



Annual Colloquium on Fundamental Rights 2017
"Women's Rights in Turbulent Times"
Brussels, 20-21 November 2017

Concept paper by the European Commission and the European Institute for Gender Equality

Session II.c: Trafficking of women for labour and sexual exploitation

Aim of the discussion

Drawing on the results of the Commission's Study on the Gender Dimensions of Trafficking in Human Beings, the aim of the discussion is to look at how gender equality can be better reflected in the legal framework and enforced on the ground.

The session takes the form of a roundtable discussion. To enable as many discussants to take the floor as possible, please keep your interventions to 2 minutes.

Issues for discussion

- What is, from your perspective, the most urgent issue to address, and if there was one action you could take to improve the situation, what would it be?
- How is gender equality factored into anti-trafficking policies?
- As trafficking is not a static issue, with ever changing roots and forms of exploitation, how can the gender dimension of trafficking be best addressed?
- How can the European Union's Anti-Trafficking Directive and the Victims' Rights Directive be better enforced from the perspective of a female victim?

Background

This paper considers the issue of trafficking in human beings from the gender perspective. It explores the phenomenon of trafficking with a focus on women and the ways in which the gender dimension is and could be factored into anti-trafficking policies and legislation.

The European Union is a region of origin, transit and destination for victims of trafficking in human beings (THB). Trafficking in human beings is highly gendered and can have many different exploitative purposes. This gendered nature is acknowledged in the EU Anti-Trafficking Directive (Directive 2011/36/EU). The European Commission considers trafficking in human beings as a structural form of violence against women and girls, as in the EU it is women who most often fall victim to trafficking. The recent mass immigration flows into the EU have created the conditions for increased human trafficking, especially of women and girls.

Statistics from 2016 show that the majority of identified victims are women (60%) while 19% are men, 16% girls and 5% boys (European Commission, 2016). Most of the registered victims are trafficked for sexual exploitation, namely 67% of total registered victims, of which 95% are women and girls. Trafficking for the purpose of labour exploitation is on the rise. It affects in general mostly men, while exploitation for domestic work affects disproportionately women. Sexual and labour exploitation are often connected (Roth; 2016).

Traffickers are taking advantage of irregular migration routes, targeting particularly vulnerable groups. The International Organisation for Migration (IOM, the UN Migration Agency) estimates that since 2014 there has been a 600% increase in the number of potential victims of trafficking for sexual exploitation that arrived to Italy through the Central Mediterranean route, predominantly Nigerian women and girls. According to IOM indicators, 80% of the 16 000 that arrived to Italy in 2016 are victims of trafficking for sexual exploitation in the EU.

UNODC data demonstrates persisting impunity for trafficking in human beings. Of the 136 countries covered, 40 % reported 10 or fewer convictions per year over 2012-2014 (UNODC, 2016). Europol estimates that out of EUR 29.4 billion of global annual profit from trafficking in human beings, EUR 23.5 billion are profits from sexual exploitation in the developed countries

including the EU Member States, and EUR 3.5 billion are profits from labour exploitation (European Commission, 2016a).

Trafficking in the context of gender equality

The EU strategy towards the eradication of trafficking in human beings 2012-2016 identifies gender inequalities and structural violence against women as being among the root causes of trafficking (European Commission, 2012). Therefore, efforts are needed to improve gender equality in order to fight trafficking in human beings. This means confronting gendered discrimination, harmful practices and gender stereotypes, including the social norms that perpetuate them.

There are many 'push' and 'pull' factors driving the trafficking of women and girls within and into the European Union and globally. These include poverty, marginalisation, escaping conflict and violence as well as environmental destruction, a lack of legal avenues for migration, corruption and ineffective criminal justice systems, discriminatory labour or migration laws and gender blind policies. They meet a demand for cheap and exploitable labour, particularly from the commercial sex industry. Women and girls are significantly and disproportionately affected by both 'push' and 'pull' factors.

Recognition of gender specificity in practices, institutions, policies and strategies is necessary to prevent trafficking. It is relevant for the tailoring of services and interventions to the needs of victims of trafficking, the prosecution of offenders and also for the effective implementation of EU law and policy on the equal treatment of women and men (European Commission-Walby et al., 2016).

Victims of trafficking still face obstacles in exercising their rights under EU and international law. Measures to address the root causes of trafficking, such as gender discrimination and inequality, play a crucial role in ensuring effective legal remedies for trafficked women and girls. The Comprehensive Policy Review concluded that the funded projects also clearly demonstrated the intersection of trafficking in human beings with other policy fields. Future knowledge building should focus on the prevention of sexual exploitation, the gendered dimensions of immigration and labour standards, and how vulnerabilities to exploitation are gendered through irregular migration and informal work.

References

European Commission and Walby et al. (2016). *Study on the gender dimensions of trafficking in human beings*. Retrieved from: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/study_on_the_gender_dimension_of_trafficking_in_human_beings_final_report.pdf

European Commission (2016a). *First Commission Report on the progress made in the fight against Trafficking in Human Beings*. Retrieved from: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings/docs/factsheet_commission_report_on_the_progress_made_in_the_fight_against_trafficking_in_human_beings_en.pdf

European Commission (2012). *The EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016), COM(2012) 286 final*. Retrieved from: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/the_eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf

European Parliament (2014). *Resolution of the European Parliament on sexual exploitation and prostitution and its impact on gender equality* (2013/2013(INI)), 26 February 2014, P7_TA(2014)0162., available from <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2014-0162+0+DOC+XML+V0//EN>

European Parliament (2016). *Report on implementation of the Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims from a gender perspective* (2015/2118(INI)). Retrieved from: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2016-0144+0+DOC+XML+V0//EN>

Europol (2016). *Situation Report Trafficking in human beings in the EU, Document Ref No: 765175*. Retrieved from: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/situational_report_trafficking_in_human_beings-_europol.pdf

United Nations Office on Drugs and Crime (UNODC) (2016). *Global Report on Trafficking in Persons*. Retrieved from: http://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf

United Nations Inter-Agency Coordination Group against Trafficking in Persons (ICAT) (2017). *The Gender Dimensions of Human Trafficking*. Retrieved from: <http://icat.network/sites/default/files/publications/documents/ICAT-IB-04-V.1.pdf>