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11. Trafficking in women for sexual exploitation

A4-0372/97

Resolution on the Communication from the Commission to the Council and the European Parliament on trafficking in women for the purpose of sexual exploitation (COM(96)0567 – C4-0638/96)

The European Parliament,

- having regard to the Commission Communication (COM(96)0567 – C4-0638/96),
- having regard to the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) of 18 December 1979, and in particular Article 6 thereof,
- having regard to the Declaration and Programme of Action of the United Nations world conference on human rights in Vienna in 1993,
- having regard to the Resolution (49/166) on traffic in women and girls adopted by the United Nations General Assembly on 23 December 1994,
- having regard to the Declaration and Platform for Action resulting from the Fourth UN World Conference on Women in Beijing in September 1995,
- having regard to Recommendation 1325 (1997) of the Parliamentary Assembly of the Council of Europe on traffic in women and forced prostitution,
- having regard to the Joint Actions adopted by the Council on the basis of Article K.3 of the Treaty on European Union:
 - establishing an incentive and exchange programme for persons responsible for combating trade in human beings and the sexual exploitation of children (the STOP Programme) ⁽¹⁾,
 - concerning the creation and maintenance of a directory of specialised competences, skills and expertise in the fight against international organized crime ⁽²⁾,
 - extending the mandate given to the Europol Drugs Unit ⁽³⁾,
 - concerning action to combat trafficking in human beings and sexual exploitation of children ⁽⁴⁾,
- having regard to the report of the Conference on Trafficking in Women in Vienna on 10-11 June 1996,
- having regard to the statement resulting from the NGO conference on the trafficking of women held in Noordwijkerhout on 5-7 April 1997,
- having regard to the ministerial declaration on European guidelines for effective measures to prevent and combat trafficking in women for the purpose of sexual exploitation agreed in The Hague on 24-26 April 1997,
- having regard to the fact that the draft Treaty of Amsterdam contains a provision in its new Article K.1 that also refers to trafficking in persons,
- having regard to its resolution of 14 April 1989 on the exploitation of prostitution and the traffic in human beings ⁽⁵⁾,
- having regard to its resolution of 16 September 1993 on trade in women ⁽⁶⁾,
- having regard to its resolution of 18 January 1996 on trafficking in human beings ⁽⁷⁾,
- having regard to the report of the Committee on Women's Rights and the opinions of the Committee on Civil Liberties and Internal Affairs and the Committee on Development and Cooperation (A4-0372/97),

⁽¹⁾ OJ L 322, 12.12.1996, p. 7.

⁽²⁾ OJ L 342, 31.12.1996, p. 2.

⁽³⁾ OJ L 342, 31.12.1996, p. 4.

⁽⁴⁾ OJ L 63, 4.3.1997, p. 2.

⁽⁵⁾ OJ C 120, 16.5.1989, p. 352.

⁽⁶⁾ OJ C 268, 4.10.1993, p. 141.

⁽⁷⁾ OJ C 32, 5.2.1996, p. 88.

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- A. whereas trafficking in human beings, which is a late twentieth century form of slavery, affects men, women and children, but most victims are women and the majority of these women are trafficked for the purpose of sexual exploitation,
 - B. whereas trafficking in women is increasing because of the vulnerability, poverty and marginalisation of women in their countries of origin, the high profits and low risks experienced by traffickers, and the demand for women for prostitution and other forms of sexual exploitation that exists in Europe,
 - C. whereas trafficking in women for the purpose of sexual exploitation involves not only enforced prostitution but forced or false marriages and work situations which are covers for and facilitate sexual exploitation,
 - D. whereas trafficking in women is a global problem requiring international cooperation and multidisciplinary approaches focusing on prevention, detection and successful prosecution of the traffickers, protection of the victims and rehabilitation of the survivors,
 - E. whereas, in its unanimous resolution of 18 January 1996, mentioned above, on trafficking in human beings, the European Parliament outlined the objectives of a well-organized multidisciplinary policy on combating trafficking,
 - F. whereas the countries of Central and Eastern Europe are increasingly countries of transit and destination as well as of origin of the women concerned; whereas this is due in large part to rising female poverty and unemployment in those countries alongside crumbling social structures,
 - G. whereas trafficking in human beings has largely become the province of organised crime in which there has been considerable growth particularly in the former eastern bloc countries, one reason for this being the fact that police and legal services lack manpower, training and equipment and are thus unable to adequately counter this form of criminality,
 - H. whereas trafficking in human beings represents a lucrative element of the extensive activities of international organised crime which, by laundering illegal income in so-called tax havens, is strengthening its grip on the white economy with all the attendant consequences of this,
 - I. whereas non-governmental organisations have a vital role to play in research, prevention and the protection of victims, particularly given that they can more easily gain the confidence of women victims than the relevant authorities.
1. Welcomes the initiatives taken by the Commission and the interagency approaches it has advocated in the Communication;
 2. Considers it indispensable for the Commission, acting independently or in cooperation with the Council, to use a task force to ensure the detailed specification and execution, within the Commission and elsewhere, of the action points included in the Communication and asks for an annual survey on the activities of this task force;
 3. Stresses the need to carry out a coordinated information campaign between the European Union and third countries and addressed to women, describing clearly how the networks trafficking in women operate and the machinery they use to ensnare their victims;
 4. Stresses the need to see trafficking in women first and foremost from the point of view of the victims and to treat it as a violation of women's fundamental human rights, rather than seeing it exclusively in terms of the fight against organised crime or illegal immigration; believes that to ignore this aspect risks marginalising the women concerned and sending them underground, where they have no hope of protection from further abuse;
 5. Calls on Member States to implement in full the Joint Action adopted on 24 February 1997 under Article K.3 of the Treaty on European Union concerning action to combat trafficking in human beings and sexual exploitation of children and to carry through into practice the commitments made in the declaration following the Ministerial Conference on combating trafficking in women held in The Hague from 24-26 April 1997 and calls on the parliaments of the Member States to draw the attention of their respective governments to the need to give concrete substance to the joint action and the undertakings made;

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6. Calls for an active initiating and coordinating policy on the basis, *inter alia*, of Article 29 (former Article K.1) in conjunction with Article 34(2) (former Article K.6(2)) of the draft Treaty of Amsterdam;
7. Calls on the Member States, in the spirit of the Joint Action of 24 February 1997, to draft a convention providing for common provisions for sanctions against trafficking in human beings with sentences which reflect the seriousness of the offence;
8. Calls on Member States to adopt a multi-disciplinary approach to the fight against trafficking in women and recommends that Member States set up an inter-ministerial coordination which would also provide for NGO participation in coordinated action on trafficking in women;
9. Calls on all media to renounce advertising of or based on prostitution connected with trafficking in women;
10. Calls on Member States to prioritise above all protection of the victims, including access to:
 - adequate income and confidential social, health and psychological care;
 - emergency telephone lines;
 - legal assistance and the availability of translators for the purposes of bringing a formal complaint;
 - safe houses and temporary residence status pending a decision on whether the woman stays in the country;
 - advice on their right of asylum, how to apply for temporary or permanent resident permits, and repatriation to their home country;
 - the legal possibilities of damage compensation;
 - a work permit and training opportunity for the period the victim spends in the country;
11. Stresses the need to offer support to all victims and not to restrict this to those women who are willing to bring a formal case against a trafficker or to those considered to have a good chance of bringing about a conviction;
12. Underlines the importance, also from the point of view of prevention, of effective sanctions against those individuals and organisations directly or indirectly involved with trafficking in women with penalties and measures commensurate with the severity of the crime, including maximum custodial sentences at least equal to the maximum punishment that can be demanded for rape, punitive fines, deprivation of civil rights, including confiscation of passport or other travel documents, restriction on the exercise of certain professional activities, deportation after serving the sentence, closure of establishments where victims of trafficking in human beings have been employed against their will, confiscation of the proceeds of the offence and the moveable or immoveable assets gained thereby, which must *a priori* be used to provide financial 'compensation' for the victims;
13. Recommends that further consideration be given to the Regulation, inspection and control of cross-border marriage and employment bureaux, and the practices of some labour contracts, which may be used directly or indirectly for the purpose of trafficking in women for the purpose of sexual exploitation;
14. Asks the Member States to consider taking the following measures where applicable:
 - to provide the possibility in law that active prosecution of individuals and organisations involved in the trafficking of women should rely not only on the offence which is the subject of the action but that other forms of evidence may be capable of leading to a sentence;
 - to apply the principle of extra-territoriality to individuals and organisations engaged in trafficking in women;
 - to make the taking away of travel documents a punishable offence and to consider setting up an emergency telephone service where 'clients' can anonymously report cases of enforced prostitution;

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15. Calls for the STOP Programme, in addition to taking measures to improve detection and prosecution of traffickers and the training of operatives, to provide financing and programmes designed to provide information, prevention and the reintegration of the victims, to give emphasis to victim support, involving all agencies and authorities coming into contact with victims of trafficking, and to encourage greater collaboration between official bodies and non-governmental organisations;
16. Believes that funding for the STOP Programme should be increased, within the limits of the financial perspective mainly in order to extend the programme of reintegration for the victims and that Parliament must be regularly informed on the criteria used for the selection of projects to permit a proper evaluation of the programme;
17. Considers that a balance should be achieved in both the STOP and DAPHNE programmes between projects dealing with trafficking in women and those concerning the sexual exploitation of children;
18. Calls on the Commission to ensure the effective coordination and monitoring of measures across the range of Community programmes, where funds could be used to combat trafficking in women and to ensure in this respect that trafficking in women is specifically mentioned in all relevant guidelines for applicants and to make the possibilities of such financing known to the NGOs and institutions concerned;
19. Believes in particular that greater use could be made of Community education, training and employment programmes to assist the victims whether they stay in the EU or return to their country of origin;
20. Calls for an increase in funds under the PHARE and TACIS Programmes for projects directly linked to the fight against trafficking in women, given the fact that the countries of Central and Eastern Europe are now countries of transit and destination as well as countries of origin;
21. Calls for all EU Member States' embassies and EU representations in third countries to be informed of the dangers of recruitment into the entertainment business and to be sent multilingual information material, and to take an active part in local events to discourage trafficking in women; insists on the need to support women's organisations in whatever form and to integrate them into the process of information and opinion-forming;
22. Calls on the Commission and Member States to make provision for greater support to those women who return to their country of origin including finance to return home, counselling, education and vocational training, and employment opportunities to assist their rehabilitation: the guiding principle of every measure should be to support the rehabilitation of the women and their reintegration into society;
23. Believes that NGOs concerned with trafficking in women both in Member States and in countries of origin should receive maximum support from Community programmes and Member States authorities given their expertise in prevention (eg information campaigns), support and protection of the victims, and rehabilitation of returnees;
24. Considers that the ECU 3 million allocated to the DAPHNE Programme for 1997 is completely insufficient;
25. Calls on the Commission to accelerate its work in proposing a legal basis for the DAPHNE Programme, which should be expanded to include rehabilitation and protection of the victims of trafficking given that this is not given adequate attention in other Community programmes;
26. Calls on the Commission to give priority in EU development aid programmes in the CEEC, Asia, Latin America, the ACP and Mediterranean area to combating trafficking in women by addressing the underlying reasons why women are vulnerable to trafficking for the purposes of sexual exploitation, including poverty, lack of employment opportunities, low levels of literacy and education and the status of women in society, in addition to supporting projects designed specifically to address trafficking;

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27. Calls on the Commission and Member States to give high priority to gender equality and women's rights in negotiations with applicant countries and to ensure that the legislation and structures in those countries are sufficient to tackle the problem of trafficking in women and are in line with measures taken in the Member States;

28. Urges the Commission, Member States and third countries involved in the negotiations over the reform of the Lomé Convention to take into account the need to promote women's rights and the fight against trafficking in women; calls for all future bilateral agreements with third countries to include a clause whereby such agreements should be suspended where countries are found not to have taken measures to enhance gender equality and combat trafficking in women;

29. Calls on the Member States to act as quickly as possible to ratify the Europol Convention, given that the mandate of the Europol Drugs Unit has recently been extended to the fight against traffic in human beings and to give Europol or its predecessor all the resources they need to cope with their increased tasks;

30. Calls on the Council to extend the scope of the future European Information System (EIS) to combating trafficking in human beings by exchanging computerized data concerning the identity of traffickers and the international networks for the transit of victims;

31. Stresses the importance of giving the victims of trafficking confidence in the forces of law and order, and calls for the relevant police services to be given special training and appropriate linguistic knowledge to enable them to provide the requisite assistance to victims who will thereby be able to cooperate in the fight against trafficking in human beings;

32. Deems it necessary to nominate, in the framework of the United Nations, a special rapporteur for trafficking in human beings in order to facilitate international initiatives in this field;

33. Instructs its President to forward this resolution and the committee's report to NGOs working in the field of trafficking in women, the Commission, the Council, the governments of the Member States, the governments of third countries seeking membership of the Union, the governments of the ACP countries, and other countries of origin.
