

ETUC comments on new EU Strategy on combatting trafficking in human beings

On 14 April 2021, the European Commission published the [new EU Strategy on combatting trafficking in human beings](#). This strategy builds on the EU legal and policy framework in place to tackle trafficking in human beings, rooted in the [Anti-trafficking Directive](#). It will be closely linked with the [EU Strategy to tackle organised crime](#) (2021-2025) as the guiding document for the EU's priorities in the fight against organised crime for the next five years.

In its Communication, the Commission commits to continue to support Member States in the implementation of the Anti-trafficking Directive and, if necessary, propose revisions to make sure it is fit for purpose. The Commission calls on Member States to intensify efforts with labour inspectors and social partners, and EU Agencies such as Europol, the European Labour Authority, to carry out concerted and joint inspections in high-risk sectors.

Trafficking in human beings, in which women and children trafficked for sexual exploitation are the main victims, has to be stopped, using all available tools. The ETUC welcomes the gender-sensitive approach the Commission undertakes in preventing and combatting trafficking for sexual exploitation, recognising it as gender-based violence.

Labour exploitation concerns 15% of all victims of trafficking within the EU, with many more remaining undetected. The ETUC welcomes that this new strategy positively addresses trafficking for labour exploitation, including high-risk sectors and the emphasis given on the early identification as crucial to assisting, supporting, and protecting victims of trafficking. The ETUC recalls the gendered dimension in labour exploitation, e.g. women and girls trafficked and forced to provide domestic work and their increased vulnerability to sexual harassment and violence.

While the strategy addresses abusive recruitment practices, dedicated actions are also needed to tackle artificial business arrangements and the fraudulent use of intermediaries in relation to trafficking. Crucial elements to be considered are the **access to information, safe reporting and complaint mechanisms** for victims and vulnerable groups, next to enhancing access to adequate support, effective remedies and compensation, non-punishment and residence. In this respect, the ETUC calls¹ for **effective complaint mechanisms** being available for all workers regardless of status. Firewalls between labour inspectorates and migration authorities must ensure undocumented migrant workers do not run the risk of detention or deportation due to interactions with labour inspectors or pursuing judicial remedy. **Undocumented and undeclared workers must be able to claim their employment rights.**

ETUC will provide inputs to the Commission on their implementation report of the **Employers Sanctions Directive 2009/52** (expected in June 2021), to identify avenues to improve its implementation, including providing residence permits for workers reporting exploitation and reinforcing labour inspectorates. The Directive should be applied **to ensure sanctions are enforced on employers, while undocumented workers are protected and do not face immigration enforcement.**

To improve enforcement and cross-border cooperation, ETUC will also engage with the **European Labour Authority and the European Platform tackling undeclared work**, soon within the ELA. If ELA is to play a role in both labour mobility and migration, it must be from the perspective of ensuring the independence and efficiency of labour inspectors in the role of enforcing labour rights for all workers,

¹See also ETUC Resolution on Fair Labour Mobility and Migration <https://www.etuc.org/en/document/etuc-resolution-fair-labour-mobility-and-migration>

including mobile and migrant workers regardless of status. Through the Platform, ETUC will engage with ELA to promote rights-based approaches allowing undeclared and undocumented workers to transition to declared employment and regularisation. Fundamental labour rights and the protection of victims of abuse should never be made dependent on employment, migration or residence status.

ETUC welcomes that the strategy refers to demand EU legislation on **binding human rights due diligence** and makes also clear that the Commission and Member States themselves should be transparent about government' procurement policies and critically assess own supply chains and services to ensure these are free of forced and exploitative labour.

In addition, the ETUC reiterates its urgent demand for all EU Member states to ratify the Istanbul Convention and EU accession to the Convention. All Member states must also ratify the ILO Convention 190 to prevent and combat violence and harassment in the world of work.