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ENPATES

**European NGOs Platform
against Trafficking, Exploitation and Slavery**

HOME/2009/ISEC/AG/032

CHARTER

of the ENPATES Platform

CHARTER

on principles, objectives, activities, membership, structure and functioning of the *ENPATES Platform*

ENPATES is the *European NGOs Platform against Trafficking, Exploitation and Slavery*.

The partners of the *ENPATES Platform* are Non Governmental Organisations (NGOs) from within and outside of the European Union, committed to: protection of rights of trafficked and exploited persons; prevention of all forms of human trafficking and tackling its root causes.

The partners of *ENPATES* strongly believe that cooperation and interaction with relevant institutions and agencies is needed to promote comprehensive, consistent and effective anti-trafficking legislation, policies and interventions nationally, in Europe and globally. Any action taken should be multi-disciplinary and multi-agency; responsibilities should be shared and based on the principle of accountability. Moreover all policies and interventions should be implemented in line with human rights and with gender, age, cultural, non-discriminatory and migrant rights sensitive approaches.

Background

In the past twenty years, extensive experience and expertise was developed in the anti-trafficking field and NGOs have played a fundamental role in this development. Despite this, the need persists to build further and strengthen the NGO's capacity to coordinate programming and positioning before the national, European and international institutions and to develop comparable methods for analysis. Moreover, operational coordination in protection of trafficked persons needs enhancing, especially through more structured information exchange and further improvement of co-operation procedures among NGOs themselves as well as between NGOs and other stakeholders.

In order to respond to these needs, in 2009 On the Road (Italy), La Strada International, Anti-Slavery International (UK), ALC (France), ACCEM (Spain), ADPARE (Romania), LEFOE (Austria), KOK (Germany), PAG-ASA (Belgium) came together to design a common plan of action and since July 2010 have been implementing the *ENPATES* project, *European NGOs Platform against Trafficking, Exploitation and Slavery*, with the support of the European Commission's "Prevention of and Fight against Crime Programme (ISEC)".

The project serves as a conduit to establish *ENPATES* as a wide, stable and flexible Pan-European Platform for NGOs aimed at addressing the above needs and to focus on anti-trafficking policies and strategies.

Basic principles in approaching trafficking and related issues

Human trafficking is an unacceptable abuse of fundamental human rights, an affront to human dignity and a serious crime. It is a complex international phenomenon and as such needs to be addressed with a global, comprehensive approach.

Human trafficking has to be understood and addressed in all its forms, for the purpose of exploitation in different labour sectors, including the often non-regulated sectors, like sex work and domestic work, or forced labour for begging or forced criminal activities (such as petty crimes, drug crimes and other unlawful

activities), trafficking for illegal removal of human organs tissues and cells, trafficking into marriage. It needs to be recognised that human trafficking is a dynamic phenomenon, where new forms are constantly emerging. All trafficked persons should be given access to protection and the promotion and restoration of their rights should be at the forefront of any anti-trafficking policy or programme.

In order to effectively tackle trafficking in human beings, it is necessary to consider links with related phenomena and to address the root causes of trafficking, including but not limited to:

- Restrictive migration policies that make migrants vulnerable to human trafficking;
- Marginalization and discrimination against migrants and specific groups (ethnic and other minorities);
- Economic inequality among countries and regions in the world;
- Changes and informalisation in the global and local labour markets causing growing demand for cheap and exploitable labour;
- Gender-related violence and the feminization of poverty;
- Social exclusion and lack of equal opportunities for certain groups (women, ethnic minorities etc.).

The *ENPATES Platform* strongly emphasizes the adoption of a human rights approach as a paramount to all anti-trafficking efforts. The *ENPATES Platform* seeks to ensure the implementation of the provisions and recommendations contained in relevant international and European instruments that are in line with the human rights approach.

Recognising the above, the *ENPATES Platform* partners commit themselves to the following fundamental principles:

- Trafficked and exploited persons' rights at the centre of any anti-trafficking action;
- Independency of NGOs and fulfilment of their "watchdog" role;
- Transparency and accountability of participating NGOs;
- Respect for and openness towards the *ENPATES* partners and the stakeholders they engage with.

With regards to the assistance provided to trafficked persons, the *ENPATES Platform* partners consider the following principles and guidelines of fundamental importance:

- Assistance and protection have to be provided to any trafficked or presumed trafficked person irrespective whether they decide to cooperate with the investigative authorities. Trafficked persons should also be granted access to residence permits assisted with social inclusion.
- All assistance and social inclusion services have to be provided on a voluntary basis, in a non-discriminatory and non-judgmental manner and in compliance with international human rights norms. Above all, respect for privacy, confidentiality, self-determination and freedom of movement must be ensured. Empowerment of trafficked persons and their participation in determining assistance and social inclusion programmes is crucial and should be ensured by all involved actors.
- Anti-trafficking strategies should not criminalise sex workers, undocumented migrants or other groups such as beggars. A clear distinction should be drawn between human trafficking and other issues, such as prostitution or begging; anti-trafficking measures are not a tool for suppressing awkward and controversial social phenomena and should focus on the rights of vulnerable people addressing specific exploitative situations in which people are enslaved.

ENPATES objectives and activities

ENPATES aims at developing effective strategies and coordination among NGOs in Europe, in order to contribute to the promotion and protection of the human rights of trafficked persons, to the fight against human trafficking in all its forms and to improved understanding and tackling of its root causes.

Specific ENPATES objectives:

- To increase European knowledge and analysis based on trafficking and anti-trafficking policies and practices;
- To set up a stable system for exchange of good practice and for operational co-operation among NGOs and other relevant agencies in the fields of prevention, assistance and referral;
- To bring the local concerns to an international/global level;
- To give voice also to small NGOs and all represented countries;
- To use the Platform as a tool to influence at international level, as well as to support NGOs at national level for lobbying and advocacy purposes;
- To contribute to the promotion of consistent and effective national and European anti-trafficking legislation, policies and interventions based on a human rights and a migrant rights, gender, age, and cultural sensitive approach and with a multi-agency, holistic, and integrated perspective.

The *ENPATES* Platform is shaped by proposals of partner NGOs based on their identified needs. The Platform provides a framework for analysis and action and helps to orient policy, strategies and programming in responses to human trafficking.

Activities of the *ENPATES Platform* include:

1. Information exchange between European NGOs (about the phenomenon, policies, practices, events and relevant initiatives);
2. Facilitation and improvement of contacts and coordination of actions among organisations providing assistance to trafficked persons (e.g. legal, social, health and general assistance services);
3. Facilitation of networking between NGOs according to their needs (e.g. project partnership building, advocacy and lobbying, mainstreaming of policies and good practices, capacity building etc.);
4. Collection and dissemination of analyses, knowledge and information about trafficking in human beings, exploitation and slavery in Europe.

Information and communication tools of the Platform include the *ENPATES* website www.enpates.org and a NING professional network.

ANNEX

Membership, structure and functioning of the Platform

Membership

The *ENPATES Platform* consists of the NGOs that share this Charter and whose membership application is approved by the *ENPATES Steering Committee*. The *ENPATES Platform* will seek representation at European and international fora and possibly cooperate with or join other networks.

Structure and functioning

The *ENPATES Platform* is structured as follows:

- the **Assembly**
- the **Steering Committee**

The **Assembly** consists of the *ENPATES* NGOs, with following tasks:

- Providing proposals for and approval of the Platform's Strategic and Operational Action Plan;
- Approval of the annual report of the Platform;
- Election, as from 2013, of the Steering Committee.

The Assembly meets once a year if available resources allow it; otherwise alternative consultation and decision making procedures will be put in place.

The **Steering Committee** is composed, until December 2012, of the representatives of the 9 formal *ENPATES Project* Partner NGOs. Afterwards the member NGOs of the Steering Committee will be elected by the Assembly.

The Steering Committee has following tasks:

- Drafting the Platform's Strategic and Operational Action Plan;
- Direction of the implementation of the Platform's Strategic and Operational Action Plan;
- Finalization of the annual report of the Platform;
- Ensuring sound and transparent financial management;
- Where appropriate, applying for funding in order to maintain and develop the Platform and its initiatives and activities.

Provided available resources allow it, the Steering Committee meets at least once a year. Otherwise alternative consultation and decision making procedures will be put in place. The Steering Committee defines its own functioning procedures and tools.

Strategic and Operational Planning and Implementation

The *ENPATES Platform's* general priorities and guiding principles contained in this Charter are the basis for the activities of the Platform. Substantial changes in this Charter will be possible only if approved in the Assembly by the majority of member NGOs (through factual or virtual consultation).

The activities are further defined and updated up to December 2012 through the executive plans of the Work Packages of the *ENPATES Project* funded by the EC and afterwards through the approval of the biennial Strategic and Operational Action Plan.

Every two years, based on the active input of the *ENPATES* NGOs, the Steering Committee brings for approval to the Assembly a Strategic and Operational Action Plan in which priorities, objectives, consequent activities and tasks are set in order to be implemented in the following two years. The Strategic and Operational Action Plan is directed by the Steering Committee and implemented also through the participation of the *ENPATES* NGOs.