



## **SEMINAR**

# **Preventing and Combating Trafficking in Human Beings for the Purpose of Labour Exploitation**

**Recommendation CM/Rec(2022)21 of the Committee of Ministers of the Council of Europe to member States**

## **AGENDA**

**13 June 2023**

**Floor III, 3 Mysia Street, Warsaw, Poland**



COUNCIL OF EUROPE



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## Introduction

Human trafficking for the purpose of labour exploitation is on the rise in Europe, affecting an increasing number of women, men and children. In November 2019, the Council of Europe Secretary General presented to the Committee of Ministers a “Roadmap on strengthening action against trafficking in human beings for the purpose of labour exploitation”.<sup>1</sup> In accordance with this Roadmap, the Group of Experts on Action Against Trafficking in Human Beings (GRETA) adopted, in September 2020, a Compendium of good practices in the area of combating human trafficking for the purpose of labour exploitation.<sup>2</sup> The compendium served as a basis for the elaboration of a Guidance Note on preventing and combating human trafficking for the purpose of labour exploitation, which GRETA adopted in November 2020.<sup>3</sup>

GRETA’s Guidance Note demonstrated the need to supplement the existing legally binding instruments (in particular, the Council of Europe Convention on Action against Trafficking in Human Beings) with a Committee of Ministers recommendation to all member states which codifies the necessary guidance. In April 2021, the Committee of Ministers decided to set up the Drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET), under the authority of the Steering Committee for Human Rights (CDDH), to prepare a draft recommendation. In addition to representatives of member States, a range of relevant Council of Europe bodies, independent experts, other international organisations and civil society organisations contributed to the preparation of the draft text.

The Committee of Ministers adopted Recommendation CM/Rec(2022)21 to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation on 27 September 2022.<sup>4</sup> It draws on the monitoring work and guidance of GRETA, the case-law of the European Court of Human Rights, and the conclusions and decisions of the European Committee of Social Rights. The recommendation calls on Council of Europe member states to adopt national laws, policies and strategies which address trafficking for the purpose of labour exploitation, following a human rights-based and victim-centred approach. The recommendation’s Explanatory memorandum contains a comprehensive package of measures in the areas of labour market regulation, victim identification and assistance, prosecution, corporate responsibility and liability, and co-operation.

## Objectives

The main objective of the seminar is to present and discuss Recommendation CM/Rec(2022)21 on preventing and combatting trafficking in human beings for the purpose of labour exploitation.

In addition, the seminar will provide an opportunity to present the findings of the latest GRETA report on Poland<sup>5</sup>, which examines, *inter alia*, the situation as regards preventing, detecting and prosecuting trafficking for the purpose of labour exploitation.

<sup>1</sup> [SG/Inf\(2019\)34](#) and [SG\(2020\)29](#).

<sup>2</sup> <https://rm.coe.int/mpendium-of-good-practices-in-addressing-trafficking-in-human-beings-f/16809f9bef>

<sup>3</sup> <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>

<sup>4</sup> [https://search.coe.int/cm/pages/result\\_details.aspx?objectid=0900001680a83df4](https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680a83df4)

<sup>5</sup> <http://rm.coe.int/greta-evaluation-report-on-poland-3rd-evaluation-round-greta-2023-08-a/1680ab7039>

The seminar will also provide a forum for presenting the report<sup>6</sup> on the fact-finding mission to Poland by the Council of Europe Secretary General's Special Representative on migration and refugees, Leyla Kayacik.

In particular, the event's specific objectives can be broken down as follows:

- Disseminate Recommendation CM/Rec(2022)21 and its explanatory memorandum among the competent authorities and stakeholders;
- Foster reflexion on changes in national law, policy and practice with a view to ensuring that the measures and principles set out in the recommendation are implemented;
- Increase cross-sectorial collaboration, including with the private sector;
- Discuss the preparation of a checklist for examining compliance with the recommendation.

## ***Audience***

The seminar will bring together representatives of government departments, law enforcement, labour inspectors, civil society organisations, trade unions, the private sector, academia and international organisations.

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<sup>6</sup> <https://rm.coe.int/report-of-the-fact-finding-mission-to-poland-by-ms-leyla-kayacik-speci/1680a7acc9>

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| <b>9:00 - 9:30</b>   | <b>Registration of the participants</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>9:30 - 9:50</b>   | <b>Opening of the meeting</b> <ul style="list-style-type: none"> <li>- Mr Bartosz Grodecki, Undersecretary of State in the Ministry of the Interior and Administration of Poland</li> <li>- Ms Leyla Kayacik, Special Representative of the Secretary General of the Council of Europe on Migration and Refugees</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>9:50 - 10:15</b>  | <b>Overview of Recommendation CM/Rec(2022)21 and its relevance to Poland</b> <ul style="list-style-type: none"> <li>- Ms Petya Nestorova, Executive Secretary of the Council of Europe Convention on Action against Trafficking in Human Beings</li> <li>- Ms Marta Czapka, Section Coordinator in the Team for the Coordination of Counteracting THB, Department for International Affairs and Migration of Poland</li> </ul>                                                                                                                                                                                                                                                                                                                           |
| <b>10:15 - 10:45</b> | <b>Prevention of human trafficking for the purpose of labour exploitation</b> <ul style="list-style-type: none"> <li>• Labour market regulation</li> <li>• Addressing vulnerabilities</li> <li>• Awareness raising, information and training <ul style="list-style-type: none"> <li>- Mr Mike Dottridge, Consultant on human and child rights, Former director of Anti-Slavery International and trustee of the UN Slavery Fund</li> <li>- Prof. Zbigniew Lasocik, University of Warsaw, member of the drafting Committee on Trafficking for the Purpose of Labour Exploitation (DH-TET)</li> </ul> </li> </ul>                                                                                                                                          |
| <b>10:45 - 11:00</b> | <b>Coffee break</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>11:00 - 11:45</b> | <b>Identification and protection of victims of labour trafficking</b> <ul style="list-style-type: none"> <li>• Victim identification</li> <li>• Role of labour inspectors</li> <li>• Assistance</li> <li>• Access to compensation and other remedies</li> <li>• Non-punishment provision <ul style="list-style-type: none"> <li>- Mr Peter Van Hauwermeiren, Head of the Anti-trafficking Directorate within the Belgian National Social Security Office Inspectorate, member of GRETA</li> <li>- Mr Dariusz Górski, Head of the Department of Employment Legality, Chief Labour Inspectorate, Poland</li> <li>- Dr Ewa Flaszewska, Head of the Department of Labour Market, Ministry of Family and Social Policy of Poland (TBC)</li> </ul> </li> </ul> |

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| <b>11:45 - 12:30</b> | <p><b>Criminal justice response to trafficking for the purpose of labour exploitation</b></p> <ul style="list-style-type: none"> <li>• Causal link between labour law breaches and human trafficking for the purpose of labour exploitation</li> <li>• Detection, investigation and prosecution, including use of IT and online tools</li> <li>• Importance of the different roles in building and communicating evidence to protect victims while investigating a case <ul style="list-style-type: none"> <li>- Mr Darryl Dixon, Head of the Single Enforcement Body Programme of the Gangmasters and Labour Abuse Authority, United Kingdom, member of DH-TET</li> <li>- Mr Michał Kurowski, Department for Organised Crime and Corruption, National Prosecutor's Office of Poland (TBC)</li> <li>- Mr Arkadiusz Olejnik, Deputy Director, Operational and Investigative Board, National Headquarters of the Border Guard (TBC)</li> </ul> </li> </ul> |
| <b>12:30 – 14:00</b> | <b>Lunch</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>14:00 - 14:30</b> | <p><b>Partnerships and international co-operation</b></p> <ul style="list-style-type: none"> <li>• Multi-agency and cross-border co-operation</li> <li>• Participation of NGOs in policy development</li> <li>• The role of trade unions</li> <li>• Presentation of good practices by NGOs or private companies <ul style="list-style-type: none"> <li>- Ms Magdalena Gryciuk, National Commission of the NSZZ "Solidarność" (TBC)</li> <li>- Ms Joanna Garnier, Vice-President of La Strada Foundation Poland</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>14:30 - 15:00</b> | <p><b>Corporate responsibility and corporate liability</b></p> <ul style="list-style-type: none"> <li>• The role of businesses in protecting persons working for them against exploitative practices</li> <li>• EU proposals for legislation on corporate due diligence and import bans of goods produced by forced labour</li> <li>• Presentation of good practices by NGOs or private companies <ul style="list-style-type: none"> <li>- Mr Alexander Trautrim, University of Nottingham, United Kingdom, participant in DH-TET on behalf of the OSCE</li> <li>- Ms Beata Faracik, President of the Board, Polish Institute for Human Rights and Business</li> <li>- Dr hab. Marcin Kilanowski, Representative of Confederation Lewiatan on business and human rights</li> </ul> </li> </ul>                                                                                                                                                           |

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| <b>15:00 - 16:00</b> | <b>Exchange of experience in combating human trafficking for the purpose of labour exploitation and discussion of a draft checklist for examining compliance with the recommendation (in working groups_</b> |
| <b>16:00 - 16:15</b> | <b>Coffee break</b>                                                                                                                                                                                          |
| <b>16:15 - 16:45</b> | <b>Sharing outcome of the working group discussions</b>                                                                                                                                                      |
| <b>16:45 – 17:00</b> | <b>Closing remarks</b>                                                                                                                                                                                       |