agencies (recruitment in particular), SMEs, and the building sector.

In order to protect individuals against violations of their rights, to ensure decent employment, and eradicate trafficking in human beings for exploitation through labour on an international and European scale, the Collective «Ensemble contre la traite des êtres humains» emphasises the need to end attacks on human rights perpetrated through the activities of transnational corporations and by their subsidiaries, subcontractors, suppliers and all other stakeholders

in the manufacturing and distribution chain. This can be achieved by harmonising and reinforcing control mechanisms and corporate social responsibility.

Europe must adopt appropriate stringent standards, notably in the case of transnationals, so that victims of human trafficking can be assured of access to effective and efficient justice.

Seconded workers must systematically be able to access information about their rights and contact details for the relevant departments should problems arise, in their native language at any time during their period of secondment. This prevents the possibility of abuse or violation of their right to decent working and living conditions.

The European Union must provide robust support for the internationalisation of a duty of vigilance by making a bold contribution to the drafting of the treaty on transnational corporations and human rights which is currently being negotiated at the United Nations.



COORDINATION

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MEMBERS OF THE COLLECTIVE "ENSEMBLE CONTRE LA TRAITE DES ÊTRES HUMAINS" :

Action Catholique des Femmes, AFJ, Agir Contre la Prostitution des Enfants, Agir Ensemble pour les Droits de l'Homme, Amicale du Nid, Armée du Salut, Association pour la Réadaptation Sociale, Aux Captifs la libération, Comité Contre l'Esclavage Moderne, Comité Protestant évangélique pour la Dignité Humaine, Congrégation Notre Dame de Charité du Bon Pasteur, Conseil Français des Associations pour les Droits de l'Enfant, ECPAT France, Fédération des Acteurs de la solidarité (FAS), Fédération de l'Entraide Protestante, Espoir CFJJ-Service Jeunes errants, Fondation Jean et Jeanne Scelles, Hors la rue, Justice et Paix France, Koutcha, La Cimade, La Voix de l'enfant, Les Champs de Booz, Mouvement du Nid, Organisation Internationale Contre l'Esclavage Moderne, Planète Enfants et Développement, SOS Esclaves, and Le Secours Catholique Caritas France, which coordinates the Collective.

The Collective «Ensemble contre la traite des êtres humains» is a network created to fight more effectively against all forms of denial of human rights. Founded by Le Secours Catholique in 2007, it acts as an umbrella for 28 French non-profit associations and federations of associations working directly or indirectly with victims in France, transit countries, and countries organising human trafficking. Committed to working against the commodification of human beings, it has two aims: to raise public awareness of this complex issue, and to encourage French and international decision-makers to take a strong stand against this form of criminality. This covers all types of trafficking, including sexual exploitation, domestic servitude, forced labour, forced begging, exploitation for criminal activities, forced marriage, and organ harvesting.

OPERATIONAL AREAS:

Preventive activities with at-risk groups, raising public awareness, victim support, national and international network-building, and advocacy work in France, Europe and internationally to change international texts and national laws in favour of victims.

In June 2016/2017, the Collective "Ensemble contre la traite des êtres humains" worked with the French government to conduct the first statistical survey of trafficking in human beings in France. This provided an opportunity to cast light on this phenomenon which is often hidden, to the detriment of those affected by it. It continues to pursue its commitment in this field.

In 2019, the Collective requested that the French government, which had completed its first Plan two years previously, should launch a second national Plan backed by funding to implement it.

Drawing on the experience, talents and potential of victims of human trafficking of all ages and nationalities, the Collective "Ensemble contre la traite des êtres humains" fights this crime against humanity in order to uphold the common right of every individual to reject all forms of exploitation of one human being by another. Several organisations belonging to this network of French non-profit associations have the international reach required to fight this scourge.