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| from : | General Secretariat of the Council |
| to : | Delegations |
| Subject: | Summary of the plenary session of the European Parliament, held in Strasbourg on 19 April 2012 |

Trafficking in human beings - Council and Commission statements

Speaking on behalf of the Council, Minister Bødskov said that trafficking in human beings could not be dealt with solely at national level as it was a cross-border phenomenon. It was therefore important to ensure coordination of European efforts. The EU directive on preventing and combating trafficking in human beings was therefore an important tool. Minister Bødskov said that the directive set out minimum rules, which meant that Member States were able to adopt rules which were more extensive. He outlined the mechanisms and entities created by the directive, placing particular emphasis on the national and EU coordinators and their tasks. Minister Bødskov welcomed the appointment of the EU coordinator and his work. He also drew attention to the appointment of national rapporteurs and the establishment of an EU network of national rapporteurs. Minister Bødskov explained that the network, coordinated by the Council Presidency in coordination with the Commission, aimed at improving the understanding of the phenomenon of trafficking in human beings and collecting reliable information.

On behalf of the Commission, Ms Malmström, delivered the speech set out in the Annex.

For the political groups, the following speakers took the floor:

- Ms Bauer (EPP, SK) said that the directive was welcome but could not be considered as the end stage. She welcomed the move to greater inter-institutional cooperation but also pointed out a number of shortcomings including the issues of temporary work permits for victims, and the mainstreaming of the fight against trafficking in human beings in all EU policies, in particular development policy.
- Ms Hedh (S&D, SE) also welcomed greater the inter-institutional cooperation in this area. She considered that the directive took a realistic approach and welcomed its implementation. She recalled that the large majority of victims were women (sex slaves) and insisted on the need to fight the demand at its source.
- Ms Parvanova (ALDE, BG) considered that Member States still needed to adopt concrete measures in order to end this phenomenon. She hoped that the directive would be implemented both effectively and in time and, combined with the Commission strategy, lead to improved cooperation in the EU. She defended the view that the European coordinator should have all the means available to coordinate actions. Ms Parvanova also pointed out the importance of the root causes of trafficking and called for gender awareness campaigns.
- Ms Sargentini (Greens/EFA, NL) also highlighted out the issue of residence permits, which was directly related to the protection of victims. She said that temporary permits were not appropriate as victims of trafficking could be sent back. She therefore asked that their legal status be ignored and legal protection given in all cases.
- Mr Nicholson (ECR, UK) said that trafficking in human beings was a modern form of slavery and was growing steadily. He outlined the situation in his region and said the very limited number of legal sentences showed that there was still a long way to go. He welcomed the Commission statement and considered that the most important tool for fighting this crime was tougher sentencing of the perpetrators of human trafficking.

- Mr Ziobro (EFD, PL) stressed that the majority of victims were women, who were forced into prostitution and became slaves. He considered that sometimes the phenomenon had been deliberately ignored and that it was time to put a stop to it. Focus should therefore be on the fight against organised crime and ensuring severe judicial consequences for the perpetrators. He placed special emphasis on the need to coordinate actions at the EU level and achieve concrete results.
- Mr Gustafsson (GUE/NGL, SE) focused on sexually exploited women and girls, pointing out the methods used. He defended the view that support for victims had to be increased and that prostitution should be banned by law, as was already the case in some countries. He admitted that this would however require a degree of political courage.

The individual interventions by Members largely mirrored the earlier statements and Members unanimously condemned the phenomenon of trafficking in human beings. Several Members mentioned the need to focus more on prevention and others referred to the root causes which needed to be tackled. Some Members stressed the particular vulnerability of children and asked for tougher sanctions in that respect. A number of Members underlined the importance of full implementation of the directive by Member States. More generally, some Members insisted on the need to adopt concrete measures and ensure enhanced cooperation between all those involved.

In her closing statement, Commissioner Malmström said that trafficking in human beings constituted modern slavery in Europe, which was very profitable organised crime. She assured Members that the Commission would assist Member States in implementing the directive. On the issue of resident permits, she reported that not all Member States had made full use of them. She outlined the key elements of the five-year strategy which the Commission would adopt in spring or summer this year. Minister Bødskov said that trafficking of human beings was a serious issue and that further efforts were needed. He reassured Members that the Council would work to follow up on the directive and more generally on the fight against trafficking of human beings. He said that the Presidency looked forward to the new Commission strategy. Minister Bødskov concluded by saying that he welcomed the good cooperation with the Parliament and that he was looking forward to new initiatives.

Speech by Commissioner Malmström, Strasbourg, 19 April 2012

Madam President, I think this is a very good opportunity to discuss this matter. Trafficking of human beings is a horrible crime. It goes on today, it affects millions of people – young children, women, men – and it is a shame. It is unacceptable that today, in 2012, this modern slavery still goes on.

I think – or rather I know – that the European Parliament has pursued this issue for many years, and some Member States have been very quick to engage in these issues, while others have taken a little more time. However, I think it is fair to say that today everybody is very committed – Member States, the Commission, Parliament – to fighting this horrible violation of human rights. It is a priority for all of us, and it is very important for me personally.

The directive to which the Presidency was referring and which was the subject of your oral questions is very important for preventing and combating the problem, as well as for protecting the victims. It is a reflection of our joint commitment. It has a comprehensive and integrative approach. It is centred on the protection of victims and on human rights. It is gender-specific and does not only focus on repression but aims to prevent the crime and to ensure that the victims of trafficking are given the opportunity to recover and be reintegrated into society.

It brings robust provisions to deliver protection, assistance and support for victims. It asks for instance, the Member States to ensure that all victims are dealt with on the basis of an individual risk assessment. Additionally, the Member States should establish appropriate mechanisms to identify, assist and support the victims in cooperation with different support organisations.

There are special provisions concerning children who are victims of trafficking. The Member States are obliged to appoint a guardian or a representative for each child victim and always to take into consideration what is best for the child.

Regarding prevention, we fully share your concern on the need to put in place concrete preventive measures. The Member States are obliged to take measures to discourage and reduce the demands that foster all forms of exploitation. We also foresee the inclusion of a study on demand and supply in our upcoming communication on the strategy, with a view to better understanding the roots and causes of trafficking.

The need for preventive actions in addressing the role of the Internet in recruitment, as well as in advertising services, was repeatedly brought up during the consultation with stakeholders when elaborating the strategy. The strategy which we are currently in the process of writing will therefore consider the best ways to reflect on the Internet.

As regards the gender dimension, women, men, boys and girls can all become victims of trafficking. However, victims of trafficking are affected in different ways and to different degrees, so Directive 2011/36/EU and the Strategy for Equality between Women and Men should mainstream a gender-specific approach in all areas of human-trafficking policy and legislation, reducing vulnerability to trafficking and responding to victims' needs.

The Directive is a great achievement, and our focus now must be on transposition and implementation. The commitment of the Member States' governments to enacting national legislation that would give full effect to the provisions is fundamental, and the Member States have one year left fully to transpose the provisions. In order to assist them – as has been mentioned – there is an informal contact group on the Directive. It brings together experts on the transposition of the Directive at national level. During these meetings, Member States can discuss questions related to this process that they consider important, and the European Parliament is invited to participate in these informal meetings.

In this context, we welcome the joint United Nations commentary on the Directive and its strong focus on human rights. The commentary is a positive exercise by the United Nations' agencies to combine the previously-adopted UN and Council of Europe legislation with the implementation of the EU Directive. It places EU policy in a global context, and this is crucial for consistency, as we are discussing a global phenomenon.

You asked about the national rapporteur or equivalent mechanism. The Directive obliges Member States to set up these mechanisms. They will be responsible for the assessment of trends and measuring the result of the anti-trafficking actions: statistics, reporting, etc. Some Member States already have this in place, and others are now in the process of setting it up. The Commission will discuss, within the informal network, how best to implement this provision, and this will also be a question to be discussed in the contact group.

Let me inform you that the third group of experts on the trafficking of human beings was appointed by the Director-General of DG Home Affairs, Mr Manservisi. The call for experts was an open call, and the selection was made by a committee which ensured the presence of different specialisations and areas of expertise, as well as a geographical and gender balance. This group of experts included many human rights and gender experts, and they will feed into the Commission policies, advise us on policies and initiatives related to trafficking issues, help us to assess policy and assist us in identifying measures to be taken. Overall, this group of experts is a forum for the discussion of all issues relating to the trafficking of human beings.

The anti-trafficking coordinator, Mrs Vassiliadou, took up her mandate a year ago. The Commission is in the process of providing additional staff for her in order to support her and ensure that she can fully exercise her tasks and priorities. She has been working on making anti-trafficking policies more coherent, such as by mainstreaming the issue indifferent policy strands and ensuring coordination between the different actors.

Partly in order to ensure transparency, the anti-trafficking coordinator will have to contribute to the Commission's biennial reporting on the progress made in addressing trafficking in human beings. In order to evaluate this process, as stated in your resolution on the prevention of trafficking in human beings, there is a need for better information gathering.

Last year, the Commission sent out a questionnaire to the Member States to collect data on the trafficking of human beings at EU level. We have received replies from everybody. A general overview of the data will be integrated into the strategy on which we are currently working, and the Commission will most likely be able to publish a separate analysis of this later this year.

As you know, the Commission funds many projects aimed at preventing trafficking both within and outside the EU. Some projects address the root causes: for example, there is a project in Kosovo that aims to raise awareness amongst the most vulnerable groups in rural areas of Kosovo. More information on this project and others is available on the anti-trafficking website.

We have an action-oriented paper aimed at strengthening the commitment and the coordinated action of the EU and Member States against trafficking in human beings. This will be done in partnership with third countries, regions and organisations at international level. The Commission has established an inter-service group on trafficking of human beings shared by the anti-trafficking coordinator. This group brings together diverse policy areas such as migration, asylum, development cooperation, trade, employment and gender policy, to name but a few. Coordination is one of the main objectives here, and that was the objective of last year's anti-trafficking day, which resulted in a joint statement from seven agencies on ensuring future cooperation on trafficking between them.

Much has been done and much is prepared. The strategy will be presented later this spring or just before the summer. I will be happy to come back and talk about this specific strategy once it is ready, but I would like to thank you for your strong commitment, for your engagement and for urging the Commission and the Member States never to give up on this and to make sure that we do everything possible to eradicate this horrible form of modern slavery.
