



2015/2340(INI)

08.4.2016

OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Foreign Affairs

on the fight against trafficking in human beings in EU external relations
(2015/2340(INI))

Rapporteur: Miroslav Mikolášik

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SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recalls that the preamble to the Charter of Fundamental Rights of the European Union affirms that the EU ‘places the individual and human dignity at the heart of its activities’ and that the Charter prohibits, inter alia, torture and inhuman or degrading treatment, trafficking in human beings (THB) and slavery;
2. Stresses that any commercial exploitation of organs that denies equitable access to transplantation is unethical, inconsistent with the most basic human values and prohibited under Article 3(2) of the EU Charter of Fundamental Rights;
3. Recalls that groups organised at international level – either clandestinely or with the consent of their victims, who are deceived by false promises – transport victims to richer regions, with the list being headed by European countries where there are wealthier clients, particularly for sex trafficking;
4. Emphasises that, according to a report by Global Financial Integrity, human organ trade is one of the world’s top ten illegal money-making activities, generating profits between USD 600 million and USD 1.2 billion per year and spanning numerous countries; stresses further that, according to the United Nations, people of all ages could be targets, but migrants, homeless people and those who cannot read are particularly vulnerable;
5. Calls for all the EU institutions and the Member States to pursue a coherent policy both internally and externally by placing, in line with the fundamental values of the Union, human rights at the centre of the EU’s relations with all third countries and to use economic and trade relations, in particular, as a means of leverage;
6. Invites the EU to pursue and promote dialogue on human rights with its international state and non-state partners, to formalise partnerships with international and national human rights organisations and to do everything in its power to strengthen cooperation and coordination with third countries with a view to improving victim detection, enhancing measures to prevent human trafficking and ensuring the effective prosecution of traffickers;
7. Urges the EU institutions and the Member States to ensure that all products marketed within the EU’s territory comply with international standards concerning respect for human rights and the fight against human trafficking throughout the production chain;
8. Notes with great concern that, according to the International Labour Organisation, some 21 million people around the world are victims of the most widespread forms of modern slavery, including forced labour, which generates profits in excess of EUR 30 billion each year, organ trafficking, and forced sexual exploitation, which affects 80 % of all THB victims; notes that men are no exception, but the most vulnerable groups, such as the elderly, women, the sick, people with disabilities and children, are more widely affected, with an estimated 5.5 million children being trafficked; points out that, according to

conservative estimates published by the International Organisation for Migration, child trafficking generates profits of around EUR 7.6 billion each year;

9. Highlights the fact that people who, for reasons of sudden or progressive climate-related change that adversely affects their lives or living conditions, are obliged to leave their habitual homes have a high risk of falling victim to human trafficking; emphasises that this type of human mobility related to climate change has a strong economic dimension, including the loss of livelihoods and reductions in household income, so there is a direct threat that the people concerned will be vulnerable to becoming victims of forced labour or slavery;
10. Stresses the importance and the impending nature of the crisis of climate migrants and the strong likelihood of them falling victim to people trafficking; believes that proactive measures should be taken and particular attention should be given to the trafficking in human beings in crisis environments such as natural disasters and to climate migrants; is concerned that current international human rights standards have limited applicability to situations of climate-induced displacement; calls therefore for the EU to push for an international, legally recognisable definition of ‘climate refugees’;
11. Condemns the illicit business of THB, including for organ removal and any other exploitative business related to violating the right to bodily integrity and inflicting violence; opposes any commercialisation of human beings, their bodies and bodily parts; stresses the significant health implications of THB for victims of all forms of exploitation, both physical and mental; points out that the people of the world’s most impoverished communities are particularly vulnerable to becoming victims of illicit organ trafficking;
12. Stresses the importance of prevention and of a multi-sector, multi-disciplinary approach in addressing illicit human organ procurement, including human trafficking for organ removal, which has developed into a global problem; calls for better targeted awareness-raising initiatives to raise the profile of the harm associated with the sale of organs, to better inform the victims of the physical and psychological risks, particularly among the poorest and most vulnerable in respect of inequality and poverty, who may view the sale of an organ as a price worth paying for a better economic situation; stresses that the awareness campaigns should be a required element of both European Neighbourhood Policy and EU development cooperation;
13. Stresses that economic stagnation, loopholes in legislation and deficiencies in law enforcement in developing countries combined with increasing globalisation and improved communication technology create the perfect space for the criminal enterprise of illicit organ trafficking; points out that the lack of economic opportunity forces people to consider options they might otherwise find dangerous or reprehensible, while inadequate law enforcement enables traffickers to operate with little fear of being prosecuted;
14. Calls on all the EU Member States to ratify and implement the Council of Europe Convention against Trafficking in Human Organs as soon as possible; stresses that Member States should make improved and accelerated efforts to implement European directives and conventions against trafficking in organs, tissues and cells (OTC) into their domestic law in order to ensure that those responsible for OTC trafficking are adequately prosecuted and to discourage potential recipients from seeking trafficked organs;

15. Condemns the illicit trafficking in children for adoption by European parents who pay high fees to secure desired babies, including the practice of purchasing babies born of surrogate mothers in third countries;
16. Condemns the practice of trafficking in human beings for forced surrogacy as a violation of the women's rights and the rights of the child; notes that demand is driven by developed countries at the expense of vulnerable and poor people often in developing countries, and asks the Member States to consider the implications of their own restrictive reproductive policies;
17. Stresses that all victims of trafficking in human beings must have access to appropriate health services; notes that the majority of identified victims in the EU are women and girls who are exploited for sexual purposes; points to the need to maintain a victim-centred approach, and notes that this type of exploitation incurs particular harm that requires a higher level of services; points out that poverty, sexual and ethnic discrimination, ignorance, disinformation, political and economic crises, armed conflict and natural disasters provide fertile ground for child traffickers;
18. Stresses that children who are trafficked are exploited for a variety of purposes, including prostitution, domestic work and work on plantations, as soldiers or adjuncts to armed groups, to carry out crimes and to beg;
19. Draws attention to the need to address the problem of the disappearance of unaccompanied migrant children following their arrival in Europe and to the fact that Europol has put the number of those currently missing at 10 000; urges the Commission and the Member States to do everything in their power to eradicate trafficking, to take all necessary measures to find and ensure the protection of all unaccompanied migrant children who have gone missing after being registered on arrival on European soil and to enhance child alert mechanisms, while recalling that the most exposed to the risks of exploitation, abuse and violence are those who do not have a birth certificate;
20. Stresses that the Member States should intensify their cooperation under the auspices of Interpol and Europol in order to address more effectively the issue of organ and human trafficking, including neutralisation of internet activities and inspections in places where there might be THB victims; urges ongoing cooperation and exchange between international organisations; calls on the Member States to ensure that those responsible for organ trafficking are adequately prosecuted;
21. Stresses that the purchase of human organs, tissues and cells is illegal; notes that people trafficked for organ removal face particular challenges, and that victims are often unaware of the long-term and debilitating medical consequences of organ removal and the lack of post-operative care, as well as the psychological impact of the operation; calls for better targeted awareness-raising initiatives to raise the profile of the harm associated with the sale of organs, particularly among the poorest and most vulnerable, who may view the sale of an organ as a price worth paying for a better economic situation;
22. Condemns trafficking in human organs, tissue, and cells, including the unlawful trade in reproductive cells (ova, sperm), foetal tissue and cells, and adult and embryonic stem cells;

23. Stresses that victims should receive full assistance, not only for the immediate and chronic health consequences, but also for the effects on their long-term psychological well-being; draws attention, therefore, to the key role played by authorities and organisations in providing victims with information on their right of access to justice, assistance and healthcare;
24. Points out that in most Member States victims of forced prostitution find it difficult to obtain access to psychological care and consequently have to rely almost entirely on the support of charitable organisations; calls, therefore, for such organisations to be given greater backing, and calls on the Member States to break down the barriers to access to psychological care;
25. Points out the importance of the role of doctors, nurses, social workers and other medical professionals, who are unique in their professional contact with victims when in detention and play a key role in preventing people trafficking; is concerned that at the moment this is a missed opportunity for intervention; notes the need to train the medical community to detect the warning signs of human trafficking and in reporting procedures in order to better assist victims, and to set stringent penalties for any involvement in the illegal trafficking in organs;
26. Encourages presumed consent programmes to be put in place in various countries or schemes whereby citizens are given the option of directly joining an organ-donor register when completing certain administrative procedures, thereby decreasing patients' reliance on the black market, while at the same time increasing the number of organs available in order to cut the financial cost of a transplant and to decrease the urge for medical tourism;
27. Calls on the Member States to encourage further efforts to engage the medical community in improving efforts to combat this form of trafficking through raising awareness of the issues surrounding trafficking and providing mandatory training;
28. Calls on the Commission and the Member States to take measures to prevent 'transplant tourism' by adopting measures that increase the availability of legally procured organs with a view to enhancing the prevention of illicit organ procurement and to set up a transparent system for traceability of transplanted organs, while ensuring the anonymity of donors; calls on the Commission to draw up guidelines to encourage the participation of EU Member States in collaborative partnerships such as Eurotransplant and Scandiatransplant;
29. Points out that, according to the World Health Organisation, there is limited scientific data on trafficking and health, particularly concerning mental and psychological health; also points out that the needs of victims and survivors are often underestimated; calls, therefore, on the Commission and the relevant authorities of the Member States to set up a monitoring system and to disseminate information on the consequences of trafficking and victims' needs in terms of both physical and psychological health;
30. Urges the Commission and the Member States to respect the United Nations Charter and the principles of asylum law.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	22.3.2016
Result of final vote	+: 65 -: 0 0: 1
Members present for the final vote	Marco Affronte, Pilar Ayuso, Zoltán Balczó, Catherine Bearder, Ivo Belet, Simona Bonafè, Biljana Borzan, Lynn Boylan, Nessa Childers, Birgit Collin-Langen, Mireille D’Ornano, Miriam Dalli, Seb Dance, Angélique Delahaye, Ian Duncan, Stefan Eck, Bas Eickhout, Eleonora Evi, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Julie Girling, Sylvie Goddyn, Matthias Groote, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, Anneli Jäätteenmäki, Jean-François Jalkh, Benedek Jávor, Karin Kadenbach, Kateřina Konečná, Giovanni La Via, Peter Liese, Norbert Lins, Susanne Melior, Miroslav Mikolášik, Massimo Paolucci, Piernicola Pedicini, Bolesław G. Piecha, Pavel Poc, Frédérique Ries, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Davor Škrlec, Renate Sommer, Dubravka Šuica, Tibor Szanyi, Nils Torvalds, Glenis Willmott, Damiano Zoffoli
Substitutes present for the final vote	Paul Brannen, Mark Demesmaeker, Jan Huitema, Peter Jahr, Merja Kyllönen, Anne-Marie Mineur, Alessandra Mussolini, James Nicholson, Christel Schaldemose, Bart Staes, Keith Taylor
Substitutes under Rule 200(2) present for the final vote	José Blanco López