

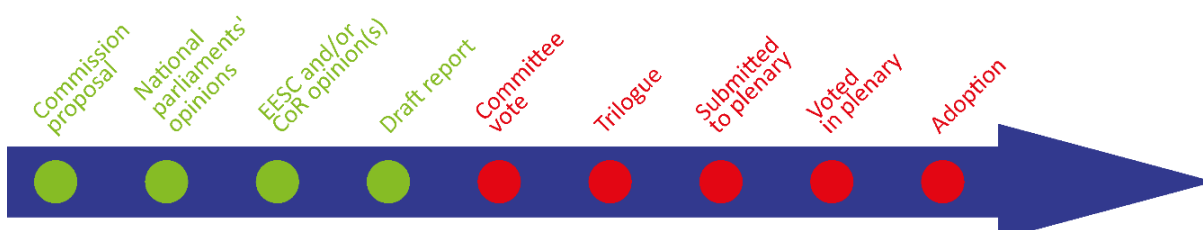
Preventing and combating trafficking in human beings

OVERVIEW

On 19 December 2022, the European Commission put forward a proposal for the targeted revision of Directive 2011/36/EU, which is the main EU instrument to combat trafficking in human beings and protect its victims. Despite progress achieved in fighting this crime, the Commission reports that, on average, 7 000 people per year are victims of human trafficking in the EU and that this figure is most likely only the tip of the iceberg. Moreover, forms of exploitation have evolved over time and have adapted to the new environment. For instance, criminal networks are now taking advantage of the possibilities offered by new technologies to recruit victims. Most recently, the Russian invasion of Ukraine has generated a massive displacement of women and children and created new opportunities for criminal organisations. While a large majority of victims of trafficking for sexual exploitation are women and girls, men are more victims of trafficking for labour exploitation, the share of which is increasing, or are forced to commit criminal activities. Against this background, the Commission is proposing a set of amendments to strengthen the current rules, further harmonise provisions across Member States in order to reduce demand, and collect robust data and statistics.

Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims

<i>Committees responsible:</i>	Civil Liberties, Justice and Home Affairs (LIBE) and Women's Rights and Gender Equality (FEMM)	COM(2022) 732 19.12.2022
<i>Rapporteurs:</i>	Malin Björk (The Left, Sweden) Eugenia Rodríguez Palop (The Left, Spain)	2022/0426(COD)
<i>Shadow rapporteurs:</i>	Lena Düpont (EPP, Germany) Maria Walsh (EPP, Ireland) Maria-Manuel Leitão-Marques (S&D, Portugal) Juan Fernando López Aguilar (S&D, Spain) Abir Al-Sahlani (Renew, Sweden) Yana Toom (Renew, Estonia) Alice Kuhnke (Greens/EFA, Sweden) Vincenzo Sofo (ECR, Italy) Christine Anderson (ID, Germany) Patricia Chagnon (ID, France)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Committee vote on draft report	



Introduction

Despite progress achieved in the EU over the years, trafficking in human beings remains a persistent, and high-profit crime. The [Commission](#) reports that, on average, 7 000 people a year are still victims, and that the estimated cost of this crime is €2.7 billion per year. In 2015, [Europol](#) stated that all forms of exploitation from human trafficking would generate global profits of more than €29.4 billion per year for the traffickers.¹ The 2022 Commission [evaluation](#) estimated that trafficking for sexual exploitation alone is worth €14 billion per year in the EU.

Most likely these figures are a conservative estimate and represent the tip of the iceberg, as criminal activity often remains unreported. The Commission's 2022 [Fourth Report](#) on the progress made in the fight against trafficking in human beings notes that law enforcement cooperation has improved, as evidenced by the increased number of suspects (an increase of 29 %) compared to the previous reporting period. In 2019-2020, 6 539 **prosecutions** and 3 019 **convictions** were registered within the EU, though during the same period the number of prosecutions compared to the number of suspects decreased to 43 % compared to 53 % during the 2017-2018 period.

According to the report, trafficking in human beings has a clear gender dimension, with 63 % of the victims in the EU being women and girls. However, the share of male victims in 2019-2020 is on the rise compared to 2017-2018 (from 23 % to 33 %). **Women and girls** account for 87 % of the victims of trafficking for sexual exploitation, while men account for 66 % of victims of trafficking for labour exploitation. A small majority of victims are EU citizens (53 %), with Romania, France, Italy, Bulgaria and Poland being the top five countries of origin (according to [Europol](#), law enforcement authorities in the EU have witnessed a considerable increase in intra-EU trafficking in the past decade).

Children represent a quarter of the victims (23 %), a large majority of whom have EU citizenship (85 %) and are female (75 %). The most prevalent form of exploitation remains **sexual exploitation** (51 %), followed by **labour exploitation** (28 %) and other forms of exploitation (11 %), including **forced criminal activities, forced begging, illegal adoption, forced and sham marriages, illegal surrogacy, and illegal removal of organs**.² The form of exploitation for the remaining 10 % of trafficking is unknown. **Vulnerable categories** and certain **ethnic minorities** can be particularly targeted by certain types of trafficking. For instance, Roma people or people with disabilities are often victims of forced begging; migrant women are often victims of forced and sham marriages.

Due to the persistence and severity of human trafficking, insufficient conviction rates and support for victims, as well as changes in the nature of the crime over the years, including the forms of recruitment, the Commission stated that it would develop a new comprehensive approach to combating it. On 29 January 2020, the Commission published its [2020 work programme](#) and, under the priority 'Promoting our European way of life', it announced its intention to launch an overarching strategy to eradicate trafficking in human beings. Moreover, in July 2020 the Commission put forward a new [EU Security Union strategy](#) for the period 2020 to 2025, in which it recalled that trafficking in human beings is a persistent and high-profit crime.

In this strategy, the Commission announced its intention to develop a comprehensive approach to trafficking in human beings among its key actions to combat organised crime. The Parliament supported this by calling on the Commission to swiftly adopt a specific EU strategy towards the eradication of human trafficking in its [resolution](#) of 10 February 2021.

The new [EU strategy on combatting trafficking in human beings 2021-2025](#), published on 14 April 2021, focuses on preventing this crime, bringing traffickers to justice and protecting and empowering victims. It builds on the EU's comprehensive legal and policy framework to address trafficking in human beings, rooted in the 2011 Anti-trafficking Directive. The implementation of the strategy is one of the tasks of the [EU Anti-trafficking Coordinator](#), whose post was set up by the 2011 Directive.

In the strategy, the Commission confirms that it would continue to support Member States in the implementation of the Directive and, if necessary, put forward a proposal to revise the Directive and make it fit for purpose; it eventually did so when it put forward a [proposal](#) for the targeted revision of Directive 2011/36/EU on 19 December 2022.

Existing situation

At EU level, human trafficking is recognised as a violation of fundamental rights, explicitly prohibited by Article 5 of the [EU Charter of Fundamental Rights](#). [Article 83](#) of the Treaty on the Functioning of the European Union (TFEU) identifies 'trafficking in human beings and sexual exploitation of women and children' among serious crimes with a cross-border dimension for which there is a possibility to establish common minimum rules on the definition of criminal offences and sanctions. [Article 82\(2\)](#) TFEU concerning the rights of individuals in criminal procedure and the rights of victims of crime and [Article 79](#) TFEU on immigration policy provide complementary bases for EU action in this area. The backbone of the EU fight against human trafficking is [Directive 2011/36/EU](#), adopted in 2011, which provides common rules for criminalisation, investigation and prosecution of human trafficking. It also includes provisions for supporting and protecting the victims of trafficking and common rules for the prevention of trafficking. The Directive builds on the [Protocol](#) to the UN Convention against Transnational Organised Crime and the [Council of Europe's Convention on Action against Trafficking in Human Beings](#). It also represents a step further from the 2002 Council [Framework Decision](#), which focused on crime control and left little room for prevention and victim protection.³

The situation following Russia's invasion of Ukraine

The war in Ukraine has forced millions of people to flee the country or move to safety within Ukraine's borders, resulting in the largest EU humanitarian crisis since World War II. The chaos generated by the conflict has exponentially increased the [risk of human trafficking](#) and exploitation, especially of the most vulnerable persons, including children and women. Many international organisations, including the International Organization for Migration (IOM), have [warned](#) of the high [risk](#) of human trafficking and sexual exploitation of the population in distress, but also of the financial insecurity suffered by certain children who are unaccompanied (UAMs) and by women who have been separated from their partners and support networks. Many children are without parental care, either because they have become separated from their families or because they were living in [institutional care](#) or boarding schools when the Russian invasion started. Therefore, while welcoming the support of individuals offering transport and accommodation, associations working on the ground are [calling for](#) coordinated action to inform, register and accompany women and children and vet potential hosts. The EU immediately stepped in to help civilians affected by the war in Ukraine by activating the [Temporary Protection Directive](#) (Directive 2001/55/EC). [The EU Anti-trafficking Coordinator](#) has also been active since the beginning of the invasion, maintaining close contact with the network of [national anti-trafficking coordinators](#) and Europol. Moreover, under the lead of the EU Anti-trafficking Coordinator, a [common anti-trafficking plan](#) was presented by the [EU Solidarity Platform](#) to address the risks of trafficking in human beings among those fleeing the war. [Europol](#) has been actively participating in the human trafficking task force and has deployed experts and guest officers to support local law enforcement authorities in the EU Member States bordering Ukraine.

Parliament's starting position

Since first addressing the problem in 1989, with a [resolution](#) on the exploitation of prostitution and the traffic in human beings, the European Parliament has played a major role in developing anti-trafficking policies at EU level. In **2016**, Parliament [assessed](#) the implementation of the EU Anti-trafficking Directive from a gender perspective, emphasising that trafficking is a gendered phenomenon and thus calling on Member States to adopt gender-specific prevention, assistance

and support measures in line with the Directive. In another **2016 resolution**, on the fight against trafficking in human beings in the EU's external relations, it noted that trafficking is a global transnational crime and expressed concern at the insufficient level of international cooperation. More recently, in **January 2021** the Parliament [recalled](#) that 'women and girls make up 80 % of the registered victims of trafficking and 95 % of the registered victims of trafficking for purposes of sexual exploitation', which is why the Parliament called for a clear recognition of the 'gendered nature of human trafficking and sexual exploitation'. The Parliament also stressed how trafficking in human beings is a crime on the rise all around the world.

In **February 2021**, the Parliament adopted a comprehensive [resolution](#) on the implementation of Directive 2011/36/EU, which stressed the need for a coordinated, harmonised and coherent EU framework, with more efficient assessment and follow-up mechanisms. It also made a series of recommendations, for example on the role of online technologies in both the proliferation and prevention of human trafficking, early identification of victims, and the strengthening of a horizontal gender- and child-sensitive perspective across all forms of trafficking. Moreover, it proposed that the Directive be amended to improve prevention and prosecution of trafficking for sexual exploitation and ensure that Member States criminalise the knowing use of the services of victims of human trafficking. In its [resolution](#) of **5 May 2022**, the Parliament expressed its concerns about the increasing number of reports of human trafficking, sexual violence, exploitation, rape, and abuse of women and children fleeing the war in Ukraine. In its **15 September 2022 resolution** on human rights violations in the context of the forced deportation of Ukrainian civilians to and the forced adoption of Ukrainian children in Russia, the Parliament once again stressed the need to protect children and unaccompanied minors who were at risk of violence, exploitation and trafficking.

Council starting position

In **July 2020**, the Council [conclusions](#) on EU priorities for cooperation with the Council of Europe 2020-2022 stressed the need for the EU to strengthen its cooperation with the Council of Europe in the fight against trafficking in human beings and, in particular, towards women and girls who are often victims of such crime. The Council underlined the importance of a coherent approach that covers several policy areas, including security, migration, justice, equality, employment and development in EU internal and external relations. In **May 2021**, the Council set out [10 priorities](#) to fight against organised crime for the years 2022 to 2025, which included the fight against trafficking in human beings (third priority). In particular, the Council underlined the need to disrupt criminal networks which exploit minors, use online tools to recruit victims, and use violence against victims and their families. In **June 2022**, in the context of the Russian war against Ukraine, the Council conclusions on the [rights of the child](#) stressed the need to protect children, among others, from trafficking in human beings, illegal adoption and sexual exploitation. Meanwhile, the Justice and Home Affairs Council [took stock](#) of the situation in Ukraine and discussed measures to prevent and fight against trafficking in human beings and firearms.

Preparation of the proposal

Every two years, the European Commission publishes a report on the progress made in the fight against human trafficking, and in 2020 the third report already [indicated](#) that human trafficking had not diminished, but had evolved within the EU with new risks arising. While pointing to considerable progress, it also identifies a number of gaps, such as low conviction rates, inconsistent data recording and reporting, insufficient consideration of victims' specific needs, and differing legal approaches to criminalising those who knowingly use the services of victims of human trafficking. The same year, the Commission conducted a [study](#) on the economic, social and human costs of trafficking in human beings within the EU. The study identified three main types of costs: use of services (coordination and prevention to help victims, prosecute traffickers and build the knowledge base to intervene, specialised services to help victims, law enforcement, health services and social protection); lost economic output; and lost quality of life.

In 2021, the Commission [announced](#) that it would carry out an evaluation of the Directive to establish whether it was still fit for purpose. A [public consultation](#) was also opened, from 14 December 2021 to 22 March 2022, to collect information and views about Directive 2011/36/EC. In total, the Commission received 124 responses to the questionnaire, together with 75 standalone written responses. Among the 124 replies, 47 % were submitted by NGOs, 26 % by EU citizens and 15 % by public authorities.⁴ Overall, the contributions recognised the added value of the Directive and its positive effects, at least to some extent, in reducing demand, though one of the modifications suggested was to criminalise the knowing use of services exacted from victims of trafficking. A large majority agreed that the online dimension of trafficking should be properly addressed and that EU-wide cooperation was necessary to combat a crime like trafficking, which has a cross-border nature.

On 19 December 2022, the Commission put forward a [proposal](#) to amend Directive 2011/36/EU, accompanied by an [impact assessment](#) (IA), an [evaluation](#) and the [fourth report](#) on the progress made in the fight against trafficking in human beings.

Overall, the [evaluation](#) considered that Directive 2011/36/EU had been effective and had created a common framework for Member States to fight against trafficking in human beings. Nevertheless, the evaluation identified a number of areas where improvements were possible and advisable. In particular, it acknowledged the need to strengthen national law enforcement and judicial authorities' capacities; to address the 'digitalisation' of trafficking; to introduce more dissuasive measures against legal persons; and to assist and support victims in a more consistent way. In this latter case, the evaluation considered that Member States' implementation of Directive 2011/36/EU was not consistent regarding the protection of victims in criminal procedures; the non-punishment of victims; the assistance to victims, including vulnerable groups; and the provisions regarding compensation. In conclusion, the evaluation argued that these shortcomings impeded the full achievement of the Directive's objectives concerning 'prevention, prosecution, assistance of victims and monitoring'. Moreover, the data collected were considered not to be sufficiently robust and comparable.

Finally, Member States had a very different approach to transposing the optional measure on criminalisation of the knowing use of services exacted from victims of trafficking.

Based on the data covering the 2013-2020 period, the [IA](#) noted that trafficking in human beings has not decreased and that it has evolved. For instance, online social media enable criminals to reach a broader audience and to recruit victims online. After referring to the results of the evaluation, the IA considered three options: legislative measures only; non-legislative measures only; and a combination of legislative and non-legislative measures. This third option, including targeted amendments to Directive 2011/36/EC and non-legislative measures in line with the [strategy](#), was considered the preferred option.

The [fourth report](#) looks at the data for the 2019-2020 period, provides an assessment of the main trends during that period, and analyses the main anti-trafficking measures between 2019 and 2022.

Several meetings were also organised with civil society representatives, for instance the [EU Civil Society Platform](#) against trafficking in human beings and the EU Network of National Rapporteurs and Equivalent Mechanisms ([NREM](#)). In June 2022, the Commission and Eurojust organised the first meeting of the focus group of [specialised prosecutors](#) against trafficking in human beings; the focus group responds to the need to intensify judicial cooperation identified by the 2021-2025 strategy. The Commission also benefited from the [support and analysis](#) provided by the EU agencies with competences related to the fight against human trafficking and protection of victims, such as [Frontex](#), [FRA](#), [EUAA](#), [Eurojust](#), [Cepol](#), [EU-Lisa](#) and [Europol](#).

The European Parliamentary Research Service published an [Implementation Appraisal](#) of Directive 2011/36/EO in January 2023 and an [Initial Appraisal of the European Commission's Impact Assessment](#) in June 2023.

The changes the proposal would bring

According to the European Commission, the [proposal](#) would bring **targeted modifications** to Directive 2011/36/EU in order to address the many challenges that have emerged since 2011, including, for example, the online dimension of trafficking or the lack of robust data collection. Traffickers increasingly take advantage of online opportunities to reach out and recruit, control, and exploit victims. The proposal also aims to provide law enforcement and judicial authorities with stronger instruments to investigate and prosecute criminals.

The Commission proposes to:

- Modify Article 2(3)⁵ of the Directive in order to explicitly add **forced marriage and illegal adoption** to the non-exhaustive list of forms of exploitation. Both forms were already mentioned in recital 11 of the Directive but not in the normative part. The proposed addition would bring the Directive into line with the increased percentage of trafficking cases related to forms of exploitation other than sexual and labour exploitation (11 % of all victims in the EU in 2020), including forced marriage and illegal adoption. Moreover, according to the Commission, Member States have limited the transposition of the Directive to the forms of exploitation explicitly listed in Article 2(3). This restriction highlights the importance of expanding the list to cover other forms of exploitation.
- Modify the provisions under Articles 2(1) (intentional acts) and 2(3) (exploitation) by introducing a new article 2(a) in order also to consider **criminal offences that are committed or facilitated by means of information or communication technologies**. This modification aims to tackle the new *modus operandi* of traffickers who, especially during the COVID-19 pandemic, took advantage of the possibilities offered by new technologies to recruit victims and organise their business model.
- Modify Article 6 in order **to replace the optional regime of sanctions on legal persons with two different mandatory regimes**, one applicable to **standard offences** and the other applicable to **aggravated offences** (by any of the circumstances mentioned in Article 4(2)⁶) when legal persons are held liable pursuant to Article 5(1) and (2)). The former regime may include two sanctions: the exclusion from entitlement to public benefits, aid or subsidies, as well as the temporary or permanent closure of establishments used for human trafficking. The latter regime may include three sanctions: temporary or permanent disqualification from the practice of commercial activities; placement under judicial supervision, and judicial dissolution (i.e. winding-up). For both standard and aggravated offences, Member States will have to ensure that sanctions are 'effective, proportionate and dissuasive'. The objective of the modifications is to enforce the criminal response to the crimes committed for the benefit of legal persons.
- Modify Article 7 (seizure and confiscation) to take into consideration the EU legal framework on **freezing and confiscation** of proceeds of crimes developed after 2011. Member States will have to take the necessary measures to enable the competent domestic authorities to trace, freeze, manage and confiscate proceeds, in line with the EU legal framework, including the proposed [directive on asset recovery and confiscation](#) once it has been adopted by the co-legislators.
- Replace Article 11(4) with a new paragraph requiring **the establishment of national referral mechanisms** by domestic law, regulations or administrative provisions. According to the Commission, this provision will enable early identification of victims and of their needs in terms of protection, assistance and support services. A 2020 [report](#) on national and transnational referral mechanisms revealed very different practices and processes at national level. According to the Commission, the legislative modification will be accompanied by guidelines on minimum requirements for

national referral mechanisms at a later stage. The establishment of national mechanisms is a first step towards establishing the European Referral Mechanism.

- Introduce a new article 18(a) **that will make it mandatory for Member States to criminalise the knowing use of services** provided by victims of trafficking in order to discourage demand. Under the current Article 18(4) of the Directive, which should be deleted, criminalisation is voluntary: 'Member States shall consider taking measures to establish as a criminal offence the use of services which are the objects of exploitation'.
- Introduce a new article 19(a) in order **to collect robust and reliable data** that could be used for a better understanding of human trafficking. The IA, as well as the evaluation accompanying the proposal, notes that the current data do not capture the full scale of trafficking. It is therefore proposed that Member States collect data and transmit it to the Commission **on an annual basis**. Data would include, inter alia, the number of registered victims; number of suspects of offences; number of persons prosecuted; number of persons convicted; and number of court judgments. Currently, Articles 19 and 20 of the Directive state that Member States are responsible for assessing trends in trafficking of human beings, gathering statistics and measuring the results of the anti-trafficking actions, and that this information should be transmitted to the Commission every two years.
- Requires the Commission (new article 23(3)) to submit a **report to the Parliament and the Council** within five years of the transposition deadline in order to assess the extent to which Member States are compliant with the new rules on the knowing use of exploited services introduced under the new article 18(a).

Advisory committees

The legal bases for the Commission proposal are Articles [82\(2\) TFEU](#) and [83\(1\) TFEU](#), which do not envisage consultation of the European Economic and Social Committee (EESC) or the Committee of the Regions (CoR). However, in 2021 the EESC adopted an [opinion](#) on the EU strategy on combatting trafficking in human beings 2021-2025, broadly supporting the strategy. The EESC stressed the need for better data collection; supported the idea of establishing EU minimum standards to criminalise the networks involved in trafficking and exploiting human beings; agreed with the Commission that people forced to commit a crime should not be criminalised; and asked for the involvement of civil society organisations and social partners in the fight against trafficking of human beings. The EESC also held a [public hearing](#) on the revision of the Directive on 16 February 2023. On 27 April 2023, the EESC adopted an [opinion](#) on the file, in which it, inter alia, welcomes the revision of the Directive, wants the gender dimension to be strengthened and advocates more attention being paid to the victims of trafficking.

National parliaments

The subsidiarity deadline for national parliaments to submit their reasoned [opinions](#) was 22 March 2023. Sixteen national parliaments examined the proposal by that date, but none of them issued an opinion that the proposal conflicts with the principle of subsidiarity.

The Austrian Federal Council did not adopt any decision on the proposal. On 18 January 2023, the Irish Houses of Oireachtas decided that the proposal did not warrant further scrutiny. On 3 March 2023, the German [Bundesrat](#) welcomed the goals pursued through the proposed directive, and made some additional comments for the attention of the Federal Government on the topic of forced marriage, data collection and statistics. On 7 March 2023, the Portuguese Assembleia da República decided that the proposal did not violate the principles of subsidiarity and proportionality. On 14 March 2023, the Spanish Cortes Generales voted that the proposal was in accordance with the principle of subsidiarity. On 3 April 2023, the [Romanian Senate](#) noted that the proposal respected the principles of subsidiarity and proportionality and considered it necessary to explicitly add forced

marriages and illegal adoptions as forms of exploitation. It also stressed the need for annual data collection to ensure up-to-date monitoring, and recommended, with regard to the sanctions applied to legal entities, establishing a mandatory system of sanctions for simple crimes.

Stakeholder views⁷

La Strada International [welcomed](#) the changes introduced by the proposal, such as including forced marriage and illegal adoption in the list of types of exploitation; the need to address online exploitation; and the introduction of mandatory sanctions to hold companies accountable for trafficking offences. However, it opposes the proposed binding criminalisation of the 'knowing use' of services provided by victims of trafficking, because there is no evidence about its alleged positive impact on preventing crime or prosecuting criminals. It also regrets that the proposal does not address the need to strengthen existing provisions such as 'non-punishment' (Article 8); assistance and support for victims, including children (Articles 11, 13 and 14); victim compensation (Article 17); and prevention, with a special focus on labour exploitation (Article 18).

FAFCE (Federation of Catholic Family Associations in Europe) welcomed the review and called on the European Commission to [include](#) surrogacy in the review of the Directive as it 'entails the commodification of women's body for reproductive purposes and the selling of children'.

Hope and Homes for Children also [welcomed](#) the review and called on the EU to further strengthen the rules on institution-related trafficking and improve the protection of children at risk of being trafficked.

Legislative process

The proposed legal bases are Articles [82\(2\) TFEU](#) and [83\(1\) TFEU](#). The Commission adopted the legislative proposal ([COM\(2022\) 732](#)) on 19 December 2022; it falls under the ordinary legislative procedure ([2022/0426\(COD\)](#)).

In the Council, the proposal was discussed in the Working Party on Judicial Cooperation in Criminal Matters (COPEN). The proposal was presented and examined for the first time on 18-19 January 2023; the process continued on 17 February, when some preliminary redrafts were discussed. The Council agreed on its [position](#) on 9 June 2023; it advocates stronger rules, among them the inclusion of forced marriage and illegal adoption in the Directive, and for criminalisation of the knowing use of services.

In the European Parliament, the proposal was initially assigned to the Committee on Civil Liberties, Justice and Home Affairs (LIBE). Subsequently the Conference of Presidents agreed to the application of the joint procedure (Rule 58), with the LIBE and Women's Rights and Gender Equality (FEMM) Committees acting jointly. Malin Björk (The Left, Sweden) and Eugenia Rodríguez Palop (The Left, Spain) have been appointed co-rapporteurs. The Committee on Legal Affairs (JURI) has decided not to give an opinion. The draft report was published on 26 May 2023, and the deadline for amendments in the joint committee is set for 20 June 2023.

EUROPEAN PARLIAMENT SUPPORTING ANALYSIS

Dinu A., [Implementation of Directive 2011/36/EU: Migration and gender issues](#), EPRS, September 2020.

Girard V. and Marchand E., [Anti-trafficking in human beings](#), EPRS, June 2023.

Huemer M. A., [Revision of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), EPRS, January 2023.

Mentzelopoulou M. M., [Russia's war on Ukraine: The risk of trafficking of human beings](#), EPRS, May 2022.

Prpic M., [Understanding EU action against human trafficking](#), EPRS, June 2023.

Voronova S., [Implementing the Anti-trafficking Directive](#), EPRS, February 2021.

OTHER SOURCES

[Preventing and combating trafficking in human beings and protecting its victims](#), 2022/0426(COD), Legislative Observatory (OEL), European Parliament.

[Eradication of trafficking in human beings](#), Legislative Train Schedule, last accessed in May 2023.

ENDNOTES

- ¹ The 2015 Europol estimation is based on a 2005 [estimate](#) by the International Labour Organisation, which calculated profits from all trafficked forced labourers (both sexual and economic exploitation) to be US\$31.6 billion per year globally.
- ² The [evaluation](#) accompanying the proposal, covering the 2013-2020 period, reported data along similar lines. It reported that 55 314 individuals were victims of trafficking. Trafficking for the purpose of sexual exploitation was the most prevalent form of exploitation, closely followed by labour exploitation. Children represented 21 % of the victims, and women and girls represented 75 %. A small majority of victims were EU citizens (56 %), while the remaining 44 % were third-country nationals. Prosecution and conviction remained, unfortunately, quite low. Among the roughly 40 000 suspects, only 11 319 were convicted.
- ³ Neither the [European Convention on Human Rights](#) nor the [Universal Declaration on Human Rights](#) make reference to human trafficking, though Article 4 of the Universal Declaration prohibits 'slavery and slave trade in all forms'. Nevertheless, over the years the European Court of Human Rights (ECtHR) in Strasbourg has developed [case law](#) according to which trafficking in human beings is prohibited by Article 4, trafficking is a form of exploitation that reduces human beings to commodities, and exploitation through labour is a specific form of human trafficking,
- ⁴ In addition to that, two academic/research institutions, one non-EU citizen, one environmental organisation and one trade union also replied to the questionnaires.
- ⁵ Article 2(3): 'Exploitation shall include, as a minimum, the exploitation of the prostitution of others 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.'
- ⁶ For example, offences committed against vulnerable people, including child victims, with the use of violence or offences that put in danger the victim's life.
- ⁷ This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in related publications listed under 'European Parliament supporting analysis'.

DISCLAIMER AND COPYRIGHT

This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament.

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.

© European Union, 2023.

eprs@ep.europa.eu (contact)

www.eprs.ep.parl.union.eu (intranet)

www.europarl.europa.eu/thinktank (internet)

<http://epthinktank.eu> (blog)

First edition. The 'EU Legislation in Progress' briefings are updated at key stages throughout the legislative procedure.