

ALLIANCE AGAINST TRAFFICKING IN PERSONS

“An Agenda for Prevention: Non-Discrimination and Empowerment” (11-12 October 2012)

Opening remarks

Speaker: **Morten Kjærum, Director of the European Union Agency for Fundamental Rights (FRA)**

Ladies and gentlemen,

I would like to start my remarks with a quote: “After a month I was making €500 a day, but if I wanted a cigarette or a bar of chocolate I had to ask”. This was said by a young woman forced to leave her home country and into the sex trade in Europe by traffickers who then split her earnings with the so-called massage parlours and saunas she worked in, leaving her nothing¹.

In some EU countries more than 2/3 of the migrant women involved in prostitution are either trafficked or are vulnerable to the practice, according to a police study. At the same time, more than half of these women are from another European country. So we are not talking about countries thousands of kilometres from here. There are many vulnerable people who are EU citizens and who are disappearing from their home villages and towns, only to reappear further west, or south, sometimes with a new identity and sometimes with no identity at all. What is the root of their vulnerability? Poverty. Lack of education. Or being part of a group that is looked down on in their home countries, such as Roma or other ethnic minorities.

Ladies and gentlemen,

Trafficking is not just an issue that affects young girls sold into the sex industry. Severe forms of labour exploitation – for example in areas such as agriculture, the construction industry and domestic work – are increasingly coming to the attention of those working to combat trafficking. FRA’s research has shown that a general climate of criminalisation among illegal migrants and the fear of being arrested, as well as the risk of being deported, often fuel the belief among victims that they do not have any rights. And although many countries across the EU have broadened the definition of trafficking to include severe migrant labour exploitation, the substantial disparities

¹ 1: <http://www.guardian.co.uk/uk/2011/feb/06/sex-traffick-romania-britain>

between definitions in different Member States hinder cross-border cooperation to reduce such practices.

And the longer the economic crisis continues, the more cases we see of acute labour exploitation, or what one might call modern-day slavery. This makes such workers, who are already accustomed to discrimination and are afraid of seeking redress for their unfair treatment due to a lack of awareness of their rights, still more vulnerable to traffickers. That is why we at FRA are building on the work we have already done on the situation of irregular migrants and will next year begin new research examining severe forms of labour exploitation from a human rights perspective.

Often, the chains binding the victim to the traffickers are underestimated. One factor is, of course, the victims' fear of being subjected to retaliation if they try to escape, or that their family members could be harmed. Another important factor is a lack of trust in the willingness of the police to help victims. Their low expectations are nurtured by the stories they hear from the offenders, as well as by their own experiences in their countries of origin. In order to overcome this scepticism, it is crucial that the police convey clearly and unambiguously from the very first contact onwards that their task is to protect victims' rights.

But we don't only need to rethink our assumptions about the victims of trafficking.

We also have to rethink the solutions. These should not be theoretical, but practical and effective. I would like to make some suggestions here that could take us forward.

1) Important steps have been made in recent years to recognise and respond to the problem of trafficking, not only through the prism of law enforcement, but also acknowledging the central needs and rights of the victim in this process. The 2011 EU Trafficking Directive has taken positive steps in this direction. However, there is still much that needs to be done to ensure that victims are effectively responded to and their rights upheld.

2) A change in mentality is needed. Trafficking is primarily a human rights abuse, and not only security problem – and it has to be understood and addressed as such. At present, we witness a tendency to regard trafficking as just another form of organised crime, as if to say: “as well as having to tackle the illicit drugs business and illegal arms trading, we need to deal with trafficking in human beings too”. But victims of trafficking are not ‘dangerous commodities’. They are human beings

entitled to respect and compassion. Victims should not be overlooked or marginalised because they are unwilling participants in organised crime. Another dimension of the mental shift is that far too often we hear the statement that these “persons are probably better off here than at home”. This easily becomes a practical mental construction which gives legitimacy for turning the blind eye to these atrocities. This has to be addressed as well.

3) A vital component in addressing trafficking is close scrutiny of professions in which exploitation and trafficking are prevalent. This would have to combine efforts from labour inspectorates, health agencies, trade unions, employers associations, authorities supervising commerce and industry, financial police and other law enforcement institutions. And to be successful, all of these organisations would have to cooperate closely and share information and knowledge with each other.

4) Additionally, professionally staffed and well-funded victim support services are needed.

5) And finally, comprehensive training of everyone involved in countering trafficking is a precondition. Greater specialisation among labour inspectors, the police, prosecutors and judges would improve victims’ chances of putting their rights into practice. Ladies and gentlemen, The fact that trafficking is taking place here, in the Europe today, must spur us all on to greater efforts to end this practice and the suffering it brings. And we must encourage the victims to come forward and give the support needed when they do so.

Thank you.