Multidisciplinary Action Against
Perpetrators and Facilitators of Trafficking in Human Beings

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Multidisciplinary action

› in practice: no guarantee for integrated action – trendy buzz words: comprehensive
› actors
  › governmental
    › complementarity of roles/functions or blurred boundaries
    › all instrumentalized towards law enforcement?
    › violation rule of law, separation of powers & data protection essence if systematic
    › case: merely administrative governmental actors (city council etc)
    › case: border guarding/immigration actors
      › high risk of counterproductiveness due to enhancement vulnerability
    › case: labour/social security actors
      › yes, but (secondment within the EU, illegal workers)
  › non-governmental
    › victim support organisations – also other, like trade unions etc?
  › private, other than non-governmental (profit-oriented actors)
    › employers, travel agencies, escort agencies, brothel owners
  › public-private cooperation
  › multidisciplinary, integrated data collection possible: Montrasec (hereafter)
Montrasec

- monitoring trafficking in human beings and sexual exploitation of children
- data collection model (variables and functioning architecture)
- including perpetrator/facilitator related fields
  - Next to victim and event related field
  - In a potentially many-many relationship
- live input possibility for any actor
- real-time statistics on any level (actor, MS, EU)
  - Immediate return on (data input investment)
- integration through 2-level built-in hashing
  - proofed by data protection board and EDPS
- fully compatible with 27 MS definitions and definitions/data models of Europol, Eurojust, Frontex, IOM, UNODC, ILO etc
- book available for free
Relevance of criminal record information

- content-wise
  - convictions and disqualifications

- legal instruments adopted
  - FD 2009 organisation & content + 2009 ECRIS decision
  - FD 2008 taking account of earlier EU convictions in new proceedings

- further instruments required/underway
  - EU certificates of ‘functional’ non-prior conviction for access to certain vulnerable sectors or eligibility for certain activities
    - functional = pertaining to certain, ‘relevant’ offences only
    - mandatory for relations with government agencies
    - allowed for certain merely private relationships > self-regulation?
  - at national level: perfectly possible (also in the light of EU procurement law)
    - to require such certificates, e.g. as precondition in tender procedures or for getting a license
    - to promote the use of such certificates at the level of certain private actors
    - public-private cooperation