



Resolution 1337 (2003)¹

Migration connected with trafficking in women and prostitution

Parliamentary Assembly

1. Migration connected with trafficking in women and prostitution is one of the darkest features of the inequality between women and men. The Parliamentary Assembly is alarmed by the development of this form of migration into a gigantic, highly-organised international criminal trade linked to the exploitation of women.
2. The Assembly recalls and reaffirms [Recommendation 1325 \(1997\)](#) on traffic in women and forced prostitution in Council of Europe member states and [Recommendation 1545 \(2002\)](#) on a campaign against trafficking in women. These recommendations define trafficking in human beings as a human rights issue, which entails the violation of women's dignity and integrity, their freedom of movement and, in some cases, their right to life.
3. Trafficking in human beings and connected migration is blossoming because of the gap between poor and rich countries, the lack of opportunities for young people to build a future, and the poverty which affects women in many countries, which makes them especially vulnerable to exploitation in the sex industry. The difficult economic situation in the countries of origin is exploited by organised crime in both the countries of origin and of destination.
4. The Assembly notes that the deficit in labour supply in some countries of destination creates a demand for migrant workers. When legal migration does not cover this deficit, the incentive and room for illegal migration and trafficking increases. Repressive migration policies and the resulting illegal status of women in the destination countries makes migrant women more dependent on and more vulnerable to various forms of exploitation and abuse.
5. The Assembly recalls its [Recommendation 1489 \(2001\)](#) on transit migration in central and eastern Europe and reiterates the importance of the elaboration of a European strategy in the field of migration policy aimed at developing legitimate migration opportunities. This should allow some women to avoid being trafficked by mitigating any need to engage with traffickers to effect their migration.
6. It is also a matter of urgency to elaborate an effective common European strategy which facilitates economic recovery policies, increases socio-economic and political stability in the countries of origin, decreases migration because of poverty and reduces supply factors of trafficking and demand factors of prostitution. The root causes of economic migration in the countries of origin should be tackled through economic co-operation, trade expansion, development assistance and conflict prevention.
7. The Assembly is very concerned by the involvement of international organised crime in migration connected with trafficking in women and prostitution. It urges European states to develop legislation for specific trafficking crimes and related offences, which should include harsh penalties for perpetrators of such crimes.

1. Assembly debate on 25 June 2003 (21st Sitting) (see [Doc. 9795](#), report of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Zwerver; and [Doc. 9848](#), opinion of the Social, Health and Family Affairs Committee, rapporteur: Mr Piscitello; and [Doc. 9809](#), opinion of the Committee on Migration, Refugees and Demography, rapporteur: Mrs de Zulueta). Text adopted by the Assembly on 25 June 2003 (21st Sitting).



8. The Assembly considers that in the fight against trafficking in women priority should be given to the status and rights of victims (for example, regarding residence and in criminal proceedings), including their physical protection as well as assistance and financial support. It is important to ensure that victims of trafficking are protected from further victimisation, whether or not they testify against their traffickers.

9. The Assembly accordingly calls on Council of Europe member states:

a. General measures

1. to nominate a national rapporteur on trafficking in human beings in each member country to act also as an interlocutor and advocate for victims of trafficking and their families;
2. to adopt effective measures to improve the economic situation in countries of origin, including the improvement of social protection and the creation of employment opportunities;
3. to better identify imbalances in labour markets in countries of destination, and promote selective immigration and effective integration policies;
4. to reduce the demand for the activities of persons trafficked for the purposes of sexual exploitation, forced labour or slavery;
5. to develop sociological research projects and surveys in order to improve knowledge of the profiles of clients of trafficking in women and prostitution, and identify and promote alternative measures to the present options of criminalising clients or granting them total impunity;

b. Measures to improve migration policies

1. to take effective decisions in the field of migration policy aimed at developing legitimate migration opportunities;
2. to encourage the signing of bilateral agreements on short-term labour migration contracts between the countries of origin and destination;
3. to adopt migration policies to assist victims of trafficking and migrant prostitution in their rehabilitation and reintegration into society;
4. to regulate and monitor agencies, such as bridal, employment, tourist, au pair and adoption agencies in order to penalise those which co-operate with criminal groups of traffickers;
5. to provide the victims of trafficking with residence permits on humanitarian grounds. The person concerned should be entitled to lodge an appeal against the refusal to issue or renew such a residence permit which has a suspensive effect on deportation;

c. Preventive measures

1. to set up data banks and promote the exchange of information on the various aspects of migration connected with trafficking in human beings;
2. to promote awareness-raising campaigns and understanding of how trafficking operates, and introduce measures to prevent illegal migration, including through the support and/or organisation of information campaigns aimed at potential victims of trafficking, especially in risk areas, schools and other places of education and socialisation;
3. to co-operate with non-governmental organisations which provide expertise in women's fundamental rights, labour rights and anti-trafficking activities;
4. to develop international co-operation between special police units dealing with trafficking in human beings;
5. to organise special anti-trafficking awareness-raising programmes for judicial, law enforcement, medical and social workers, as well as consular and immigration services;
6. to develop interpretative commentaries for judges and other officials as well as comprehensive procedural guidelines for police and immigration officers on the prevention and prosecution of offences linked to trafficking;

d. Legal measures

At international level

1. *to strongly support the idea of a Council of Europe convention on trafficking in human beings, which will bring an added value to other international instruments with its clear human rights and victim protection focus and the inclusion of a gender perspective;*
2. *to sign and ratify the United Nations Convention Against Transnational Organised Crime and its additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol) if they have not yet done so;*

At national level

1. *to appoint prosecution officers specially trained to deal with trafficking in human beings in all regional and national prosecutor's offices;*
2. *to introduce the offence of trafficking into their criminal law if they have not already done so;*
3. *to introduce harsh penalties for this type of trafficking and forced prostitution;*
4. *to encourage victims of trafficking and witnesses to testify against the traffickers in court, and provide those willing to testify with security protection during the investigation and trial and any subsequent period when their safety is under threat;*

e. Victim protection measures

1. to enable female migrant victims of trafficking and forced prostitution to return home in dignity and security, if they so desire;
2. to elaborate guidelines to enable the rapid identification of victims and provide them with assistance;
3. to ensure that victims of trafficking are not held in immigration detention or other forms of custody;
4. to provide all victims of trafficking with the necessary rehabilitation assistance, including accommodation, health care, counselling and vocational training, in the host country and/or in their country of origin, if they return;
5. to enable the relevant courts to order trafficking offenders to pay compensation to victims of trafficking.
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