



PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION
PABSEC

INTERNATIONAL SECRETARIAT

Doc.: GA57/LC57/REC180/21

RECOMMENDATION 180/2021*

“The Role of Parliaments in Preventing Human Trafficking – Legal and Political Aspects”

1. The Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC), expresses its concern about the increased trafficking in human beings, at regional and international levels, caused by various political, economic, social and other factors and underlines that the COVID-19 pandemic amplifies socio-economic inequalities, increasing the number of the potential victims of human trafficking.
2. The PABSEC recalls its Recommendation 15/1996 on Cooperation among the PABSEC Member Countries in Combating Organized Crime; Recommendation 17/1996 on Basic Principles of the Black Sea Convention on Combating Organized Crime and Terrorism; Recommendation 35/1999 on Legal Framework on Combating Trafficking in People; Recommendation 43/2000 on Legislative Framework for Cooperation among the Law-Enforcing, Customs and Immigration Authorities; Recommendation 124/2011 on Implementation of the Agreements among the BSEC Member States on Combating Organized Crime and reiterates the commitments stated therein.
3. The PABSEC underlines that given the global character of human trafficking, its prevention represents much more than a national duty for the states. An effective multi-sectoral response, diversified crime prevention strategies and comprehensive legal framework is necessary to combat human trafficking.
4. PABSEC stresses that the elimination of the root causes, which increase people’s vulnerability to trafficking and exploitation, is a prerequisite for the successful implementation of preventive policies. The anti-trafficking programs of the governments and the preventive legislative measures need to address the socio-economic factors and target marginalized communities and vulnerable groups.
5. The PABSEC emphasizes that introducing new laws, where necessary, and monitoring proper implementation of the existing and of the new measures, norms, and regulations, in compliance with the international standards, are necessary for the coordination in the fight against human trafficking.

* Assembly debate on 22 June (See Doc. GA57/LC57/REP/21, Report of the Legal and Political Affairs Committee “*The Role of Parliaments in Preventing Human Trafficking – Legal and Political Aspects*”, discussed online, on 7 April 2021; Rapporteur: Ms. Violeta Ivanov – Republic of Moldova)

Text adopted at the General Assembly, on 22 June at online meeting.

6. The PABSEC underlines that the parliaments play an important role in the prevention of trafficking in human beings as they create the political and legislative climate for the successful adoption and implementation of anti-trafficking measures. The parliaments ratify international instruments related to trafficking in human beings, as well as bilateral and multilateral agreements. The parliamentarians ensure the consistency and conformity of the national legislation with the international legislative framework.

7. The PABSEC welcomes the efforts of the BSEC Member States to establish effective mechanisms for preventing and combating trafficking in human beings, through the adoption of the legislation regulating the prosecution of the traffickers, the mechanisms for crime prevention and defining the procedures for assistance and protection of the victims of trafficking in human beings. The parliamentarians have to take a stronger stand against human trafficking in order to prevent occurrences of this crime in the countries of the Black Sea region, thus contributing to the common global effort to combat human trafficking and protect the possible victims.

8. The PABSEC believes that the close cooperation among the parliaments of the BSEC Member States, at regional level, the exchange of successful practices and the effective measures, are of utmost importance. It is critical for the handling of the human trafficking cases across borders and enabling information sharing between the anti-trafficking agencies and structures. The governments should further enhance their coordination to streamline the system of transmission of requests for international cooperation and transfer of procedures, conduct systematic bilateral meetings between countries of origin, transit and destination, and periodically evaluate multilateral efforts to adjust the international response.

9. The PABSEC recalls that strengthening the cooperation among the Member States in preventing organized crime including trafficking of human beings represents one of the major aims of the “BSEC Economic Agenda towards an Enhanced BSEC Partnership” Goal 16 “Combating Organized Crime, Illegal Trafficking of Drugs and Weapons, Terrorism, Corruption and Money Laundering”. It welcomes the Joint Declaration of the Ministers of Interior/Public Order of the BSEC Member states, on combating trafficking in human beings (Athens, 3 December 2004), as well as the Joint Declaration of the Ministers of Interior/Public order of the Member States, on strengthening the cooperation in the fight against organized crime, corruption and terrorism (Bucharest, 24 March 2006), emphasizing the importance of coordinated actions and effective cooperation in the fight against crime, by enhancing the mutual understanding and the mutual benefit.

10. Therefore, the PABSEC recommends that the parliaments and the governments of the BSEC Member States:

- i.* review the existing national legislation to ensure its consistency and conformity with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, known as the “Palermo Protocol” and other international human rights conventions, as appropriate;
- ii.* strengthen the cooperation among the respective national authorities of the BSEC Member States, involved in preventing and fighting against transnational crimes, including trafficking in human beings;
- iii.* further intensify the activities of the parliamentary committees on human rights/human trafficking, to oversee the governmental policies on the protection of trafficking victims;
- iv.* enact criminal laws that criminalize all forms of trafficking in persons, covering both the domestic and international levels, providing for serious penalties, commensurate with the gravity of the crime;

- v. *incorporate* human rights principles into the anti-trafficking and related legislation that recognizes the trafficked person as a victim, entitled to human rights;
- vi. *enact* obligations to monitor and regulate the activities of employment agencies that may be abused by traffickers or that may participate in trafficking schemes, in particular;
- vii. *develop* appropriate legislation providing for comprehensive jurisdictional bases for investigation and prosecution in trafficking cases;
- viii. *enact* the legislation for fund allocation, needed to implement the programmes aimed at combating trafficking, including assisting the victims of trafficking;
- ix. *encourage* the governmental agencies engaged in combating trafficking in persons, to cooperate and establish partnerships with civil society organizations;
- x. *lead* public awareness and education campaigns to alert the general public and to protect the potential victims from traffickers;
- xi. *enhance* the regional strategies, policies and mechanisms that are in conformity with the global initiatives and frameworks on the fight against organized crime, particularly trafficking in human beings;
- xii. *ratify and review* bilateral and multilateral agreements on human trafficking, to ensure that the issue is adequately covered and that their provisions are put into practice;
- xiii. *strengthen* the cooperation with international and regional specialized organizations, to promote, inter alia, the exchange of expertise and best practices, to develop joint projects and programs in the field of preventing and combating trafficking in human beings;
- xiv. *initiate* the establishment of contact points in the BSEC Member States, to coordinate and support the cooperation between the police structures, boarder police, in their work on cases of trafficking in human beings;
- xv. *support* the establishment of joint trainings and exchange of experience among the respective anti-trafficking agencies of the BSEC Member States;
- xvi. *promote* better coordinated responses through the establishment of a specialized agency dedicated to combating trafficking in persons, consolidating information from different institutions (criminal justice system, law enforcement, Ministry of Foreign Affairs, Border Police, etc);
- xvii. *consider establishing* a Parliamentary Network for the Fight against Trafficking in Human Beings, modelled on similar parliamentary networks, to ensure continuity in the fight against trafficking in human beings;
- xviii. *reaffirm* the support of the strategic targets in the field, identified in the “BSEC Economic Agenda: Towards an Enhanced BSEC Partnership” (2012), in particular, its Goal 16: “Combating Organized Crime, Illegal Trafficking of Drugs and Weapons, Terrorism, Corruption and Money Laundering”;
- xix. *support* the activities of the BSEC Working Group on Combating Crime, in Particular in its Organized Forms, including the work of the Network of Liaison Officers on Combating Crime.

11. The PABSEC invites the BSEC Council of Ministers of Foreign Affairs to consider this Recommendation.