

Declaration of the Conference of European Justice and Peace Commissions

Working Together To Stop Human Trafficking

Coordinated action by governments is urgently required if the growing problem of trafficking in human beings is to be stopped. This is a world-wide phenomenon that encompasses a vast range of violations of the rights of the individual including: sexual exploitation, forced labor or forms of slavery such as exploitation in begging or domestic servitude and the theft of organs for commercial purposes.

While the hidden nature of this crime, which crosses nations and continents, makes it difficult to arrive at a precise figure for the number of victims, UNESCO's estimation for the year 2007 lies between 500,000 and 2 million¹. The upper end of this scale corresponds with the findings of the ILO (International Labor Organization) who estimate that at any given moment around 2.45 million women, men and children are victims of human trafficking throughout the world. While 43 per cent of this total, mainly women but also men and children, have been trafficked for sexual exploitation, 32 per cent have been trafficked into labor exploitation in agriculture, private households and sweatshops, and 25 per cent for a mixture of both. The number of people involved in forced labor worldwide is estimated at 12.3 million and approximately 50 per cent of all victims of trafficking are minors under the age of 18².

This is a crime that affects all nations – whether they are source, transit or destination countries, or a combination of these categories. The factors that cause adults and children to fall victim to traffickers are manifold and complex. Some have been duped, lured to other nations or urban centers in their own countries with the promise of employment. On arrival they may have their travel documents taken from them and be imprisoned, and many suffer violence at the hands of the traffickers. Particularly vulnerable are those individuals who, aware of the risks, allow themselves to be 'smuggled' across national borders because they would not be permitted to enter the destination country legally³. Violent conflict is a further significant contributory factor, particularly in the case of those who have been displaced from their homes and children who have been orphaned or separated from their parents.

The consequences of Human Trafficking are not only devastating for the victims

themselves, but are also damaging for society as a whole. According to Pope John Paul II this trade in human persons constitutes *a shocking offence against human dignity and a grave violation of fundamental human rights*⁴. He goes on to say, that already the Second Vatican Council (1962-65) pointed to *slavery, prostitution, the selling of women and children, and disgraceful working conditions where people are treated as instruments of gain rather than free and responsible persons as “infamies” which “poison human society, debase their perpetrators “ and constitute “a supreme dishonor to the Creator”*⁵. Such situations are an affront to fundamental values, which are shared by all cultures and peoples, values rooted in the very nature of the human person.

The crime of Human Trafficking thus cannot be ignored and demands an immediate, coherent and integral response. This should take into account not only the best interest of the victims, but also the just punishment of those who benefit from it. It should also include the introduction of preventative measures such as, on the one hand, awareness and consciousness raising, and on the other, measures that tackle the root causes of the phenomenon, foremost among which is the macro-economic situation and its resulting inequalities⁶. While poverty alone cannot explain this tragedy, which is driven by fraudulent recruiters, employers, and corrupt officials who seek to reap unlawful profits from others' desperation⁷, we cannot avoid an analysis of the factors that produce this desperation, notably the poverty and deprivation existing in many of the world's nations and the absence of legal channels for natives of these countries to enter other states to work.

Recognizing that the crime of Human Trafficking represents a serious violation of the rights of the individual and an affront to the dignity of the human person, the *Conference of European Justice and Peace Commissions* commits itself to combat this crime in all its forms including forced labor, sexual exploitation, slavery and the removal of organs. To this end we call on the countries and governments of Europe:

- **To ratify the Council of Europe *Convention against Trafficking in Human Beings* (CETS no. 197). This convention entered into force on February 1, 2008. But even though it has been signed by 40 of the Council of Europe's 47 member states, it is as of yet only ratified by 19 of them⁸.**

- **To work together for the full implementation of all the measures provided by the Council of Europe’s Convention, as well as those of the United Nations’ *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (2000).** The provisions of the Convention and the Protocol, combined with relevant protections included in other Conventions – such as the prohibition of financial gain from organ trafficking in Article 22 of the Additional Protocol on the Convention on Human Rights and Bio-medicine on Transplantation of Organs and Tissues of Human Origin (entry into force in 2001) – provide an international legal framework in which to address this problem.
- **To strive for greater progress in meeting the Millennium Development Goals established by the United Nations and honor our commitments in the area of financial aid.** This is a way of addressing the root causes of trafficking in human beings, among which are lack of development in large regions of the world, poverty and growing desperation in facing the future.
- **To acknowledge that migrants contribute to the development of their host countries, and that their remittances play a substantial economic role in the welfare of families in their countries of origin⁹.** Raising the status of migrants in our European countries is one way of assuring that labor exploitation is rooted out. This includes assuring that migrants are at paid a just wage for the work they actually carry out in our countries. To give migrants a warm and humane welcome is in accordance with the obligation to welcome the stranger expressed through the message of the Gospel and the example of Our Lord Jesus Christ.
- **To recognize that we have a moral obligation to address the “demand” in destination countries that is fuelling the market for trafficking in human beings. This includes both the demand for cheap labor and “sexual services”.** For *businesses, employers and workers’ organizations* this means among other things: to address forced labor and trafficking issues in bipartite and tripartite negotiations and agreements; to promote political and material support within trade union organizations for the development of policies

against forced labor; to monitor employment agencies as well as companies, including their supply chains, to detect and combat forced labor and trafficking practices; to reach out and give direct support to informal, unprotected and migrant workers at risk, to address their specific situation and needs, including through their integration in trade union ranks¹⁰.

- **To recognize our obligation to care for the many needs of the victims of human trafficking – such as access to medical treatment, counseling and psychological support, legal assistance and the creation of compensation schemes – at all stages of their recovery.** The provision of such assistance must not be conditional on the participation of the victim in criminal proceedings against the alleged traffickers. As Pope Benedict XVI stated in his recent encyclical on hope: *The true measure of humanity is essentially determined in relationship to suffering and to the sufferer. This holds true both for the individual and for society*¹¹. It has been suggested that compensation schemes could be financed by the confiscation of the profits and the assets gained by the traffickers through their criminal activities¹². In order for this goal to be achievable greater cooperation between states in the area of prosecution of traffickers will be required.

This Declaration was adopted by the General Assembly of *the Conference of European Justice and Peace Commissions* in Belgrade, Serbia on September 30, 2008 and published in the member countries of the Conference during the period of Lent 2009.

¹ UNESCO Trafficking Statistics Database, Data comparison sheet #1, www.unescobkk.org

² *Fighting Human Trafficking: The Forced Labor Dimensions* – ILO background paper for the Vienna Forum on Human Trafficking, 13-15 February 2008

³ *Trafficking in Persons Report* – released by the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons on June 4, 2008

⁴ Pope John Paul II – *Letter to Archbishop Jean-Louis Tauran* on the occasion of the international conference “21st Century Slavery – The Human Rights Dimension to Trafficking in Human Beings, 15 May 2002

⁵ Encyclical letter *Gaudium et Spes*, 27

⁶ *Holy See Address to the Vienna Forum to Fight Human Trafficking* – Archbishop Agostino Marchetto, Secretary of the Pontifical Council for Migrants and Travelers

⁷ Caritas Europa has defined the “Smuggling of Migrants” as: “the procurement, in order to obtain, directly or indirectly, a financial or other benefit, of the illegal entry of a person into a

State of which the person is not a national or a permanent resident”. Caritas Europa Migration Forum, 8-10 November 2001

⁸ The Convention has been ratified by Albania, Armenia, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, France, Georgia, Latvia, Malta, Moldova, Montenegro, Norway, Poland, Portugal, Romania and Slovakia. In addition, it has been signed, but not ratified, by the following states: Andorra, Belgium, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Lithuania, Luxembourg, Netherlands, San Marino, Serbia, Slovenia, Spain, Sweden, Switzerland, “the former Yugoslav Republic of Macedonia”, Ukraine and the United Kingdom. (Information from the Homepage of the Council of Europe Action against Trafficking in Human Beings)

⁹ *Joint declaration by SECAM and CCEE* – Symposium of the Episcopal Conferences of Africa and Madagascar (SECAM) and the Council of European Bishops’ Conferences (CCEE) in Elmina, Ghana, 13-18 November 2007

¹⁰ *Fighting Human Trafficking: The Forced Labor Dimensions*

¹¹ Encyclical letter *Spe Salvi*, 38

¹² *Holy See Address to the Vienna Forum to Fight Human Trafficking*