

**Opinion of the Experts Group on Trafficking in Human Beings
on trafficking in human beings in the context of the elaboration of a new multi-
annual program building an area of freedom, security and justice,
the Tampere II-agenda**

Considering the elaboration within the Council of the European Union of a new multi-annual program building an area of freedom, security and justice and the participation of the Commission in that process;

Recalling the broad consensus of governments, international organisations, non-governmental organisations and civil society that trafficking in human beings is a serious criminal offence that constitutes a violation of the dignity and rights of human beings;

Recalling Articles 29 of the Treaty on European Union and the conclusions of the European Council's meeting in Tampere in October 1999 referring to trafficking in human beings;

Recalling the European Commission's Communication on Tampere from June 2004 which calls for a realistic approach, taking account of economic and demographic needs, to facilitate the legal admission of immigrants to the European Union in accordance with a coherent policy respecting the principle of fair treatment of third country nationals and underlines the need for an integrated approach to combat trafficking in human beings;

Recalling the Brussels Declaration on Preventing and Combating Trafficking in Human Beings, as being the final outcome of the European Conference on Preventing and Combating Trafficking in Human Beings-Global Challenges for the 21st Century from 18 to 20 September 2002;

Recalling the high importance given to the Brussels Declaration by the Commission;

Recalling the European Commission's Decision of 25 March 2003 setting up a consultative group, to be known as the "Experts Group on Trafficking in Human Beings" (2003/209/EC) and the mission of the group to issue opinions on its own initiative as set forth in Article 2 (2);

Concluding that significant progress has been made in the field of preventing and combating trafficking in human beings since 1999 at the level of the European Union as well as within the broader international context, manifested inter alia by the adoption of a series of framework decisions in the field of police and judicial co-operation, including a Framework Decision on the approximation of criminal law on trafficking in human beings, the support to various projects in various geographical areas and the references made in the Constitutional Treaty agreed in Brussels on 18 June;

Noting that the Experts Group will provide proposals for the further development of fighting and preventing trafficking in human beings at the level of the European Union in a report that will be presented by the end of this year;

The Experts Group on Trafficking in Human Beings issues the following opinion, with a view to the elaboration of a new multi-annual program building an area of freedom, security and justice.

Opinion

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As indicated above, significant progress has been made at European level in developing instruments and mechanisms to fight and prevent trafficking in human beings. In the context of elaborating a new multi-annual program building an area of freedom, security and justice (Tampere II-agenda), the Experts Group on Trafficking in Human Beings is of the view that the European Council should take stock of these developments and provide impetus for further work. In this respect, the Experts Group in particular wishes to point to the need for:

- the European Council taking a clear stand that trafficking in human beings is not primarily an issue of illegal migration but needs to be addressed as a serious crime and human rights violation, underlining the EU's commitment to an integrated and human rights based approach;
- The Tampere II-agenda to include a reference to trafficking in human beings as an impetus for further action at the level of the European Union;
- EU Member States to maintain their commitments made at the Tampere Council Meeting in 1999¹, in particular to promote regular and managed migration based on demand and need, including the demand for unskilled labour, which is gender sensitive and implies the establishment of clear and comprehensive policies, laws and administrative arrangements to ensure that migration movements occur to the mutual benefit of migrants, society and governments.

¹ Presidency Conclusions, Tampere European Council 15 and 16 October 1999: specifically conclusions Nr. 3, 22, 23, 26 and 48 http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/00200-r1.en9.htm