



Procedure file

Basic information		
INI - Own-initiative procedure	2006/2078(INI)	Procedure completed
Fighting trafficking in human beings, an integrated approach and proposals for an action plan		
Subject 7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		13/10/2005
		PPE-DE BAUER Edit	
	Committee for opinion	Rapporteur for opinion	Appointed
	AFET Foreign Affairs		30/05/2006
	PPE-DE COVENEY Simon		
	EMPL Employment and Social Affairs		01/02/2006
		Verts/ALE LAMBERT Jean	
	FEMM Women's Rights and Gender Equality (Associated committee)		24/04/2006
		ALDE ROBSAHM Maria	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2768	04/12/2006
European Commission	Commission DG	Commissioner	
	Justice and Consumers	FRATTINI Franco	

Key events			
14/11/2005	Non-legislative basic document published	B6-0613/2005	Summary
06/04/2006	Committee referral announced in Parliament		
15/06/2006	Referral to associated committees announced in Parliament		
05/10/2006	Vote in committee		
24/10/2006	Committee report tabled for plenary	A6-0368/2006	
15/11/2006	Debate in Parliament		
16/11/2006	Results of vote in Parliament		
16/11/2006	Decision by Parliament	T6-0498/2006	Summary
16/11/2006	End of procedure in Parliament		
04/12/2006	Debate in Council	2768	

Technical information	
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Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 134o
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/35279

Documentation gateway					
For information		COM(2005)0514	18/10/2005	EC	
Non-legislative basic document		B6-0613/2005	14/11/2005	EP	Summary
Committee opinion	EMPL	PE369.883	26/06/2006	EP	
Committee draft report		PE374.493	28/06/2006	EP	
Amendments tabled in committee		PE376.604	23/08/2006	EP	
Committee opinion	FEMM	PE376.340	11/09/2006	EP	
Committee opinion	AFET	PE376.459	02/10/2006	EP	
Committee report tabled for plenary, single reading		A6-0368/2006	24/10/2006	EP	
Text adopted by Parliament, single reading		T6-0498/2006	16/11/2006	EP	Summary
Commission response to text adopted in plenary		SP(2007)0054	11/01/2007	EC	
Commission response to text adopted in plenary		SP(2007)0079	05/02/2007	EC	

Fighting trafficking in human beings, an integrated approach and proposals for an action plan

PURPOSE: to present a proposal from the European Parliament, in particular Mrs Barbara KUDRYCKA on behalf of the EPP-DE Group pursuant to Rule 114(1) of the Rules of Procedure, to the Council on fighting trafficking in human beings proposed by the Commission in its communication COM(2005)0514.

CONTENT: in her proposed recommendation, Mrs KUDRYCKA:

- invites the Council to convert human trafficking from a 'low risk ? high reward enterprise for organised crime' into a high risk ? low reward one. Law enforcement must use all the resources and capacity available to enforce the prohibition of human trafficking, to deprive it of any economic advantage and, where financial gain has been made, to seize and confiscate any assets. The investigation of human trafficking should be afforded the same priority as other areas of organised crime in that specialist investigative techniques and disruption strategies should be employed;
- calls for Member States to speed up the transposition of Directive 2004/81/EC and take into consideration the recently concluded Council of Europe Convention on Action against Trafficking in Human Beings;
- calls for Member States to ensure that the necessary organisational structures, specialised personnel and adequate financial resources for their law enforcement authorities are made available. Member States should ensure that national law enforcement agencies regularly involve Europol in the exchange of information, in joint operations and joint investigative teams and use the potential of Eurojust to facilitate the prosecution of traffickers;
- invites Member States and the Commission to strengthen political dialogue with third countries bilaterally and multilaterally on the human rights dimensions of anti-trafficking policies and continue to raise the issue in relevant regional and multilateral forums;
- calls on the EU to recognise the importance of taking forward a human rights and victims-centred approach.

In addition, the rapporteur calls for Member States to ensure that the human rights of victims of trafficking are protected fully at all stages in the process.

Lastly, regional solutions to prevent trafficking in human beings and to ensure the safe return and reintegration of victims are essential. Member States and the Commission should continue to promote regional initiatives that complement and inspire EU-wide cooperation (inter

alia the Nordic Baltic Task Force against Trafficking in Human Beings, the Southeast European Cooperative Initiative, the pan-European Budapest Process, the '5+5 dialogue' between the Western Mediterranean countries, the Mediterranean Transit Migration Dialogue and other forums/organisations).

Fighting trafficking in human beings, an integrated approach and proposals for an action plan

The European Parliament adopted a resolution based on the own-initiative report by Edit Bauer (EPP-ED, SK), and called for a new EU strategy to fight trafficking in human beings. It considered that measures taken so far to reduce trafficking in human beings had not yielded results in the form of a reduction in the number of victims. On the contrary, trafficking in human beings was the fastest-growing criminal activity in comparison with other forms of organised crime in the EU. Parliament called on the Commission and Council to adopt an action plan to prevent and combat this criminal activity. Parliament addressed a series of recommendations to Council on the legal framework and enforcement of the action plan and laws related to trafficking, on preventing and reducing demand and on protecting victims.

Trafficking in human beings must be tackled by means of a coherent policy approach (migration, gender, employment, social, development, external, neighbourhood and visa policy) and consequent criminalisation, at least reaching the standards of EU legislation in accordance with Framework Decision 2002/629/JHA. Since trafficking in human beings was committed not only for the purpose of sexual exploitation, but also for labour exploitation, illegal adoptions, forced domestic servitude and selling organs, this indicates that fighting trafficking must go far beyond fighting forced prostitution and take all related forms of exploitation and oppression into account.

Parliament took the view that extremely severe penalties must be imposed on companies found to have been employing cheap labour supplied through human trafficking, particularly where the companies concerned have been acting fraudulently. Member States should better control the activities of labour agencies and agencies for recruitment of seasonal workers, and the Council should consider the networking of national labour inspections.

On methods of reducing demand, Parliament felt that discussion of trafficking in human beings should form part of education in schools and address the reduction of social and gender inequalities. The provision of information to the public and the raising of public awareness of trafficking as an unacceptable crime should be recognised as vital elements in fighting trafficking. The Commission was asked to launch a study on both the causal correlation between Member States' legislation on prostitution and trafficking for sexual exploitation and on the causal correlation between Member States' legislation and policy on migration and trafficking in human beings. In order to ensure the scientific credibility of the study, a standardised data collection method should be implemented so as to assure comparable figures.

Member States were asked to ensure that victims of trafficking were granted short-term residence status, including a reflection/recovery period for victims lasting no less than 30 days, and access to information on the legal and administrative procedures in a language that the victims understood, together with free legal assistance. The Commission and Member States should establish a multilingual hotline with a single European number with the aim of providing first assistance to the victims. Victims of trafficking should not be returned to the country of origin if they might suffer further harm through stigmatization and discrimination, or risk being re-trafficked. Parliament stressed the importance of safe return, reintegration and social inclusion programmes for victims with full respect of victim's rights to safety and privacy, including ensuring that states are responsible for conducting individual risk assessment prior, during and after the return of a victim.

Lastly, as far as child trafficking is concerned, Parliament asked Member States to respect the UN definition of child; i.e. any individual below the age of 18. Special protection measures for children and a child protection policy according to UNICEF Guidelines and Reference Guide should be implemented in both countries of origin and destination, including more street social work, family assistance, building a safety net for children, more information on the risks of unsafe migration, and assisted returns according to the views and best interest of the child.