

## **Statement on Human Trafficking and EU initiatives;**

by Barbara Lochbihler, Member of the European Parliament, at Alice Salomon Hochschule Berlin, July 2010

Thank you for inviting me to come once again to the Alice-Salomon-Hochschule, this time to the Europe institute for social work.

You are participants from very different backgrounds, having theoretical or practical experience in working against human trafficking or helping victims. I, being a social worker by profession but without practical experience in working with victims of human trafficking, can share with you what we in the European Parliament have been doing on that issue within the last year. And currently the EP is working on a further report in the LIBE committee on human trafficking, which will be in plenary in autumn this year.

Perhaps from the discussion later I look forward to take some recommendations with me to include in this work.

### Human Trafficking and EPs Initiatives against it

Human Trafficking is an old phenomenon, in earlier times it has been called slavery. And still much of the history of the slave trade is not known.

Maybe you saw the interesting bookreview in the German newspaper Sueddeutsche Zeitung from Monday on the slave trade from Africa to the Arab countries.

If you work in the area of human rights, on such violations like torture, you are overwhelmed sometimes by the slow progress

made to get to the eradication of this crime. And often you hear the comparison: don't become depressive, if you think in historical terms, than you have to acknowledge that even such a human shame and scandal like slavery has been abolished, after so many years of fighting and campaigning against it.

Yes, in fighting slavery international consensus was achieved and international legal instruments were formed. But still today, even in Europe, we see and speak about human trafficking as a form of "modern slavery". And also international consensus is reached to fight it, to address it on international level. Those Conventions and Declarations may not explicitly name human Trafficking but they name state obligations, if implemented could facilitate the fight against human trafficking. And there are international instruments that explicitly focus and name human trafficking.

At the end of my presentation I will hand out to you the EPs resolution from 10 February 2010 on preventing trafficking in human beings. This resolution starts with a long list of Conventions, Declarations, Reports and decisions alike, from the UN and EU level. So I don't read them out to you now.

The list of international decisions to combat human trafficking is impressive.

And it is accompanied by many initiatives of NGOs (some you have as resource persons in your seminar), Institutions, etc. that took and take action to inform about and to fight human trafficking.

But equally impressive as well is the broad lack of awareness about human trafficking today within Europe. The trade with people and forced labour in Europe is something which is less present in the mind of an average European. The European Commission has called the 18th October the Anti-Trafficking-Day to raise public awareness for this problem and also to stimulate interdisciplinary discourses. But as far as I can see

this, still it has not been achieved to have a Europe wide awareness or even in individual member states. Much, much more has to be done to get massive public awareness about the problem in order to form and strengthen political will to change it.

Human trafficking is one of the boom-areas of the organized crime in Europe, with a trend of increasing. There are no exact figures. It is estimated that hundreds of thousands of people are trafficked into the EU or within the EU.

In 2001 the EU spoke about 120.000 people being brought into forced labour like situations;

in 2008 about hundreds of thousands;

The annual world wide profit of this "Business" is estimated to be 32 Billion US Dollar a year. Beside the arms trade and trade with drugs, human trafficking is one of the most profitable criminal businesses worldwide.

EUROPOL, as well as police-estimations of many EU member states see human trafficking as one of the fastest growing criminal markets/businesses.

In many places in Europe special profitable markets have developed:

- around 100.000 Chinese workers are supposed to work in Paris under slave like working conditions
  - every third forced prostitute in Italy comes from Nigeria
- and there are more such examples.

The overwhelming majority of victims of human trafficking in Western Europe or to the US are women who are trafficked to be sexually exploited and are coming from Eastern European countries.

Other branches of human trafficking develop as well:  
force labour in domestic households  
the sweatshop industry  
construction business  
and in the agriculture sector.

A very profitable business and this raises the question: who pays for it?

They are those who believe the agents of this markets to find a job and end up with being extremely exploited, are facing forced labour, often being heavily indebted.

In addition the use and threat of violence hinders the victim to find enough strength to come out of this desperate situation.

Now let me take a closer look at the initiatives the EP took:

Parliament Resolution:

Members recall that the EU legal framework on trafficking is currently based mainly on: [Framework Decision 2002/629/JHA](#) and [Directive 2004/81/EC](#).

However, experience shows that this legal framework is neither sufficiently effective nor implemented adequately, and that the EU must consequently take stronger action.

Parliament calls on the Council and Commission

to develop **action against trafficking in human beings on the basis of a holistic approach** centred on human rights and focusing on combating trafficking, prevention, and protection.

EP wants a **victim-focused approach**, meaning that all potential categories of victim must be identified, targeted and protected, with special attention being given to children and other at-risk groups.

EP suggest the **establishment of an EU anti-trafficking coordinator** to coordinate EU action and policies in this field – including the activities of the network of national rapporteurs – and reporting to both the EP and the Standing Committee on Operational Cooperation on Internal Security (COSI).

**Information gathering:** Council and the Commission should take action with a view to the annual publication of

**a joint report by Eurojust, Europol and Frontex**, to be presented to Parliament and the national parliaments as well as the Commission and the Council.

This **joint report should help to get a better understanding** of several issues, inter alia:

(i) root causes and factors in countries of origin and destination that facilitate trafficking in human beings;

(ii) travel routes, and local circumstances in destination countries that are conducive to use of the services

performed by trafficked human beings, and different forms of exploitation (sexual exploitation, labour exploitation, organ trafficking, child trafficking, including for the purpose of exploitation by travelling sex offenders, the production of abusive sexual images of children, and other forms of exploitation.

### **Prosecution:**

EP demands a comprehensive legal framework, including policies to counter cybercrime connected to trafficking, to be adopted as soon as possible.

Certain elements should be included in drafting any future proposal for a legislative instrument:

- the level of penalties and sanctions for those – including legal persons – who profit from trafficking in human beings should reflect the seriousness of the crime and have a dissuasive effect, and trafficking in children should be particularly severely punished;
- further action should focus on victims' protection – with due consideration for the situation of children and women
  - by, inter alia, ensuring that assistance to victims is unconditional, that a victim's consent to exploitation is always irrelevant and that victims are entitled to assistance irrespective of their willingness to cooperate in criminal proceedings;

Important:

### **Protection and assistance for victims:**

The EP calls on Frontex and national border-control agencies, in the course of their activities, to **define common practices** in order to raise their staff's awareness of the issue of trafficking and to identify victims of trafficking and ensure their protection.

This must be a priority in EU actions in this field. Victims need to receive all possible help from the moment they are identified as such, including:

- access to at least a **temporary residence permit**, irrespective of their willingness to cooperate in criminal proceedings, and simplified access to the labour market, including the provision of training;
- Victims need access to **appropriate secure accommodation and specialist support services**, including the provision of a food/subsistence allowance, access to emergency medical treatment, access to counselling services, translation and interpretation where appropriate, help contacting family and friends, and access to education for children;
- a **simplified family reunification policy** for victims, particularly where this is required for their protection.

Lastly, Parliament calls for victims to be given professional help, including **free legal aid** (which is essential to enable them to escape the situation of coercion in which they find themselves), bearing in mind that they lack financial means and would thus be unable to pay for such assistance.

Coming to the end:

The EU needs to have a coherent policy and a coordinated strategy. Human trafficking leads to countless human rights violations; it feeds criminal structures, and creates parallel worlds. All this create a real challenge for the EU, as it undermines the common principle of the rule of law and the human right, both basic values of the European Union. This will guide our work on the report on human trafficking that will be in the plenary in autumn this year.