

Implementation of the Human Trafficking Directive from a gender perspective

In 2011, the European Parliament and the Council adopted Directive 2011/36/EU on preventing and combating trafficking in human beings (THB) and protecting its victims. The European Commission was required to report to the Parliament and Council by 6 April 2015 on Member State compliance with the Directive, which had to be transposed into national law by 6 April 2013. At its May plenary session the Parliament will vote on an own-initiative report on implementation of the Directive from a gender perspective.

Background

Human trafficking is a serious crime, a violation of human rights and has a clear [gender dimension](#). [Globally](#), 70% of trafficking victims are women and girls. [Eurostat](#) data collected for the EU-28 and several other European countries show that the proportion of 'registered or presumed' female victims in the EU is even higher: around 80% for the 2010-2012 period. The main purpose of THB is sexual exploitation, both globally and in Europe. Between 2010 and 2012, 95% of victims of sexual exploitation in the EU were women and girls. Women and girls were also trafficked for forced labour (27%) and represented a large proportion of victims trafficked for other purposes, such as forced begging, selling of children and forced marriage.

The gender dimension

The Human Trafficking [Directive](#) establishes a legal and policy framework for addressing THB at EU level, focusing on prevention, victim protection and criminal prosecution. It is human-rights-based, victim-centred and intended to be gender-specific and child-sensitive. As women and men are often trafficked for different purposes, the Directive states that assistance and support measures should also be gender-specific. Article 1 obliges Member States to build a gender perspective into their anti-trafficking initiatives. The Directive states that gender should be considered when assessing victims' vulnerability, and that assistance and support should be provided 'on the basis of an individual assessment' and 'take into account the circumstances and needs of the person concerned'. Member States are also required to adopt a gender perspective when establishing measures to discourage and reduce demand for the services exacted from THB victims.

Implementation

A recent Europol [situation report](#) found that, as of 2014, 25 Member States had implemented the Directive fully, one had transposed it partially, and one had pledged to incorporate the law by the end of the current legislative term (Denmark has an opt-out). A Commission [study](#) on the subject notes that EU policy to eradicate THB 'could be made more effective if it were more deeply embedded in the wider strategies of the EU, especially the fuller implementation of its gender aspects'.

On 19 April 2016, the Committee on Women's Rights and Gender Equality adopted a [report](#) by Catherine Bearder (ALDE, UK), which stresses that the gender dimension must be consistently monitored in the implementation of EU anti-trafficking legislation. The report assesses measures taken by the Member States to address the gender dimension of THB and emphasises the need to provide for a gender perspective in the prevention of THB as well as in the identification, treatment and protection of THB victims. It also recalls that the Commission did not meet its reporting obligations within the deadline and reiterates the call made in the Parliament's June 2015 [resolution](#) for the Commission to evaluate the current [strategy](#) for the eradication of THB, and introduce a new one to include a clear gender dimension and practical measures in this regard. EPRS has produced an [implementation assessment](#) to assist the FEMM Committee in its work.

