

Schleswig-Holsteinischer Landtag
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Schleswig-Holsteinischer Landtag

Luise Amtsberg, MdL



Schleswig-Holsteinischer Landtag • Postfach 7121 • 24171 Kiel

Innenministerium
des Landes Schleswig-Holstein
Herrn Klaus Petersen, KST 1
Düsternbrooker Weg 92
24105 Kiel

Ministerium für Justiz, Gleichstellung und Integration
des Landes Schleswig-Holstein
Herrn Björn Will, KST
Lorentzendamm 35
24103 Kiel

Ministerium für Arbeit, Soziales und Gesundheit
des Landes Schleswig-Holstein
Herrn Thorsten Wilke, KST
Adolf-Westphal-Str. 4
24143 Kiel

nachrichtlich:

An den Vorsitzenden
des Innen- und
Rechtsausschusses
Herrn Thomas Rother,
MdL
im Hause

An den Vorsitzenden
des Sozialausschusses
Herrn Christopher Vogt,
MdL
im Hause

An den Vorsitzenden
des
Wirtschaftsausschusses
Herrn Bernd Schröder,
MdL
im Hause

Kiel, Juni 2010

Sehr geehrter Herr Petersen,
sehr geehrter Herr Will,
sehr geehrter Herr Wilke,

die Ostseeparlamentarierkonferenz (BSPC) hat im Jahre 2009 eine Arbeitsgruppe unter Vorsitz von Frau Line Barfod, Mitglied des dänischen Folketing, eingesetzt, um die Bekämpfung des Menschenhandels auf die politische Agenda zu setzen. Gemeinsame Anstrengungen auf regionaler, nationaler und internationaler Ebene sollen dazu beitragen, dieser Form der organisierten Kriminalität entgegen zu treten. Die BSPC-Arbeitsgruppe hat ein Mandat für zwei Jahre. Ein erster Zwischenbericht und erste politische Empfehlungen werden anlässlich der 19. Ostseeparlamentarierkonferenz vom 29.-31. August 2010 auf den Åland-Inseln vorgelegt.

Als Mitglied der Arbeitsgruppe vertrete ich den Schleswig-Holsteinischen Landtag in diesem Gremium. Die Arbeitsgruppe hat sich zum Ziel gesetzt, gemeinsame politische Empfehlungen über Landes- und Parteigrenzen hinweg zu erarbeiten, die die Regierungen der Ostseeanrainer- und EU-Staaten auffordern, geeignete Schritte zur Bekämpfung des Menschenhandels zu ergreifen.

Vor diesem Hintergrund erbitte ich Informationen darüber,

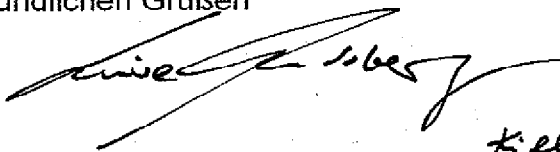
- ob für das Land Schleswig-Holstein Daten, Informationen zu dem Ausmaß des Menschenhandels vorliegen,
- welche Rechtsnormen greifen,
- welche Modelle, Methoden zur Verhütung und Bekämpfung von Menschenhandel existieren (Koordinierungsstelle, Aktionsplan, Beauftragter, Berichterstatte(r)?)
- wie Gewerkschaften und Arbeitgeberorganisationen dem Problem begegnen,
- ob Projekte ggf. unterstützt werden,
- wie das Land Schleswig-Holstein in die nationale und grenzüberschreitende Zusammenarbeit zur Bekämpfung der organisierten Kriminalität eingebunden ist.

Bisher haben drei Sitzungen der BSPC-Arbeitsgruppe stattgefunden, in denen Experten angehört und schriftliche Informationen zusammengetragen und ausgewertet wurden. Auf dieser Grundlage wurden vorläufige politische Empfehlungen formuliert (vgl. Anlage 1). Sollten Sie hierzu Ergänzungs- und Änderungsvorschläge haben, bin ich für Hinweise dankbar.

Um die breite Öffentlichkeit für das Thema zu sensibilisieren, ist geplant, einen Aufruf der BSPC-Arbeitsgruppe zur Bekämpfung des Menschenhandels in möglichst vielen Medien zu veröffentlichen. Einen Entwurf des Artikels füge ich diesem Schreiben bei (vgl. Anlage 2). Die endgültige Fassung wird im Juli vorliegen und soll in dem Zeitraum 9. – 22. August – also zwei Wochen vor der 19. BSPC auf den Åland-Inseln – in allen Ostseeanrainerstaaten publiziert werden. Sehen Sie Möglichkeiten, die Veröffentlichung in Fachzeitschriften, auf Internetseiten etc. zu unterstützen?

Ich bitte Sie, dieses Schreiben an die fachlich zuständigen Referate weiterzuleiten, und wäre für eine Durchschrift Ihrer Antwort an die zuständige Mitarbeiterin in der Landtagsverwaltung, RegDir Jutta Schmidt Holländer, LE (jutta.schmidt-hollaender@landtag.ltsh.de), tel 0431 988-1159 dankbar.

Mit freundlichen Grüßen



Kiel, 02.07.10

Draft Political Recommendations from the WG CS/T to the 19th BSPC Resolution

/Call on the Governments in the Baltic Sea Region, the CBSS and the EU, /

/regarding trafficking in human beings, to/

(i) sign, ratify and accede, for those countries that have not already done so, to all relevant international conventions, protocols and decisions, such as the Trafficking in Persons Protocol ("The Palermo Protocol"), the Council of Europe Convention on Action Against Trafficking in Human Beings, and other international agreements; consequently, national legislation and administration of justice should, where necessary, be reviewed and amended in order to ensure conformity with international conventions and protocols and to enable legislation that criminalizes all chains of trafficking in human beings;

(ii) recognize that trafficking in human beings is an international cross-border crime that requires international cooperation and concerted action across borders, but also that the actual exploitation of victims is perpetrated locally and therefore should be fought by enhanced local plans and resources, including efforts to curb the demand for sexual services from victims of trafficking;

(iii) allocate sufficient, permanent and dedicated funds and resources to, for instance, public authorities, specialized agencies, NGOs, and inter-governmental organizations and projects, such as the CBSS Task Force on Trafficking in Human Beings, in order to maintain the pursuit of persistent and sustained efforts against trafficking in human beings, **for example by measures such as the Nordic Council internal instruction on using only those hotels that can issue a guarantee that they do not engage in any facilitation of selling or buying sexual services;**

(iv) promote the development of an interoperable, coordinated and transparent system for the collection, analysis, exchange and dissemination of information on trafficking in human beings, in order to enhance the understanding of the problem, develop adequate measures against it, **improve the capacity to identify victims of trafficking**, support investigation and prosecution of trafficking cases, and provide best possible assistance to victims of trafficking;

(v) ensure that a victim-centered approach is adopted in all measures and actions against trafficking in human beings, meaning that trafficking is exploitation irrespective of where it takes place or what form it takes, that the human rights of trafficked persons should be at the centre of all efforts against trafficking, that victims should be protected, assisted and empowered, and that victims and relatives of victims should receive unconditional assistance regardless of their status, their willingness to participate in criminal proceedings against traffickers or the kind of exploitation experienced;

(vi) promote and support the development of the operational capacity to fight trafficking in the field; efficient cooperation models should be developed both between relevant state actors - such as the police, prosecutors, social welfare authorities and migration authorities - and with NGOs, in order to strengthen the chain of assistance **and protection of witnesses**, victims and relatives of victims and to increase the number of convictions of the perpetrators.

BSPC working group on Civil Security / Trafficking

Are you supporting human trafficking?

Human trafficking is often associated with women who, through coercion or promises of work, are sold across national borders and forced to prostitute themselves. This is not a distorted picture, but the victims of human trafficking – or slavery as it should perhaps more tellingly be called – not only find themselves in unsavoury surroundings that are far removed from the lives of ordinary people. They also include women, men and children who function as slaves in our private homes – as cleaning ladies, labourers and gardeners. They are exploited in the restaurants where we eat and the hotels where we sleep. They are sold as factory workers and agricultural labourers, as beggars and illegal adoptees or as organ donors.

People can be sold again and again

There is a simple reason for this. On the one hand there is a demand for cheap labour and sexual services, and on the other hand there are people with poor living conditions and no or little hope for the future. This market is exploited by criminals who lure or coerce their victims into slavery. They take advantage of people who have little or no opportunities to provide for themselves and their family. These less-fortunate people are exploited by more-fortunate people in prosperous as well as less-prosperous countries. People are sold on an equal footing with drugs and weapons but unlike drug and weapon, where profit can only be made once, victims of trafficking can be sold again and again. And this is the brutal perspective that makes human trafficking such an extremely lucrative business with a very high profit margin. At the same time, there is little risk of the people responsible being caught and punished, which is why human trafficking is one of the most rapidly-growing types of criminality, not only in the Baltic region and Europe, but also in a global context.

A local and an international problem

International organisations have released estimates which indicate that there are approximately 2.5 million people who are victims of human trafficking worldwide. But it is difficult to provide a precise picture of the extent of human trafficking. This is partly because it is a question of organised criminality which, in the nature of the case, is covert, and partly because there is no systematic and comparable collection of data.

Just as the victims of human trafficking not only end up far removed from ordinary people's everyday lives, trafficking is not only something that involves crossing borders where people are exported. People are also sold within the borders of our countries. The problem is thus local and international and must therefore be placed high on the political agenda at both levels. It is not enough to leave the problem to international organisations. Human trafficking is very much a local problem, and we all have to help fighting it by making sure that we are not contributing to the exploitation in one way or the other. We must demand that we are not serviced by victims of trafficking in hotels and restaurants, and we must make sure that the food we are buying is not produced by victims. In other words, we all need to be better at identifying the victims of trafficking and act accordingly.

Agreement across borders and parties

Human trafficking was a focal point at the 2009 annual Baltic Sea Parliamentary Conference. The working group that was set up at the conference has since drawn up a list of political recommendations designed to combat human trafficking. The grave nature of the subject has made it possible for the working group to reach agreement on these recommendations across

countries, regions and political parties. When the Baltic Sea Parliamentary Conference meets in the Åland Islands from 29-31 August it is expected to result in a resolution with recommendations addressed to the governments of the Baltic Sea States and the EU Member States. The working group has forwarded six recommendations in connection with this potential resolution.

- All countries are called on to subscribe to all relevant international conventions, treaties and decisions and adapt their national legislation in order to criminalise all aspects of human trafficking.
- The countries must recognise that human trafficking is international criminality that requires international cooperation to combat. At the same time victims are exploited locally so it must also be combated locally.
- Countries must earmark adequate, permanent, goal-oriented funds and resources for the public authorities, NGOs, international organisations and projects such as the Baltic Sea Task Force against Trafficking in Human Beings.
- Countries must strive to develop and coordinate data collection on human trafficking in order to heighten understanding of the problem, to develop appropriate measures against human trafficking, support research and legal proceedings and provide victims of human trafficking with the best possible support.
- Countries must strive to ensure that the focus is always on victims. Human trafficking is exploitation irrespective of where it is practiced and which form it takes. Human rights must constitute the core of these measures.
- Countries must strive at operational level to develop efficient methods and models to ensure that the relevant national players and NGOs help victims and their relations and to increase the number of convictions of the criminals and exploiters behind human trafficking.

Human trafficking is an issue that concerns us all, irrespective of where we come from and which political beliefs we have. We have a duty to act as private individuals and at political level. We must demand that the exploitation of women, men and children who have been sold into slavery is not part of our daily lives. We have shown in the working group that it really is possible to set out common goals across the political spectrum. It is now up to the governments of the Baltic Sea States and EU Member States to commit themselves to the attainment of these common goals.

FACT BOX:

- The Baltic Sea Parliamentary Conference (BSPC) comprises members from national and regional parliaments in the Baltic Sea States.
- A decision was made at the 2009 conference to set up a working group comprising politicians from parliaments which, across national borders, regions and political parties, would come up with joint political recommendations designed to combat human trafficking.
- The Baltic Sea Parliamentary Conference will hold its annual conference in the Åland Islands from 29-31 August. It is expected in this connection that a resolution which will

help to combat human trafficking, among other things, will be adopted. The working group has submitted six recommendations to the governments of the Baltic Sea States and EU Member States.