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Committee on Civil Liberties, Justice and Home Affairs

2004/2216(INI)

15.11.2005

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Women's Rights and Gender Equality

on Strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation

Draftswoman: Inger Segelström

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SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Women's Rights and Gender Equality, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. Recalling that, as stated by the President of the Council in the European Parliament on 23 June 2005, between 600,000 and 800,000 people are trafficked globally each year. Every year over 100,000 women are victims of trafficking in the European Union.
 - B. Considering that, in order to achieve zero tolerance of trafficking, the Union should set some visible and credible targets, such as halving the number of trafficked persons in the course of the next 10 years; whereas, however, the overriding objective should of course be to fully eliminate this form of very serious crime and gross violation of human rights as quickly as possible,
 - C. Bearing in mind that notwithstanding the EU Treaties, the numerous legislative measures already adopted and the political declarations made, such as the 2002 Brussels Declaration, stressing the political priority of fighting trafficking in human beings, and particularly women and children, there are still no perceptible real improvements; whereas, on the contrary, trafficking is the fastest-growing criminal activity in comparison to other organised crime,
1. Regrets:
- (a) the lack of reliable data on the phenomenon of trafficking in Europe and that neither the Commission nor Europol nor any other EU body has been able to publish precise figures about the EU-wide extent of trafficking in human beings¹, and particularly the lack of data on more vulnerable groups, such as women and children, and the failure to take effective steps to tackle the problem,
 - (b) the ongoing difficulties between the Member States and the European institutions as far as the ratification and implementation of international treaties and conventions are concerned ²,
 - (c) the lack of measurable added value delivered so far by the existing agencies and organisations at European level, especially the limited exchange of information between the Member States and Europol, which is the main European tool for fighting trafficking in human beings under Article 2(2) of the Europol Convention², the EU Treaty, the Tampere Presidency Conclusions and the Hague Programme; further regrets that among its numerous analyses of specific crimes, Europol has so far produced only one analytical document in this field.

² OJ C 316, 27.11.1995.

- (d) the lack of any analysis of the demand for prostitution in the Member States as a possible motivation for the phenomenon of trafficking,

2. Considers that:

- (a) the Member States are expected to adhere to their own political declarations and to transpose the relevant EC legislation in a more efficient way, particularly by improving operational cooperation and the exchange of relevant data among them and with Europol and Eurojust,
- (b) a new legislative initiative should be submitted by the Commission to approximate the different approaches taken by the Member States towards legislation concerning or the criminalisation of the purchase of sexual services and in particular the criminalisation of the purchase of the sexual services of forced prostitutes. Such an initiative would complete the existing legal provisions of Framework Decision 2002/629/JHA and Framework Decision 2004/68/JHA,
- (c) closer and more effective cooperation between the Union and other international organisations, and in particular the Council of Europe, should be established so as to coordinate the respective endeavours to tackle this problem,
- (d) the Commission should carry out a comprehensive study on the impact of the Member States' legislation on prostitution on the number of victims of trafficking;
- (e) the Commission and the Member States should take appropriate action to tackle the trend towards using new technology, particularly Internet websites and mobile phone text messages, to spread illegal information on access to and demand children for sexual services;

3. As far as children are concerned:

- (a) asks the Commission to submit an adequate legislative proposal on European action to combat child prostitution and trafficking in human organs and tissue. Even though the anti-trafficking legislation adopted under the first and third EU pillars already includes specific provisions for their protection, children are still vulnerable, notably when they are exploited for sexual purposes,
- (b) asks the Member States and the Community to ratify the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of 25 May 2000, which goes further than the Palermo Protocol, since it includes crimes which are not of a transnational nature and which do not involve criminal organisations, and moreover covers the transfer of human organs and illegal adoption.

4. As far as a financial assistance from the Union is concerned: stresses the need for a substantial increase in European resources in this field, and in particular, suggests that Daphne II (2007-13) should be more focused on specific emergencies as they arise from real cases, and the situation in the different territories of the Union.
- (a) Calls on:
 - (b) the Council and Commission to include as a matter of course, in their political dialogue with third countries, the issue of trafficking women and children and – if no improvement is forthcoming or no clear signal is given by the third country of a political will to take action – to take appropriate measures such as those listed in the human rights and democracy clauses in all cooperation and association agreements with third countries;
 - (c) the Commission and the Member States to intensify their contacts with the hotel and tourist industry, so as to establish better cooperation on the industry's social responsibility and encourage the industry to adopt a code of ethics covering trafficking and prostitution where no such code exists; good examples of ethical codes should be highlighted and recorded;
 - (d) the Commission and the Member States to take responsibility for women and children who have been the victims of trafficking within the EU; these women and children should be offered support, either to return to their country of origin at their own request, or to make a new start;
 - (e) the Member States to ensure that staff at their consulates in the countries of origin cooperate and exchange experiences, and are also trained to recognise cases of trafficking in their work with visa applications; staff should also be trained to cooperate with the relevant NGOs;

PROCEDURE

Title	Strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation
Procedure number	2004/2216(INI)
Committee responsible	FEMM
Opinion by Date announced in plenary	LIBE 18.11.2004
Enhanced cooperation – date announced in plenary	
Drafts(wo)man Date appointed	Inger Segelström 21.02.2005
Previous drafts(wo)man	
Discussed in committee	13.10.2005 14.11.2005
Date adopted	14.11.2005
Result of final vote	+ : 18 – : 10 0 : 0
Members present for the final vote	Alexander Nuno Alvaro, Johannes Blokland, Edit Bauer, Kathalijne Maria Buitenweg, Michael Cashman, Jean-Marie Cavada, Charlotte Cederschiöld, Carlos Coelho, Fausto Correia, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Antoine Duquesne, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Stavros Lambrinidis, Edith Mastenbroek, Hartmut Nassauer, Martine Roure, Inger Segelström, Ioannis Varvitsiotis, Stefano Zappalà, Tatjana Ždanoka
Substitute(s) present for the final vote	Panayiotis Demetriou, Maria da Assunção Esteves, Ignasi Guardans Cambó, Sophia in 't Veld, Jean Lambert, Siiri Oviir, Marie-Line Reynaud
Substitute(s) under Rule 178(2) present for the final vote	
Comments (available in one language only)	