



Parliament approves tougher rules to combat trafficking in human beings

Plenary sessions

Traffickers in human beings are to face tougher penalties for their crime and victims will be entitled to better protection and assistance, under a new EU law approved today by the European Parliament. The new rules will apply to trafficking in the sex industry or labour exploitation in, for example, construction work, farming or domestic service.

With this legislation, "we will create a tougher environment for the human traffickers and stronger protection for the victims", said Civil Liberties Committee rapporteur Anna Hedh (S&D, SE). "We also have to work on the roots of human trafficking, such as the demand for services. The human body is not a commodity that can be used and sold for money", she added.

"The biggest achievement is that this new directive creates a dissuasive environment for traffickers and ensures assistance and protection for victims of trafficking, especially for children. I am convinced that the result achieved is a good one and the adopted directive will create a better legal basis than the old 2002/629 Framework Decision. This is the first time we are making criminal law since the Lisbon Treaty", added Women's Rights Committee rapporteur, Edit Bauer (EPP, SK).

Human beings are trafficked for many reasons. Sexual exploitation, forced labour, begging, removal of organs, illegal adoption and forced marriages are some examples covered by the new rules.

The directive takes a broader view of what "exploitation" means than does the EU framework decision of 2002 (which it is to replace), thus widening the protection to more victims.

The text agreed by Parliament and Council lays down minimum rules for defining criminal offences and sanctions for traffickers and introduces common rules to step up crime prevention and protection for victims. Once the directive is adopted, Member States will have two years to transpose it into their national laws.

Stiffer penalties for traffickers and proceeds to be confiscated

The new directive sets maximum EU-wide penalties of at least five years' imprisonment (i.e. Member States may not impose lower ceilings) or, in specific aggravating circumstances, ten years' imprisonment. These aggravating circumstances include cases where children are exploited, criminal organisations are involved, the victim's life is endangered or serious violence is used. Instigating, aiding, abetting or simply attempting to commit such an offence will also be punishable.

Where legal persons (organisations) are involved, sanctions should include criminal or non-criminal fines and could also include, for example, exclusion from entitlement to public benefits or permanent closure of establishments.

Member States should also ensure that the instruments and proceeds of these crimes are seized and confiscated. They are also "encouraged" to use them to support help and protection for victims, including compensation.

Press release

Broader protection for victims

Victims should receive accommodation, material assistance and where necessary medical treatment, including psychological assistance. Legal counselling and legal representation should be free of charge, at least when the victim lacks sufficient financial resources. Victims of trafficking should also have access to witness protection programmes and to compensation schemes.

Assistance and support should be provided “before, during and for an appropriate time after criminal proceedings”, irrespective of a victim’s willingness to act as a witness. A requirement not to prosecute or impose penalties on victims is explicitly stated in the text.

To discourage demand, Member States should also “consider taking measures to establish as a criminal offence the use of services” of a victim, with the knowledge that he/she has been trafficked.

Several hundred thousand people are trafficked into or within the EU each year. Many victims are exploited for prostitution (43%, overwhelmingly women and girls), or for menial labour (32%).

The directive was approved with 643 votes in favour, 10 against and 14 abstentions. It will not apply to Denmark or the UK, but the latter may opt in later.

Contact :

Isabel Teixeira NADKARNI

LIBE

BXL: (+32) 2 28 32198

STR: (+33) 3 881 76758

PORT: (+32) 498 98 33 36

EMAIL: libe-press@europarl.europa.eu

Paola BUONADONNA

London

STR: (+33) 3 881 74822

PORT: (+44) 7 786 060 531

EMAIL: Press-en@europarl.europa.eu

EMAIL: paola.buonadonna@europarl.europa.eu

ADDINFO: (+44) 207 227 43 35

Eimear NÍ BHROIN

Dublin

STR: (+33) 3 881 64122

PORT: (+353) 868 559 423

EMAIL: Press-en@europarl.europa.eu

EMAIL: eimear.nibhroin@europarl.europa.eu

ADDINFO: (+353) 1 605 79 32