

PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION
PABSEC

THE THIRTEENTH PLENARY SESSION OF THE GENERAL ASSEMBLY

Doc.: GA 6145/99

RECOMMENDATION 35/1999¹

Legal Framework for Combating Trafficking in People

1. The Assembly states with deep regret that trafficking in people is now an issue of serious concern in the Black Sea region, and that such practices represent gravest violations of human rights.
2. The Assembly recognises that trafficking in human beings is a very complex problem which touches upon several areas of government policy, including those on criminal, judicial, migration and social spheres.
3. Recalling the Recommendation 15/1996 “Cooperation among the PABSEC Member Countries in Combating Organised Crime”, adopted by the Seventh Plenary Session in Baku on 12 June 1996, and the Recommendation 17/1996 “Basic Principles of the Black Sea Convention on Combating Organised Crime and Terrorism”, adopted by the Eighth Plenary Session in Tbilisi on 12 December 1996, the Assembly once again stresses the role it can play in strengthening multilateral cooperation in combating criminal actions.
4. The Assembly also recalls the Agreement among the Governments of the BSEC Participating States on Cooperation in Combating Crime, in Particular in its Organised Forms, adopted by the Third Meeting of the Ministers of the Internal Affairs of the BSEC Participating States in Corfu, Greece on 2 October 1998, having the aim of cooperation for “prevention, suppression, detection, disclosure and investigation of ... criminal activities related to migration, illegal crossing of borders and illegal trafficking in human beings”.

¹ Assembly debate on 24 June 1999 (see Doc.: GA 6144/99, Report of the Legal and Political Affairs Committee “Legal Framework for Combating Trafficking in People” discussed in Chisinau on 20-21 April 1999; Rapporteur: Mr. Olexander Charodeev - Ukraine)

Text adopted by the Assembly in Ankara on 24 June 1999.

5. Aware of the complexity of the issue, and taking into consideration that trafficking in people continues to be an under-reported crime in most of the BSEC countries, the Assembly calls for elaboration of an explicit and coherent policy by the countries individually and collectively to deal with this problem.
6. The Assembly notes with appreciation the work conducted by the International Organisation for Migration towards combating traffic in persons by organising research studies on trafficked persons, arranging conferences on migrant trafficking, discussing scope and nature of the human trafficking phenomenon, with particular interest in trafficking in women in the BSEC region.
7. The Assembly recommends the Parliaments and the Governments of the PABSEC Member Countries:
 - i. to promote ratification of the international conventions on trafficking in persons and on slavery, namely, the UN conventions: The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; The Slavery Convention; Convention of the Elimination of Discrimination against Women; The Convention for Suppression of Traffic in Women and Children; Convention of the Rights of a Child; Declaration on the Elimination of Violence against Women;
 - ii. to give support, to the extent possible, to stimulate efficient functioning of the BSEC multilateral instrument - the Agreement among the Governments of the BSEC Participating States on Cooperation in Combating Crime, in particular in its Organised Forms.
 - iii. to strengthen internal mechanisms and measures to address the root factors that encourage trafficking in people and strengthen investigative and enforcement capacity at national and international levels, to promote resolution of the problem of returning persons who were taken as prisoners of war during the conflicts in the region;
 - iv. to enact legislation, including stiff penalties, as well as to adopt and enforce effective criminal and civil measures against perpetrators in order to provide better protection of the potential victims from traffickers;
 - v. to take adequate preventive measures including awareness campaigns at local, national and regional levels to alert general public.
 - vi. to set up common inter-country mechanisms to tackle the trafficking problem in sending and receiving countries, including the provisions of safe and protective repatriation programmes;
 - vii. to open discussion of the most significant problems and develop priorities for prompt response to the phenomenon of trafficking in people and encourage action oriented research to improve understanding about the nature and magnitude of the problem;
 - viii. to promote the assistance projects, similar to those, conducted by the International Organisation for Migration especially those that are specifically targeted against the most urgent issues of trafficking in people.

- ix. to consider setting up of special units of the police forces for the improvement of prevention efforts and proper coordination of different government departments and agencies locally and at the regional level.
 - x. to establish the system of exchange of information, knowledge and experience in the field of border controls, for the purpose of detecting and preventing illegal entry of suspect persons involved in human trafficking operations.
 - xi. to ensure proper coordination with relevant governmental agencies and non-governmental organisations in order to prevent and stop cross-border trafficking in people;
 - xii. to develop cooperation between the enforcement agencies for combating trafficking in people and take measures for investigation of the crimes of this kind based on complex analyses of the situations in each country;
 - xiii. given the growing international dimension of the problem, to stimulate a greater information sharing at national and international levels between the national police forces and respective law enforcement agencies within the Interpol framework
8. The Assembly invites the BSEC Ministers of Foreign Affairs to consider this Recommendation.