


# Fiche de procédure

Basic information		
INI - Own-initiative procedure	<a href="#">1994/2220(INI)</a>	Procedure completed
Traffic in persons		
Subject 7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties and Internal Affairs		20/12/1994
		PPE <a href="#">COLOMBO SVEVO Maria Paola</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>FEMM</b> Women's Rights		25/04/1995
		V <a href="#">VAN DIJK Nel B.M.</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">1989</a>	24/02/1997
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">1971</a>	28/11/1996

Key events			
16/01/1995	Committee referral announced in Parliament		
11/12/1995	Vote in committee		Summary
11/12/1995	Committee report tabled for plenary	<a href="#">A4-0326/1995</a>	
18/01/1996	Debate in Parliament		Summary
18/01/1996	Decision by Parliament	T4-0014/1996	Summary
18/01/1996	End of procedure in Parliament		
05/02/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1994/2220(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative

Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/06317

## Documentation gateway

Committee report tabled for plenary, single reading		<a href="#">A4-0326/1995</a> <a href="#">OJ C 032 05.02.1996, p. 0004</a>	11/12/1995	EP	
Text adopted by Parliament, single reading		T4-0014/1996 <a href="#">OJ C 032 05.02.1996, p. 0071-0088</a>	18/01/1996	EP	Summary

## Traffic in persons

The committee unanimously adopted the report by Mrs Maria Paola COLOMBO SVEVO (PPE, I) on trafficking in human beings. The report defined trafficking in human beings as any act or activity which sought to engage a person in prostitution, pornography or degrading work and to keep them there, if necessary by moving that person within or between countries, even with that person's consent, using deceit, threat, coercive or other means; the report therefore proposed that trafficking in human beings be defined as the offence committed by people who, directly or indirectly, help a third country national to enter or remain for the purposes of exploitation, using deceit or any other form of constraint or taking advantage of a situation of vulnerability or administrative uncertainty. The report considered that international cooperation needed to be strengthened between police forces and the judiciary in order to combat this scourge effectively. Despite the fact that trafficking in human beings is not expressly mentioned in Article K.1 under Title VI of the TEU, the report called for joint action to be taken immediately in order to combat this phenomenon. The 1996 IGC should add trafficking in human beings to the matters for which provision was already made under Article K.1 and for which the Community has powers. The rapporteur considered that a common policy to combat trafficking in human beings should aim to prevent, deter and punish and to assist and rehabilitate victims.?

## Traffic in persons

In presenting her report, Mrs COLOMBO SVEVO (EPP, I) referred to the five recommendations that had been adopted on this issue during the previous Belgian Presidency and established a general reference framework that would allow both the Member States and the European Union to adopt specific policies. The rapporteur welcomed a number measures in this area, including the major conference on trafficking in women, which had been organised at the initiative of Commissioner Gradin. Noting that those engaged in organising this form of trafficking ran very little risk, Mrs Colombo Svevo underlined the importance of adopting legislation that would prove more effective in combating these activities. From a legal point of view the report proposed to define the term human trafficking, which was essential, the speaker stressed, in order to identify more clearly those activities that really constituted an offence and to be able to make a clear distinction between the trafficker and his victim. Commissioner Wulf-Mathies thought that more effective collaboration was needed between the Member States in order to make trafficking less profitable. Prevention measures were required, as were measures designed to provide support to the victims. As far as the EU programmes were concerned, the Commissioner referred to meetings that were to be held with the countries of central and eastern Europe and to the conference on female victims of sexual abuse, which was at the preparatory seminar stage. However, Mrs Wulf-Mathies regretted the fact that the Commission had no right of initiative to take action in this area.

## Traffic in persons

Adopting the report by Mrs Maria COLOMBO SVEVO (PPE, I), the European Parliament defined what it understood by trafficking in human beings, i.e. the offence committed by persons who, directly or indirectly, help third country nationals to enter or stay for the purpose of exploitation, using deceit or any other form of constraint or taking advantage of a situation of vulnerability or administrative uncertainty. Parliament considered that international cooperation needed to be strengthened between police forces and the judiciary in order to combat this scourge effectively and called on the Member States to draft specific guidelines to help the police in their investigations. Despite the fact that trafficking in human beings is not expressly mentioned in Article K.1 under Title VI of the TEU, Parliament called for joint action to be taken immediately in order to combat this phenomenon. The 1996 IGC should add trafficking in human beings to the matters for which provision is already made in Article K.1 and for which the Community has powers. According to the European Parliament, a joint policy on trafficking in human beings should aim to prevent, deter, punish and rehabilitate, using the following measures: \* External preventive measures: - the Union should pay particular attention to the specific situation of women and children in its relations with third countries; - Member States should support preventive campaigns in the countries of origin and focus their actions on current possibilities, limitations and rights as far as emigration is concerned; - the police authorities in the Member States should institutionalize their cooperation with developing countries and the CEECs in order to enhance the fight against organized crime and identify the networks and routes used for trafficking in human beings. \* Internal preventive measures: - Member States should investigate the nature and dimension of this phenomenon and its links with organized crime, in order to promote public awareness campaigns. \* Deterrent measures: - Member States should clearly define the concept of trafficking in human beings and make it as a serious criminal offence; - Member States should clearly define "sexual tourism" and cases which qualify as criminal offences and should monitor agencies which offer travel linked with prostitution; - checks on resident and work permits granted to "folk artists", dancers, au pairs girls and chambermaids should be stepped up, as should monitoring of bars, cabarets, etc., and suitable regulations should be introduced for theatrical and matrimonial agencies, together with specific information campaigns for the workers and persons in question, in order to clarify the rights of potential victims and the protection which they require; - Member States should grant women immigrants the right to a resident's permit separate from their partner's permit, together with a permit to exercise a profession on EU territory,

in order to prevent trafficking in women; - Member States should also coordinate banking and tax audits in order to combat laundering of the profits from trafficking; \* Punitive measures: - action by EUROPOL should include trafficking in human beings and child abduction, mainly by introducing computerized data exchange on the identity of traffickers and transnational transit networks for human beings; - extra-territorial powers should be introduced so that individuals who have committed crimes in connection with the sexual exploitation of children and young people outside Community territory can be prosecuted and punished; - Member States should confiscate profits from trafficking in human beings; - Member States should make this phenomenon a specific criminal offence and provide for stricter punishment; Measures to assist victims: - where exploiters are accused, Member States should take measures to protect the safety and dignity of the victims, mainly by guaranteeing them the possibility of obtaining a temporary resident's permit on humanitarian grounds and witness protection during and after the trial; - Member States should also provide social assistance to victims (protection from blackmail and reprisals, translators and interpreters, hostels); - Member States should authorize victims to remain on their territory where repatriation represents a serious threat to their life and the risk of renewed exploitation. At the same time, Parliament called on the Commission to help countries in which these practices originate to develop support measures for victims by guaranteeing them confidentiality, education and training. It called for a specific clause making provision for measures to prevent and combat trafficking in women to be included in all bilateral agreements concluded with developing countries. Finally, it called for a new United Nations convention (to replace the current 1949 convention, which it considers obsolete) in order to be able to step up the fight against trafficking in human beings and prostitution.?