



Committee of the Regions

CIVEX-V-035

99th plenary session, 31 January and 1 February 2013

OPINION

The EU strategy towards the eradication of trafficking in human beings 2012-2016

THE COMMITTEE OF THE REGIONS

- agrees that the implementation of the strategy will require a coherent and multidisciplinary approach with the involvement of a very diverse group of actors, including authorities at different levels, law-enforcement, public service workers, civil society and volunteer groups. The proximity of certain cities and regions to the points of entry of trafficked individuals and/or to the places where exploitation takes place gives a greater opportunity to identify and support victims of trafficking, and also to engage in awareness-raising initiatives in close collaboration with civil society and for the direct benefit of trafficked persons and citizens in general;
- points out that the Commission should in future more clearly prioritise and extend the various measures that exist to counter demand and urges the Commission to make a clearer distinction between demand relating to 1) labour exploitation, 2) sexual services and 3) the sexual exploitation of children;
- is convinced that local and regional authorities are in a better position than central/national ones to recognise the signs that someone is a victim of human trafficking. The Committee of the Regions could therefore usefully contribute to efforts to develop guidelines on victim identification and on child protection systems;
- underlines that the effectiveness of the multi-disciplinary and multi-sectoral approach that the European Commission envisages for the implementation of its strategy is to a large extent dependant on the active engagement of actors at the local and regional level;
- would like to participate, as the representative of local and regional authorities, in the civil society platform and private sector and employers' platform;
- welcomes the proposal to develop knowledge relating to the gender dimension of trafficking and vulnerable groups, but at the same time urges the Commission not to focus on the gender dimension only in terms of victims but also to bear in mind that there are clear differences between the sexes in terms of demand.

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Rapporteur

Jelena Drenjanin (SE/EPP), Member of the Municipal Assembly of Huddinge

Reference document

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: The EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016
COM(2012) 286 final

Opinion of the Committee of the Regions – The EU strategy towards the eradication of trafficking in human beings 2012-2016

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

General comments

1. welcomes the Commission's communication and the efforts made by the recently appointed EU anti-trafficking coordinator;
2. is pleased that its earlier calls for the Commission to draw up specific action plans for combating human trafficking and to integrate this campaign into relations with third countries have been heeded in the strategy;
3. acknowledges that key steps in improving international cooperation on this issue have been taken via implementation of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, the UN's Palermo protocol on trafficking in persons and the Council of Europe Convention on action against trafficking in human beings. The Committee therefore urges the Commission to continue to encourage Member States to transpose and ratify these important international agreements in good time;
4. agrees that the implementation of the strategy will require a coherent and multidisciplinary approach with the involvement of a very diverse group of actors, including authorities at different levels, law-enforcement, public service workers, civil society and volunteer groups. However, local and regional authorities do not have a prominent place in the communication, despite the significant role they already play and the additional contributions they could make to preventing and combating trafficking in human beings and in supporting and protecting its victims. Local and regional authorities are best placed to react to their citizens' and residents' concerns and can delimit and define the solutions and tailor-made policies that fit the specific circumstances in their localities. Regarding the identification of victims, signalling of abuse and awareness-raising, the potential input of LRAs could highly increase the effectiveness of the envisaged actions. The proximity of certain cities and regions to the points of entry of trafficked individuals and/or to the places where exploitation takes place gives a greater opportunity to identify and support victims of trafficking, and also to engage in awareness-raising initiatives in close collaboration with civil society and for the direct benefit of trafficked persons and citizens in general;

5. is concerned that several parts of the strategy make **no distinction between different forms of human trafficking**. It is true that the driving forces in the countries of origin (poverty, exclusion, lack of education, etc.), and the need for action to counter those forces, are in many cases similar, but when it comes to action to reduce demand in destination countries, a distinction often needs to be made between trafficking for labour, trafficking for sexual purposes and trafficking for the sexual exploitation of children. Human trafficking for sexual purposes (the most prevalent form of human trafficking, according to the Commission) has a gender dimension resulting basically from gender inequality. The increase in human trafficking for labour should also be taken into account. The Committee of the Regions urges the Commission to **clarify these distinctions and adapt the proposed countermeasures** accordingly (see point 13 below);

The Committee of the Regions' comments based on the five priorities in the communication

a. *Identifying, protecting and assisting victims of trafficking*

6. acknowledges that local and regional authorities are often involved in the referral of victims of human trafficking where it takes place within a Member State (to varying extents depending on the division of competences within the Member States). This should be more clearly reflected in the strategy, by noting in the text that mechanisms should be developed **in consultation with the responsible local and regional authorities in the relevant Member State**. The current statement that "[referral] mechanisms should ... include all relevant public authorities and civil society" is much too vague;
7. where local and regional authorities are given responsibility for referral, encourages Member States to **provide the local level with the requisite financial parameters** for that purpose;
8. welcomes the Commission's intention to develop a model for an EU transnational referral mechanism. **The Committee could make a useful contribution to discussions regarding this mechanism** by encouraging the exchange of best practices and building, where appropriate, on existing networks of cooperation;
9. is convinced that local and regional authorities are in a better position than central/national ones to recognise the signs that someone is a victim of human trafficking. **The Committee of the Regions could therefore usefully contribute to efforts to develop guidelines on victim identification and on child protection systems**. The role of the healthcare sector here should be highlighted, as in some cases such institutions may be the first to come into contact with victims;
10. believes that local and regional authorities can be quite active and effective in the provision of information on the rights of victims. A number of successful projects have been carried out in cities and regions in the EU and have shown that dissemination of information at local level can be very effective, with the distribution of brochures, leaflets etc., and also with the

organisation of information campaigns. **The Committee of the Regions encourages the Commission to take due account of this, and would like the local perspective to be highlighted in the strategy**, for example in point A 4;

b. *Stepping up the prevention of trafficking in human beings*

11. points out that directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims includes a provision that Member States should work to reduce the demand that fosters all forms of exploitation related to trafficking in human beings. To this end, consideration should be given to penalising the use of a person's services in the knowledge that he or she is a victim of human trafficking. **Against this background, the Commission should in future more clearly prioritise and extend the various measures that exist to counter demand.** Such measures might include research, education or information programmes to make people aware of the factors that risk encouraging different types of human trafficking. An example would be the IOM's "Buy responsibly" campaign in relation to labour exploitation. Another measure that some Member States have implemented or are considering is a ban on the purchase of sexual services, partly in order to address the effect of prostitution as a driver for people involved in human trafficking;
12. feels that the reference in action B 1 of the strategy on "understanding and reducing demand" to the IOM's "Buy Responsibly" campaign is unfortunate and could be misinterpreted as implying that women and children are commodities that can be bought responsibly. This is presumably not intentional, and the text should therefore be reworded;
13. urges the Commission to make a clearer distinction between demand relating to 1) labour exploitation, 2) sexual services and 3) the sexual exploitation of children, perhaps by dividing action B 1 into several parts, with appropriately targeted action to reduce demand;
14. urges local and regional authorities to further develop their capacity to identify and help victims of human trafficking so that they can play a more prominent role in work to support victims;
15. suggests that LRAs make local communities more aware of issues surrounding trafficking in human beings, by helping to raise awareness of the issue locally, with informative material, events, training sessions for the local population and local social services etc; local community and civil society groups could work together with the (local) police, local authorities and other stakeholders to identify trafficking patterns in the area and to develop local action plans for the prevention and the eradication of trafficking. **The Commission should clearly call on the Member States to promote such cooperation in ongoing work on the strategy;**

16. stresses that local and regional initiatives fostering growth and employment in countries of origin can be instrumental in tackling trafficking in human beings. This is another reason for highlighting local and regional authorities as a significant stakeholder in ongoing work on this;
17. requests to participate in the evaluation of existing prevention initiatives and in the drafting of EU-wide guidelines for future preventive measures and information campaigns with a gender perspective;
18. In its efforts to promote EU-wide information campaigns, encourages the European Commission to **take account of the knowledge that many local authorities and voluntary organisations have on the subject** and cooperate with them in this work;

c. Increased prosecution of traffickers

19. underlines that local police forces have a detailed knowledge of their local community, and can therefore greatly facilitate detection of human trafficking and its origins, etc. With due respect for the subsidiarity principle, the CoR calls on the Member States to consider the possibility of giving local law-enforcement units access to databases, training them in detecting this type of crime and granting them necessary powers;
20. would urge the Member States not to give national specialised units all the responsibility and power. **All police officers and other representatives of the public authorities, right down to the last link in the chain** – i.e. those who actually meet the victims – **should be well informed about crimes involving human trafficking and how to recognise the signs of trafficking**, in accordance with Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. This does not, of course, prevent national multidisciplinary law-enforcement units being set up in parallel;
21. suggests that the European Commission's proposed action on the establishment of National Multidisciplinary Law Enforcement Units (C 1) should encourage Member States to allow staff of **local and regional authorities to participate in the national multidisciplinary law-enforcement units** established in line with the strategy. It also calls to enhance cooperation between partners on the local level and between regional police forces in different EU Member States, in the training of local police officers, especially in those regions where it often occurs, in signalling and combating cases of human trafficking. It would be useful for LRAs or their representative associations at the national (or regional) level to be actively involved in the consultations leading up to the formal establishment of such outfits, not least so as to develop contacts between local, regional and national levels;
22. In order to avoid duplication of effort, draws attention to the work undertaken within the Standing Committee on Internal Security (COSI). Trafficking in human beings is one of the eight priorities to be tackled jointly by the EU Member States under a special methodology

with clear goals, practical measures and follow-up requirements¹. This work is briefly mentioned in action C 1, but with no further details on how the Commission's strategy relates to the work being done within COSI;

d. Enhanced coordination and cooperation among key actors and policy coherence

23. underlines that the effectiveness of the multi-disciplinary and multi-sectoral approach that the European Commission envisages for the implementation of its strategy is to a large extent dependant on the active engagement of actors at the local and regional level;
24. wishes to contribute to the effort to mainstream the fight against human trafficking in the EU's external policy activities. Trafficking is a matter of concern in the context of the EU's enlargement and neighbourhood policies, and **the Committee could therefore endeavour to consider related issues within the framework of the Joint Consultative Committees** and Working Groups with the enlargement countries or ARLEM and CORLEAP respectively;
25. would like to participate, as the representative of local and regional authorities, in the **civil society platform** and **private sector and employers' platform**, which are envisaged by the strategy;

e. Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings

26. **welcomes the proposal to develop knowledge relating to the gender dimension** of trafficking and vulnerable groups. This knowledge would be very useful to local and regional authorities and their staff, who are often on the front line when it comes to tackling human trafficking and its victims;
27. urges the Commission **not to focus on the gender dimension only in terms of victims but also to bear in mind that there are clear differences between the sexes in terms of demand**. Demand for sexual services – a decisive driver for people involved in human trafficking for sexual purposes – comes primarily from men, and this gender disparity should be highlighted in efforts to develop knowledge relating to the gender dimension of trafficking in human beings.

¹ EU Policy Cycle Against Organised and Serious Crime.

Brussels, 31 January 2013

The President
of the Committee of the Regions

Ramón Luis Valcárcel Siso

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

II. PROCEDURE

Title	The EU strategy towards the eradication of trafficking in human beings 2012-2016
Reference	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: The EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 COM(2012) 286 final
Legal basis	Article 307(1) of the Treaty on the Functioning of the European Union
Procedural basis	Rule 39 a) of the Rules of Procedure
Date of Commission letter	19 June 2012
Date of Bureau/President's decision	26 June 2012
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Date adopted by commission	4 December 2012
Result of the vote in commission (majority, unanimity)	Unanimous
Date adopted in plenary	31 January 2013
Previous Committee opinions	Financial instruments in the area of home affairs – rapporteur: Samuel Azzopardi (MT/EPP) – CdR 12/2012 fin The global approach to migration and mobility – rapporteur: Nichi Vendola (IT/PES) – CdR 9/2012 fin Victims of crime – rapporteur: Per Bødker Andersen (DK/PES) – CdR 197/2011 fin Action Plan on the implementation of the Stockholm Programme – rapporteur: Dr Holger Poppenhäger (DE/PES) – CdR 170/2010 fin Local and regional cooperation to protect the rights of the child in the EU – rapporteur: Arnoldas Abramavičius (LT/EPP) – CdR 54/2010 fin The Stockholm Programme: challenges and opportunities in view of a multi-annual programme on the area of freedom security and justice – rapporteur: Anna Terrón I Cusí (ES/PES) – CdR 201/2009 fin Combating the sexual abuse, sexual exploitation of children and child pornography and Combating trafficking in human beings, and protecting victims – rapporteur: Ján Oravec (SK/EPP) – CdR 200/2009 fin The situation of migrant women in the EU – rapporteur: Sonia Masini (IT/PES) – CdR 396/2006 fin
Date of subsidiarity monitoring consultation	