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Provisional edition

The fight against trafficking in human beings in the EU's external relations P8_TA-PROV(2016)0300 A8-0205/2016

► European Parliament resolution of 5 July 2016 on the fight against trafficking in human beings in the EU's external relations (2015/2340(INI))

The European Parliament,

- having regard to the Universal Declaration of Human Rights and all relevant international human rights treaties,
- having regard to the Convention on the Rights of the Child,
- having regard to the Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,
- having regard to the UN Convention against Transnational Organized Crime (2000) and the Protocols thereto, and in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), and the Protocol against the Smuggling of Migrants by Land, Sea and Air (2000),
- having regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990),
- having regard to the work of international human rights mechanisms, including the UN Special Rapporteur on trafficking in persons, especially women and children, and other relevant UN Special Rapporteurs, the Universal Periodic Review and the work of relevant UN Human Rights Treaty Bodies,
- having regard to the report of the UN Human Rights Council's Special Rapporteur on trafficking in persons, especially women and children (2014),
- having regard to the global report on trafficking in persons (2014) by the United Nations Office on Drugs and Crime,
- having regard to the UN Model Law against Trafficking in Persons to assist countries in revising and amending existing legislation and to adopt new legislation to fight trafficking in human beings (2009),
- having regard to the Recommended Principles and Guidelines on Human Rights and Human Trafficking, presented to the Economic and Social Council as an

addendum to the report of the United Nations High Commissioner for Human Rights (UNHCHR) (E/2002/68/Add. 1),

- having regard to the UN Guiding Principles on Business and Human Rights, implementing the UN ‘Protect, Respect and Remedy’ Framework,
- having regard to the UN Basic Principles on the right to an effective remedy for trafficked persons,
- having regard to the UNICEF Guidelines on the Protection of Child Victims of Trafficking,
- having regard to the ILO Forced Labour Convention, 1930 (No 29), the Protocol of 2014 to the Forced Labour Convention, 1930, the Abolition of Forced Labour Convention, 1957 (No 105) and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No 203),
- having regard to the Minimum Age Convention, 1973 (No 138) and to the Worst Forms of Child Labour Convention, 1999 (No 182),
- having regard to the ILO Domestic Workers Convention, 2011 (No 189) concerning decent work for domestic workers,
- having regard to the ILO report Profits and Poverty: The Economics of Forced Labour (2014),
- having regard to the European Convention on Human Rights, the European Social Charter and the Charter of Fundamental Rights of the European Union, in particular Article 5 thereof,
- having regard to Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA,
- having regard to Directive 2012/29/EU of the European Parliament and the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime,
- having regard to Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells,

- having regard to the Action Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings (2009) and its two implementation reports (2011 and 2012),
- having regard to the EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016),
- having regard to the mid-term report on the implementation of the EU strategy towards the eradication of trafficking in human beings ([COM\(2014\)0635](#)),
- having regard to the work of the EU Anti-Trafficking Coordinator,
- having regard to the EU Action Plan on Human Rights and Democracy (2015-2019),
- having regard to its resolution of 17 December 2015 on the Annual Report on Human Rights and Democracy in the World 2014 and the European Union’s policy on the matter⁽¹⁾,
- having regard to the framework for the EU’s activities on gender equality and women’s empowerment in the EU’s external relations 2016-2020,
- having regard to the Europol Situation Report of February 2016 entitled ‘Trafficking in human beings in the EU’,
- having regard to the Global Approach to Migration and Mobility (GAMM),
- having regard to the European Agenda on Migration of 13 May 2015,
- having regard to the Action Plan of the Valetta Summit of November 2015,
- having regard to the Council of Europe Convention on Action against Trafficking in Human Beings (2005),
- having regard to the latest general report on the activities of the Group of Experts on Action against Trafficking in Human Beings (GRETA), outlining the implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings (2014),
- having regard to the Council of Europe Convention against Trafficking in Human Organs, open for signature since March 2015,
- having regard to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine:

Convention on Human Rights and Biomedicine,

- having regard to the Declaration of Istanbul on Organ Trafficking and Transplant Tourism (2008),
- having regard to the OSCE’s Guiding Principles on Human Rights in the Return of Trafficked Persons (2014),
- having regard to the report of the inter-governmental Financial Action Task Force (FATF) (2011),
- having regard to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption,
- having regard to the International Organization for Migration (IOM) Report of Activities on Counter-Trafficking and Assistance to Vulnerable Migrants (2012),
- having regard to the IOM report on addressing human trafficking and exploitation in times of crisis (2015),
- having regard to the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (2015),
- having regard to Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Civil Liberties, Justice and Home Affairs, the Committee on Women’s Rights and Gender Equality and the Committee on the Environment, Public Health and Food Safety ([A8-0205/2016](#)),

A. whereas trafficking in human beings (THB), which forms part of organised crime, constitutes one of the worst forms of human rights abuses, as it reduces human beings to commodities and profoundly and durably violates the dignity, the integrity and the rights of the victim and affects entire families and communities, as well as deliberately abusing situations of vulnerability such as poverty or isolation;

B. whereas trafficking in human beings is defined by the United Nations (Palermo Protocol) as the act of recruiting, transporting, transferring, harbouring or receiving persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation; whereas the exploitation includes, at a minimum, the forced prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or

practices similar to slavery, including child slavery for the purpose of recruiting child soldiers, servitude or the removal of organs; whereas this is a hateful practice, particularly where children are subject to the worst form of exploitation by human beings;

C. whereas Article 2(a) of the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, defines the term ‘sale of children’ as ‘any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration’;

D. whereas according to the Global Report on Trafficking in Persons (2014) of the United Nations Office on Drugs and Crime (UNODC) 70 % of the total number of detected victims are women and girls; whereas women represent 79 % of the detected victims of sexual exploitation, which accounts for 53 % of the detected forms of exploitation globally and whereas men represent 83 % of detected victims of forced labour, which accounts for 40 % of the detected forms of exploitation globally;

E. whereas complex and inter-related factors such as systematic and structural discrimination, human rights violations, poverty, inequality, corruption, violent conflict, land confiscation, lack of education, unemployment and dysfunctional labour migration regimes increase the vulnerability of persons to exploitation and abuse as they are left with reduced choices and resources; whereas the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 identifies violence against women as a root cause of trafficking;

F. whereas trafficking in human beings constitutes a gendered crime; whereas women and girls also make up an important percentage of the victims of other forms of trafficking in human beings such as forced exploitation in the domestic and care work, manufacturing, food, cleaning and other sectors;

G. whereas human trafficking is one of the most profitable organised criminal activities in the world, alongside the trade in illegal drugs and arms; whereas according to the ILO’s most recent estimates, the illicit annual profit from forced labour, including through money laundering, is about USD 150 billion, in which 90 % of victims are estimated to be exploited in the private economy and two thirds of the profits stem from commercial sexual exploitation, making it the most lucrative form of exploitation;

H. whereas trafficking in human beings must be understood from both a demand and profit perspective, as the exploitation of women especially for sexual services is fuelled by the demand for such services and the profit being made;

- I. whereas the inadequate implementation of the legal framework on trafficking in human beings at national level and the lack of a corresponding legal framework in third countries are one of the most significant barriers to combating human trafficking;
- J. whereas access to justice for victims of trafficking in human beings ranges from simply being problematic to it being denied; whereas corruption and lack of capacity remain a major problem for police and judiciary organisations in many countries;
- K. whereas, according to Europol, the spread of internet access throughout the world allows trafficking to flourish increasingly in the online environment; whereas this encourages new forms of recruitment and exploitation of victims;
- L. whereas there is a link between trafficking in migrants and trafficking in human beings; whereas people-trafficking networks rely, inter alia, on the internet to advertise their services to potential migrants;
- M. whereas regrettably, trafficking in human beings and people smuggling are not a transient phenomenon and may even increase further in the years to come because conflict zones, repressive regimes or economic situations around the world are breeding grounds for the criminal activities of traffickers in human beings and people smugglers;
- N. whereas illegal migration flows increase the risks of trafficking since irregular migrants – by virtue of their vulnerability and clandestinity – are particularly at risk of being trafficked; whereas, among these migrants, unaccompanied minors, who account for a large share of the migrants arriving in Europe, are a target group for trafficking networks;
- O. whereas human trafficking is a regional and global problem which cannot always be dealt with exclusively at national level;
- P. whereas according to the latest Global Slavery Index, 35,8 million persons are estimated to be trapped in situations of modern slavery worldwide, meaning that trafficking in human beings is endemic in nature and affects all parts of the world;
- Q. whereas past and emerging trends in trafficking in human beings take various forms and vary greatly between regions as well as within subregions;
- R. whereas trafficking in human beings is not a phenomenon that is confined to countries that are considered less developed but is also to be found, in a more hidden form, in developed countries;
- S. whereas according to the ILO, the Asia-Pacific region accounts for 56 % of the

estimated number of victims of forced labour globally, including for sexual exploitation, which accounts for by far the largest share worldwide;

T. whereas an estimated 300 000 children are involved in armed conflicts around the world; whereas child trafficking in Africa, for the purpose of child soldiering, is the highest in the world;

U. whereas, in North Africa and the Middle East, 95 % of detected victims are adults; whereas countries in the Middle East are primarily destination countries for migrant workers, in which the so-called Kafala sponsorship system ties workers to a specific employer, creating conditions for abuse and labour exploitation, sometimes amounting to forced labour;

V. whereas in the EU's Eastern Neighbourhood countries, sexual exploitation is the main cause of the reported trafficking in human beings; whereas systematic discrimination and racism lead to the Roma communities – including both men and women – being particularly vulnerable to trafficking for various purposes;

W. whereas cooperation between the Member States, Europol and the countries of origin and transit of trafficking victims is an essential tool in the fight against trafficking networks;

X. whereas the EU has identified a number of priority countries and regions with the objective of further strengthening and streamlining cooperation on action against trafficking in human beings;

Y. whereas the Commission appointed an EU Anti-Trafficking Coordinator in 2010 to improve coordination and coherence among EU institutions, agencies, Member States, non-EU countries and international actors;

Global trends in trafficking of human beings

1. Denounces and explicitly rejects trafficking in human beings, which represents a growing industry of human suffering, affecting all societies and economies in a profound and enduring manner;

2. Underlines the fact that trafficking in human beings is a modern kind of slavery, and a serious crime which constitutes one of the worst forms of human rights violations that cannot be accepted in societies that are based on the respect for human rights including gender equality; believes, moreover that trafficking in human beings, has to be understood in a holistic manner, focusing not only on sexual exploitation, but also on forced labour, organ trafficking, forced begging, forced marriages, child soldiers and the trafficking of babies;

3. Recalls that trafficking in human beings is a transnational crime of global nature and that any measures aimed at fighting it should take into account the root causes and global trends; emphasises in this respect the importance of a consistent approach to the the internal and external dimensions of the EU's policies for combating trafficking in human beings;
4. Recognises that trafficking in human beings as an organised crime occurs both across external borders as well as within internal borders thereby necessitating robust internal laws against trafficking in human beings as well as cooperation between countries;
5. Deplores the persistent lack of adequate legislation to criminalise and effectively combat trafficking in human beings in many countries worldwide;
6. Deplores furthermore the wide gap between the legislation that does exist and implementation thereof, including on the one hand the limited or non-existent access to justice for victims and on the other hand the lack of prosecution of perpetrators;
7. Deplores in particular the fact that the identification of victims remains far below the estimates of those in situations of trafficking and that the prosecution rates remain extremely low; remains deeply concerned by the fact that a large number of victims of trafficking are left without adequate support, protection, and measures aimed at redressing violations of their fundamental rights;
8. Recalls that victims of trafficking are often 'invisible people' in the country where they are being exploited, that they face difficulties caused by cultural and language diversity and that all this renders it even more difficult for them to denounce the crimes of which they are victims; denounces the fact that these difficulties are even more severe for particularly vulnerable categories of victims, such as women and children;
9. Stresses that demand for sexual services in developed countries drives trafficking in human beings from developing countries, placing people in a position of vulnerability, particularly women and girls; calls on the Member States to criminalise the knowing use of the services of a victim of trafficking in human beings;
10. Recalls that groups organised at international level transport victims – either clandestinely or with the consent of their victims, who have been deceived by false promises – to richer regions particularly for sex trafficking, the list being headed by European countries where there are wealthier clients;
11. Denounces the fact that more than 10 000 unaccompanied refugee and migrant children have disappeared in Europe according to the press declaration by the

Europol Chief of staff; draws the attention of the EU and the Member States to the fact that many among those children have been forced into sex trafficking rings, begging, the illicit and lucrative organ transplant market or the slave trade;

12. Underscores the critical distinction that needs to be made between the concepts of trafficking in human beings and migrant smuggling; while noting that smuggling is also among the activities of criminal networks and organised crime and can lead to a situation of trafficking, underlines however that the two concepts require different legal and practical responses and involve different state obligations; urges the EU and its Member States to train personnel charged with reception and identification of migrants/asylum seekers using specific awareness-raising programmes devoted to correctly distinguishing between smuggling and trafficking in human beings, in particular with regard to the identification and protection of child victims of trafficking and unaccompanied children at risk of trafficking;

13. Recalls that migrants have consented to the smuggling, which ends with their arrival at their destination, contrary to victims of trafficking, who are exploited by means of coercion, deception and abuse, without any possibility of consent; underlines the fact that there can also be a crossover between the two, because of the risk that criminals groups smuggling refugees and other migrants into the EU might force them into exploitation as victims of trafficking in human beings, in particular unaccompanied minors and women travelling alone; urges the competent authorities in the Member States to pay attention to this overlap during their police, judicial-cooperation and law-enforcement activities;

14. Observes that the internet and social networks are increasingly being used by criminal networks to recruit and exploit victims; calls for the EU and the Member States, therefore, in their efforts to combat trafficking in human beings, to invest enough in technology and expertise to identify, trace and combat misuse of the internet by criminal networks, both to recruit victims and to offer services whose aim is to exploit victims;

15. Recognises the importance and the role of information and communication technologies in trafficking in human beings and that while technology is used to facilitate recruitment and exploitation of the victims, it can also be used as a tool to prevent trafficking in human beings; considers that more research should focus on the role of information and communications technologies in relation to trafficking in human beings;

16. Calls on the Commission to evaluate the use of the internet in the context of human trafficking, particularly as regards online sexual exploitation; requests that the fight against online trafficking be enhanced by Europol within the framework of the EU IRU (Internet Referral Unit) in order to detect, report and remove online

material on trafficking;

17. Asks the Commission to adjust its cooperation with third countries to take into consideration the new development of trafficking via the internet; calls on the Commission and Europol to consider the possibilities of cooperation between the European anti-cybercrime bodies (especially in the framework of Europol) and those of third countries; requests that the Commission also consider all useful means of cooperation with internet service providers with a view to the detection and combating of trafficking-related online content; requests that the Commission keep Parliament duly informed;

The economy of trafficking in human beings

18. Denounces the fact that trafficking in human beings is a highly lucrative business and that the proceeds from this criminal activity are largely re-injected into the global economy and financial system; denounces the fact that the most structured and powerful international criminal organisations are involved in trafficking in human beings and have created a real international and branched criminal network; calls on all states and relevant actors engaged in this field to aim to change trafficking from a ‘low risk/high reward’ business to a ‘high risk/low reward’ one;

19. Is of the view that financial investigations, which trace, seize and recover criminal assets, and action against money laundering play a crucial role in combating trafficking; recalls that there is a need for more data and a stronger focus on money laundering activities; deplores the fact that the use of measures to collect, analyse and share financial information to support criminal investigations of trafficking in human beings remains limited and often creates difficulties in fully integrating financial investigations into cases of trafficking in human beings; calls for the EU and its Member States to reinforce cooperation, coordination and sharing of information with third countries to locate and confiscate the proceeds from those criminal activities; calls for confiscated assets to be used to support and compensate victims of trafficking;

20. Calls on governments to exercise due diligence in tackling corruption, which contributes to trafficking in human beings and to identify and eradicate public sector involvement or complicity in trafficking in human beings, including by ensuring that those working within the public sector are trained to recognise such cases and have internal guidelines to assist them in dealing with suspicious cases;

21. Recalls that recruitment-related abuses appear to occur in many countries and regions worldwide and, irrespective of the countries in which they occur, notes that such abuses are closely linked with trafficking in human beings either by recruitment agencies being directly involved in trafficking in human beings through deceptive or coercive recruitment practices or by creating vulnerabilities for exploitive work by

demanding high recruitment fees, making migrants and low-skilled workers, in particular, financially vulnerable or dependent;

22. Calls for the EU and the Member States to increase cooperation with third countries in order to investigate all stages of trafficking in human beings, including at the recruitment stage, to improve the exchange of information, and to launch proactive operations, (financial) investigations and prosecutions; calls on all states to improve oversight and regulation of recruitment agencies;

23. Considers that there can be no valid consent in a situation where a third-country national is removed from her or his country and brought to the EU (or when an EU national is taken to another Member State) for the purposes of prostitution, any other form of sexual exploitation or forced labour;

24. Considers that governments should encourage multi-stakeholder dialogue and partnerships to bring together businesses, anti-trafficking experts and NGOs and carry out joint actions against human trafficking and to ensure workers have their rights upheld, including their core labour rights; calls also on governments to put in place legal measures to guarantee transparency and traceability of supply chain products and for companies to better report their efforts to eradicate human trafficking from their supply chains; calls for the EU and the Member States to actively engage with national and international companies to ensure that their products along the entire supply chain are free from exploitation and to hold them accountable for trafficking in human beings occurring at any point along their supply chain, including for affiliated companies and sub-contractors;

25. Calls for the EU and the Member States to constructively engage in the negotiations of the open-ended Intergovernmental Working Group on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights and to implement the UN Guiding Principles on Business and Human Rights;

Different forms of exploitation

26. Urges the EU and the Member States to make the necessary efforts to combat forced labour in EU industries abroad, and in relation to third countries, by applying and enforcing labour standards and supporting governments in adopting labour laws providing minimum protection standards for workers, including foreign workers and to ensure that European companies operating in third countries respect these standards; urges governments to enforce labour laws, treat all workers fairly, guaranteeing the same rights to all workers irrespective of their nationality or origin and root out corruption; calls for further international cooperation to strengthen labour migration policies and to elaborate and implement better regulation of labour

recruiters;

27. Calls for increased global compliance with the ILO core labour and environmental standards at all stages, including through enhancing social security and labour inspections; calls also for the ratification and implementation of the ILO Domestic Workers Convention, 2011 (No 189) and the translation of its provisions into national legislation, including for domestic workers in diplomatic households;

28. Emphasises that the clear link between trafficking in human beings for sexual purposes and prostitution calls for measures to be put in place to put an end to the demand for prostitution;

29. 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;

30. Stresses that forced marriage can be seen as a form of trafficking in human beings if it contains an element of exploitation of the victim, and calls on all Member States to include this dimension in their definition of trafficking in human beings; stresses that exploitation may be sexual (marital rape, forced prostitution and pornography) or economic (domestic work and forced begging), and that the ultimate aim of trafficking can be forced marriage (selling a victim as a spouse or entering into a marriage under duress); recalls the potential transnational character of forced marriage; calls therefore on the Member States to ensure that the national authorities in charge of migration are adequately trained in the issue of forced marriage in the context of trafficking; calls on the Commission to also strengthen the exchange of best practices in this regard;

31. Condemns the practice of trafficking in human beings for forced surrogacy as a violation of the woman'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;

32. Insists that children who are victims of trafficking in human beings be identified as such and their best interests, rights and needs be considered paramount at all times; calls for the provision of legal, physical, and psychological and other support and protection both in the short and in the long term and for measures to be taken to facilitate family reunification where applicable and in the best interest and with respect for the dignity and rights of the child or for adequate care arrangements to be made;

33. Recalls that child trafficking often leads to cases of sexual abuse, prostitution, forced labour or organ harvesting and trafficking and stresses that no possible consent to perform labour or services should ever be considered valid for a trafficked child; deplores the fact that children at risk are frequently treated as offenders or irregular migrants by law enforcement officials who do not systematically look for indicators of human trafficking to identify victims;

34. Believes that it is essential as regards unaccompanied minors to achieve a better and more proactive identification of child victims of trafficking, in particular at border crossings and in reception centres, as well as a stronger multi-disciplinary cooperation to ensure the best interests of the child are effectively protected; deems it necessary to strengthen guardianship systems in the Member States to prevent unaccompanied and separated children from falling into the hands of organised trafficking organisations;

35. Calls for the strengthening of national guardianship systems for children in Europe, as part of the EU's anti-trafficking strategy which recognises the vital role guardians play in protecting children from harm;

36. Urges the EU to continue its efforts to combat the phenomenon of child soldiers, notably through supporting governments in addressing this issue and local civil society groups active on the ground, to put in place measures to prevent future recruitment and use of child soldiers, to support the development of child protection legislation including the criminalisation of child recruitment and to mobilise resources to build resilience and strengthen protective environments for children; calls for the EU to urge third countries to ratify and implement relevant international standards, including the Optional Protocol to the UN Convention of the Rights of the Child on the involvement of children in armed conflict;

37. Stresses that children and persons with disabilities should be considered as vulnerable victims of human trafficking; highlights the fact that victims of human trafficking may develop disabilities as a result of abuse at the hands of their trafficker, while conversely, an individual who has a disability may be targeted by a trafficker because of that vulnerability;

38. Welcomes the inclusion of forced begging as a form of trafficking in human beings under Directive 2011/36/EU; urges the Member States to harmonise national legislation and to solicit third-country governments to enact and enforce legal provisions in this regard; condemns any criminalisation of victims of forced begging and calls for access to job opportunities and housing; insists on the need to conduct training for police and other officials for proper identification and referral in order to secure adequate assistance for the victims of forced begging; underlines that many of the victims come from a poor and marginalised environment; calls for prevention measures to be focused on reducing the vulnerability of groups at risk, starting with

basic structures such as education or labour integration and on increasing the number of shelters and places to assist vulnerable persons;

39. Stresses that the UN Palermo Protocol requires the criminalisation of bonded labour as a form of trafficking; urges the governments to enforce the law and to ensure that those who profit from bonded labour are punished;

40. Notes the development of a new form of human trafficking where individuals are being trafficked for ransom with severe torture practices; notes that this new form of commoditisation of human beings is characterised by extortion, beatings and rape as a means of enforcing payment of debts from family and relatives residing inside and outside the EU;

41. 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;

42. Emphasises that, according to a report by Global Financial Integrity, the 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;

43. 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;

44. 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;

45. Calls on the Commission to condemn trafficking in human beings whose purpose is the removal of organs and adopt a clear attitude towards the illegal trade in organs, tissues and cells; calls on the EU to encourage medical associations and

transplant societies to develop a Code of Ethical Conduct for health professionals and transplant centres regarding the way of obtaining an organ transplant abroad and the procedure for post-transplant care; points out the citizens of the world's most impoverished communities are particularly vulnerable to becoming victims of illicit organ trafficking;

46. Calls for the ratification and implementation of the Council of Europe Convention against Trafficking in Human Organs; asks the EU to call on third-country governments to take legal action against health care professionals, hospitals and private clinics who are operating in the illicit and lucrative organ transplant market;

47. Calls on 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;

48. 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 and potential 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; highlights the fact that the awareness campaigns should be a required element of both European Neighbourhood Policy and EU development cooperation;

49. 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 put in place stringent penalties for any involvement in the illegal trafficking in organs;

50. 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 attraction of medical tourism;

51. 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 the Member States in collaborative partnerships such as Eurotransplant and Scandiatransplant;

52. 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;

Victims' rights including the right to remedy

53. Calls on the EU and the Member States to have a human rights-based and victim-centred approach and to place victims and vulnerable populations at the centre of all efforts in the fight against trafficking in human beings, its prevention and the protection of victims;

54. Denounces worrying gaps between state obligations and the extent to which they are met in practice when it comes to victims' rights; welcomes Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime; hopes that the directive has been properly transposed by the Member States, given that the deadline for its implementation was 16 November 2015; calls on the Member States, including countries of origin, transit and destination, to provide or facilitate access to remedies that are fair, adequate and appropriate to all trafficked persons within their respective territories and subject to their respective jurisdictions, including non-citizens;

55. Recalls that the swift and accurate identification of victims is fundamental to the realisation of the rights to which they are legally entitled; insists that capacity-building measures be taken in relation to the identification of victims of trafficking in human beings especially for migration, security and border control services;

56. Calls on the European External Action Service (EEAS) to exchange best practices with third countries, firstly, on the training of police authorities and aid workers in how to best approach victims, and secondly, on applying the principle of individual assessment of victims to determine their specific needs for help and protection;

57. Stresses the importance of the principle of mutual recognition enshrined in Article 82(1) TFEU; calls on the Commission, Member States and EU agencies to

strengthen the status of victims of trafficking through full mutual recognition of judicial and administrative decisions, including those related to protection measures for victims of human trafficking, which means that the status of a victim, once established in a Member State, has to be applicable within the whole European Union and hence victims (or associations representing them) should be helped and assisted in case of non-recognition of their status when they are travelling within the Union;

58. Insists that the criminal justice response should guarantee equal and effective access to justice for victims and information about their legal rights; calls on all states to comply with their international obligation to uphold the rights of victims in their jurisdiction, to ensure full support for victims, including by providing psychological support, irrespective of their willingness to cooperate in criminal proceedings;

59. Affirms that victims of trafficking have the right to an effective remedy, including access to justice, recognition of legal identity and citizenship, return of property, adequate reparation as well as medical and psychological care, legal and social services, and long-term (re)integration support, including economic support;

60. Notes the importance of universal access to healthcare and to sexual and reproductive health, particularly for victims of trafficking in human beings, who may struggle with many physical and psychological problems as a direct result of their exploitation; calls on the Member States to create easy-to-access healthcare services and after care for victims of trafficking in human beings;

61. Calls on Member States in which the exploitation of victims of trafficking in human beings has taken place to offer adequate and necessary gender-sensitive medical treatment based on individual needs, paying special attention to victims of trafficking in human beings for sexual exploitation;

62. Notes that persons with disabilities or who suffer disabilities during the passage of trafficking need additional protection from exploitation and calls for the EU and Member States to ensure that assistance provided to identified victims appropriately addresses their specific needs;

63. Emphasises the need to reintegrate victims of trafficking and to uphold their right to protection; calls on the Member States to create and strengthen networks of centres providing support and shelter, and to ensure the provision of services, in a language that the victim can understand, and to provide them with access to education; calls for a collaborative effort with regard to social inclusion and the provision of assistance among NGOs, international organisations, governmental bodies and agencies from destination and source countries, particularly in situations

where victims return to their home countries;

64. Stresses the importance of ensuring the safety of victims of trafficking in human beings who testify in court against human traffickers;

65. Calls for more attention to be paid to victims in criminal proceedings; calls on the competent authorities not to detain trafficked persons and not to put them at risk of being punished for offences committed in the context of their situation as victims of trafficking in human beings, in particular in the case of prostitution, any other form of sexual exploitation or forced labour; calls on the Member States to respect the principle of non-criminalisation;

66. Calls on the Member States to implement legal instruments which facilitate the possibilities for victims of trafficking in human beings to contact the authorities without endangering their own safety and their rights as a victim;

67. Calls on the Member States to implement without delay Directive 2011/36/EU and in particular Article 8 thereof, in addition to all relevant legal frameworks on trafficking in human beings; urges the Commission to take legal action against Member States that fail to implement it, and to publish as soon as possible the implementation report which was due in April 2015;

68. Calls on governments to put in place firewalls between immigration authorities and labour inspectorates, in order to encourage victims to lodge complaints and to ensure that if cases of trafficking in human beings are detected there is no fear of action being taken by immigration authorities against victims;

69. Calls on the Member States to criminalise the act of using any services of a victim of trafficking in human beings by their citizens if such an act is committed outside the Member State and/or outside the EU, including prostitution or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude or the exploitation of criminal activities or the removal of organs;

70. Considers that being a refugee, an asylum seeker, a humanitarian visa holder or a person in need of international protection should be considered as a vulnerability factor in the case of human trafficking victims; calls on the Member States to ensure that law-enforcement authorities and asylum authorities cooperate in order to help human trafficking victims in need of international protection to lodge an application for protection; reaffirms that measures taken against human trafficking should not adversely affect the rights of victims of trafficking, migrants, refugees and persons in need of international protection;

71. Calls on the Member States to implement gender-sensitive measures in order to

improve the identification of victims of trafficking in human beings in asylum and return procedures, to keep more detailed and gender-disaggregated records and to ensure that such victims are also referred to appropriate support options;

72. Reminds the Member States that Directive 2011/36/EU is without prejudice to the principle of non-refoulement in accordance with the 1951 Convention Relating to the Status of Refugees;

73. Encourages the Member States to guarantee asylum seekers who are victims of trafficking the same rights as those afforded to other victims of trafficking;

74. Notes that, according to the International Organization for Migration (IOM), the return of migrants and refugees carries inherent security risks with regard to re-trafficking that must be identified, assessed and mitigated against since the risk posed to trafficked migrants by their exploiters often increases when they have managed to escape, have interacted with law enforcement officials, or have testified in court⁽²⁾ ;

75. Calls for the EU and the Member States to make the fight against human trafficking more visible to the public, with a particular focus on airports, train stations, buses, schools, universities and relevant workplaces; calls for the EU and the Member States to raise awareness among their public officials about the EU Guidelines for the identification of victims of trafficking in human beings and about the Commission publication on the EU rights of victims of trafficking in human beings, and encourages the active use thereof;

76. Encourages targeted funding by the EU for local NGOs to identify and support victims of trafficking in human beings as well as raising awareness among populations vulnerable to exploitation and human trafficking; welcomes in this context the role of media which can help raise awareness and give information about risks;

Cooperation against trafficking in human beings at regional and international level

77. Is concerned by the insufficient level of international co-operation on cases of trafficking in human beings, particularly where countries of origin and countries of transit are involved, and that such a situation poses a significant impediment to effectively combating trafficking in human beings; calls for enhanced coordination and cooperation and the systematic exchange of information to investigate and combat transnational trafficking in human beings, stepping up financial and technical assistance and strengthening cross-border communication, cooperation and capacity building at government and law enforcement level, including border guards, immigration and asylum officials, criminal investigators and victim support agencies, civil society and UN agencies, including on how to identify and protect

victims and to discuss ways of dealing with countries of origin, transit and destination which have not ratified the UN Palermo Protocol; calls on the EU to develop a regional approach, concentrating on the 'trafficking routes' and offering responses which are adapted to the type of exploitation in the different regions; underlines in addition the usefulness of international exchange programmes for anti-trafficking professionals;

78. Calls on the Commission, the competent EU agencies and the Member States to develop gender-specific training for staff working in law and border enforcement services in order to better identify and assist potential victims of trafficking, in particular trafficking for sexual exploitation;

79. Insists on the need for the EU to enhance police and judicial cooperation between Member States and with third countries – in particular with countries of origin and transit of victims of trafficking in human beings – in the prevention, investigation and prosecution of trafficking in human beings, in particular via Europol and Eurojust, including information sharing, particularly with regard to known trafficking routes, participation in joint investigation teams and in combating the recruitment of people for trafficking in human beings through the internet and other digital means; stresses the importance of systematic exchanges of data by Member States and their input into Europol's data bases, Focal Point Phoenix and Focal Point Twins; encourages greater cooperation between Europol and Interpol in the fight against trafficking in human beings and recalls that exchanges of data between Member States and with third countries should fully respect EU standards on data protection; calls on the Member States to collect more comparable data on the fight against trafficking in human beings and to improve the exchange of data between them and with third countries;

80. Calls for the EU and the Member States to provide their law enforcement and police agencies with the necessary staff and resources for the agencies to be able to also receive information from families or other sources, to exchange this information with the relevant European and national authorities and to properly treat and analyse this information;

81. Stresses the fact that transit countries are crucial in the fight against human trafficking, as the exploitation of the victims has not yet begun at this phase; stresses the importance of providing border police officers with additional training in order to improve their identification skills;

82. Underlines the numerous challenges linked to cross-border labour migration, particularly the risk of migrants being illegalised and deprived of their most fundamental rights; calls for the establishment of cross-border labour migration mechanisms in the EU and at international level in order to increase and formalise

regular labour migration;

83. Recognises the efforts made by the EU in creating formalised cross-border labour migration channels, which should receive more attention, and calls for more coherent and reinforced efforts in this regard; underscores the potential of formalised labour migration as a means of preventing trafficking in human beings and to save lives;

84. Urges the EU to strengthen its cooperation with NGOs and other relevant international organisations, including by ensuring adequate funding and coordinated assistance, in order to increase the exchange of best practices, the development of policies, implementation, and to increase research, including with local actors, notably focusing on access to justice for victims and prosecution of perpetrators;

85. Recalls that, in accordance with Directive 2011/36/EU, the Member States should encourage and work closely with civil society organisations, in particular in policy-making initiatives, information and awareness-raising campaigns, research and education programmes and in training, as well as in monitoring and evaluating the impact of anti-trafficking measures; points out furthermore that NGOs should also assist with regard to the early identification of, assistance to and support for victims; insists that Member States should ensure that NGOs are protected from retaliations, threats, and intimidations and even more that they are exempted from criminal prosecutions when they assist victims of trafficking who are in an irregular situation;

86. Calls for the EU, the Member States and the international community to give particular attention to the issue of preventing and combating trafficking in human beings in humanitarian crisis environments such as natural disasters and armed conflicts, in order to decrease victims' vulnerability to traffickers and other criminal networks; emphasises that protection must be granted to all those entitled to it in accordance with international and regional conventions;

87. 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;

EU policy on trafficking in human beings in its external action

88. Recognises and supports the work of the EU Anti-Trafficking Coordinator established to improve coordination and coherence among the EU institutions,

agencies, and the Member States with third countries and international actors and urges the Coordinator to further develop concrete joint action and measures among the EU, the Member States, third countries and international actors so as to set up a more coherent and efficient cooperation in establishing systems that identify, protect and assist victims of trafficking, step up the prevention of trafficking in human beings, seek increased prosecution of traffickers and establish a network capable of responding to emerging concerns;

89. Urges the EU to make the necessary efforts at international level to prevent and suppress the slave trade, to bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms;

90. Considers it essential that strategies aimed at the prevention of trafficking in human beings address the facilitating factors and the underlining causes and circumstances behind this phenomenon and follow an integrated approach which brings together different actors, mandates and perspectives, both nationally and internationally; takes the view that prevention strategies should include actions to address poverty, oppression, lack of respect for human rights, armed conflict and economic and social inequalities, and should be aimed at reducing the vulnerability of potential victims, discouraging the demand for the services of the trafficked persons, which can also be considered a root cause, increasing public education and eradicating corruption of public officials; calls also on all states to effectively implement their obligations under the Palermo Protocol;

91. Calls on the Member States to ratify all relevant international instruments, agreements and legal obligations, including the Istanbul Convention, and to step up efforts to make the fight against trafficking in human beings more effective, coordinated and coherent; encourages the EU to call for the ratification of all relevant international instruments;

92. Calls on EU representatives to pay particular attention to trafficking in human beings in the EU's political dialogue with third countries, and also through its cooperation programmes and within multilateral and regional fora, including through public statements;

93. Calls on the EU to review its assistance programmes regarding trafficking in human beings, to make funding more targeted and to make trafficking in human beings an area of cooperation in its own right; in that context encourages the increase of resources for services dealing with trafficking in human beings within the EU institutions; urges the Commission to regularly re-evaluate its list of priority countries, including the selection criteria, to ensure that it reflects the realities on the ground and to make them more flexible and adaptable to changing circumstances and emerging trends;

94. Calls on the Commission and the Member States, when stepping up legal measures against trafficking in human beings, to also widen the definition of trafficking in human beings by introducing references to new means of trafficking within its scope;
95. Calls on the EU and the Member States to implement the actions relating to the fight against trafficking in the current EU Action Plan on Human Rights and Democracy and in line with the EU Strategy towards the eradication of trafficking in human beings;
96. Calls on the Commission to assess the need to review the mandate of the future European Public Prosecutor's Office to include powers, once established, to tackle human trafficking;
97. Calls for EU policy against trafficking in human beings to be made more effective by being more deeply embedded within the wider EU strategies on security, equality between women and men, economic growth, cybersecurity, migration and external relations;
98. Calls for all 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;
99. Calls on the Commission and the Member States to ensure that human rights, gender equality and the fight against trafficking in human beings remain at the heart of the EU's development policies and partnerships with third countries; calls on the Commission to introduce gender-sensitive measures when creating new development policies and when reviewing existing policies;
100. Stresses that the economic and social empowerment of women and girls would reduce their vulnerability to becoming victims, and calls on the Commission to continue its targeted action on mainstreaming gender equality in all development operations and ensuring that it remains, together with women's rights, on the agenda during political dialogue with third countries;
101. Stresses the importance of the Sustainable Development Goals, particularly SDG 5.2 which calls for the elimination of all forms of violence against women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation;
102. Calls on the EU to support third countries in their efforts to increase the identification, assistance and reintegration of victims and prosecutions for trafficking in human beings, putting in place and implementing adequate legislation, and

harmonising legal definitions, procedures and cooperation in line with international standards;

103. Urges the Commission and the Member States to ensure that law enforcement personnel, including those in agencies such as Frontex, Europol, and EASO, as well as other officials likely to come into contact with victims or potential victims of trafficking in human beings are provided with adequate training to be able to deal with cases of trafficking in human beings, with an integrated intersectional perspective, with an emphasis on the special needs of trafficked women, children and other groups in vulnerable situations such as Roma and refugees and on how to provide incentives and full protection for victims of trafficking in human beings and for others to report traffickers;

104. Believes that trafficking victims from third countries must be identified at the earliest possible stage in the network and that greater efforts must therefore be made at the borders to identify victims as they enter the EU; calls on the Member States to work with third countries in improving existing guidelines which can help consular services and border guards in the identification of victims of human trafficking and underlines in this respect the importance of exchange of best practices, in particular with regard to interviews at the borders; stresses also the need for border guards and coastguards to have access to Europol databases;

105. Calls on the Member States to enhance cooperation with third countries in order to combat all forms of trafficking in human beings, paying particular attention to the gender dimension of trafficking in human beings to specifically combat child marriage, the sexual exploitation of women and girls and sex tourism; calls on the Commission and the EEAS to redouble efforts under the Khartoum Process by running more dedicated projects and ensuring the active participation of a greater number of countries;

106. Asks that the Commission, the Council and the EEAS in their negotiations with third countries on international agreements, re-admission agreements and cooperation agreements, place an emphasis on the need for third countries to effectively combat human trafficking, increase prosecutions of perpetrators and enhance protection for victims;

107. Urges the EU to effectively focus its efforts on both addressing trafficking in human beings and fighting smuggling; urges the EU and the Member States to invest in the identification of victims of human trafficking among refugees and migrants and among victims of violations and abuse as part of smuggling operations, controlled by criminal networks;

108. Underlines the necessity of preparatory work and training for international civilian police missions as well as the training of diplomats, liaison officers and

consular and development cooperation officers in order to improve the identification of victims of human trafficking; considers training for these groups to be necessary, because they are often the first contact point for victims of trafficking, and that action should be taken in order to ensure that these officials have access to adequate material to inform persons at risk of becoming victims of trafficking;

109. Recalls that the rolling out on 7 October 2015 of the second phase of EUNAVFOR MED, also known as Operation Sophia, has made it possible to take concrete action against the trafficking of human beings as it authorises the boarding, search, seizure and diversion, on the high seas, of vessels suspected of being used for human smuggling or trafficking; recalls that, so far, 48 suspected smugglers and traffickers have been arrested and are being dealt with under the Italian justice system; calls on the EU to continue and to step up its operations in the Mediterranean;

110. Calls on the EU to find tangible solutions regarding legal, regular, non-exploitative and safe ways into the EU for migrants and refugees; reminds the Member States and the EU that they must comply with international law, including the principle of non-refoulement, in all their policies and in particular those on migration; recalls that safe voluntary return should be guaranteed to trafficked persons by the receiving state and state of origin, and legal alternatives in cases where repatriation would pose a risk to their safety and/or of their family; maintains that the receiving state and state of origin must guarantee the necessary conditions of safety and reintegration for the victims upon return;

111. Urges the Commission and the Member States to respect the United Nations Charter and the principles of asylum law;

112. Calls on the EU to promote programmes supporting the inclusion of migrants and refugees with the involvement of key actors from third countries, and also of cultural mediators, to be helpful in raising the level of awareness of communities on trafficking and making them more resilient to the penetration of organised crime;

113. Urges the Commission and the Member States to make efforts to protect and find all refugees or migrants, particularly children, who have gone missing after arriving on European soil;

114. Commends the work of Europol, in particular through the Focal Point Twins, in detecting people travelling to third countries in order to commit child abuse; calls on the Member States to cooperate with Europol by ensuring a systematic and rapid exchange of data;

115. Recalls that before concluding a visa liberalisation agreement, the Commission must assess the risks posed by the third country concerned particularly with regard to

illegal immigration; emphasises that trafficking networks may also use legal channels for migration; asks the Commission therefore to include the effective cooperation of the relevant third countries with regard to trafficking among the criteria to be met for any visa liberalisation agreement;

116. Points out that the EU needs a binding and mandatory legislative approach to resettlement, as set out in the Commission's agenda for migration; points out that humanitarian admission can be used as a complement to resettlement in order to give urgent protection, often on a temporary basis, to the most vulnerable where needed, e.g. unaccompanied minors or refugees with disabilities, or those in need of urgent medical evacuation;

117. Calls on the EU to share with third countries the elaboration of a standardised system for the collection of qualitative and quantitative data and analysis of trafficking in human beings in order to develop a common or at least comparable template in EU and third countries for the collection and analysis of data relating to all aspects of trafficking in human beings; urges the need for allocation of sufficient funds for data collection and research on trafficking in human being;

118. Encourages the EU to develop a new post-2016 anti-trafficking strategy with a stronger and more targeted external dimension, which gives added priority to developing partnerships with local civil society in non-EU countries of origin, transit and destination, governments and the private sector and to addressing the financial and economic aspects of trafficking;

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119. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service (EEAS) and the EU-Delegations.

(1) Texts adopted, [P8_TA\(2015\)0470](#).

(2) See p. 23 of the International Organization for Migration (IOM) report entitled 'Counter Trafficking and Assistance to Vulnerable Migrants Annual Report of Activities 2011'.

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