

The fight against human trafficking, its prevention strategy

PhD. Student Mădălina SPERLEA (POPESCU BORDENI)

“Alexandru Ioan Cuza” POLICE ACADEMY,

Bucharest, Romania

Email: madisperlea@yahoo.com

Abstract: *Trafficking in human beings takes many different forms. It is a dynamic and flexible phenomenon and, like many other forms of criminal activity, is constantly evolving to thwart law enforcement efforts to prevent it. Every day we learn about new ways to prevent, investigate and combat trafficking, as well as more effective ways to provide assistance and protection to victims of this crime. International cooperation, absolutely crucial for the success of anti-trafficking interventions, is gaining new boost as new cooperation mechanisms are developed. This cooperation has been developed because more needs to be done to fully understand the most effective ways to prevent and respond to human trafficking in certain circumstances. It contains a set of conceptual, legislative and organizational tools used in different parts of the world. The tool set is based on the assumption that the issue of trafficking in human beings, either at national or local level, can only be effectively addressed through the use of multi-faceted, rights-based strategies that take into account the transnational nature of the phenomenon, the many related criminal activities, the very frequent involvement of organized criminal groups and the extent of the suffering and fear experienced by the victims, as well as the damage suffered. Most of its instruments focus on a specific aspect of the overall response required.*

Key Words: *human trafficking, strategy, children's rights, traffickers.*

JEL Classification: *K42.*

Introduction

The fight against trafficking in human beings is a new strategy to prevent trafficking in human beings, disrupt criminal business models, protect victims and empower them.

EU Commission launches new strategy to combat trafficking in human beings (2021-2025), which focuses on preventing this form of crime, bringing traffickers to justice and protecting and empowering victims. Between 2017 and 2018, more than 14,000 victims were registered in the European Union. Globally, traffickers' profits are estimated at € 29.4 billion in a single year. As the demand for exploitation is expected to continue as traffickers operate more and more online and as the pandemic is likely to create favorable conditions for increased exploitation, the strategy outlined sets out measures that will allow the EU and its Member States to continue to strengthen their response to this phenomenon.

Combating trafficking in human beings is part of building a Europe that protects. Traffickers track people's vulnerabilities. The strategy outlines a three-principles approach, while using the support and funding of legislation, politics and operations to reduce demand, eradicate criminal activity and empower victims of this odious crime.

Trafficking in human beings is a form of crime that should not take place in our societies. However, criminals continue to be involved in human trafficking, with victims mainly being women and children, most often for the purpose of sexual exploitation.

We have an obligation to protect the victims and we must bring to justice those who committed these crimes, who consider human beings as a merchandise.

The strategy is based on the current EU legal and political framework for combating trafficking in human beings, based on the Directive on Combating Trafficking in Human Beings. The Commission will continue to support Member States in implementing the Directive and, if necessary, propose revisions to ensure that it is appropriate for the purpose. The EU Anti-Trafficking Coordinator will continue to play a key role in implementing this strategy.

In addition, the strategy highlights the following points:

Reducing the demand for human trafficking: The Commission will assess the possibility of establishing EU minimum rules criminalizing the use of services resulting from the exploitation of victims of trafficking in human beings and will organize, in collaboration with national authorities and civil society organizations, a prevention campaign targeting high-risk sectors. The Commission will also consider strengthening the Employers' Sanctions Directive, proposing corporate governance legislation to clarify corporate responsibilities.

Disorganizing the business model of online and offline traffickers: the Commission will work with internet and technology companies to reduce use of online platforms for recruitment and exploitation of victims. It will promote the systematic training of law enforcement officers and legal professionals in detecting and combating trafficking in human beings.

Protecting, supporting and empowering victims, with a special focus on women and children: the strategy aims to improve the early identification of victims and better target them to receive increased assistance and protection, strengthen victim empowerment programs and facilitate their reintegration. The Commission will also fund training that focuses on the gender dimension and the needs of children to help police officers, social workers, border policemen or health personnel identify victims. **Promoting international cooperation:** as half of the victims identified in the EU are not EU citizens, cooperation with international partners is key to combating trafficking in human beings. The EU will use a range of instruments of foreign policy and operational cooperation to contribute to the fight against trafficking in human beings in countries of origin and transit, in particular through human rights and security dialogues, enhanced cooperation with the Council of Europe regular and directed communication action and exchange of information with EU delegations in partner countries. The future action plan against illegal

trafficking in migrants will also contribute to disrupting the activities of traffickers bringing victims to Europe for the purpose of exploitation.

Research methodology

The qualitative research model is a method of research widely used by scientists and researchers who study human behavior and habits. Therefore, this is the way in which this research was carried out. Qualitative research has many advantages, with qualitative techniques being extremely useful when a topic is too complex to receive an answer with a simple "yes or no" hypothesis. These types of models are much easier to plan and implement; are also useful when very important decisions need to be taken into account, such as the implementation of strategies in this case to prevent human trafficking. Qualitative methods are not as dependent on sample size as quantitative methods; for example, a case study can produce significant results with a small group.

Qualitative methods, however, require a great deal of thought and planning to ensure that the results obtained are as accurate as possible.

Results

No one shall be held in slavery or servitude; slavery and the slave trade are prohibited in all their forms. Article 4 of the Universal Declaration of Human Rights lays down a general and absolute ban on trafficking in and exploitation of human beings. Failure to comply with this prohibition is considered one of the most serious violations of fundamental rights. The interdependence of human rights leads to the fact that when a person is a victim of trafficking, almost all his rights are violated simultaneously: his dignity, freedom to come and go, his physical integrity, the right to fair work and favorable conditions, the right to an adequate standard of living, the right to health ...

Trafficking in human beings and the exploitation of human beings constitute a major, grave violation of human rights, to such an extent that they lead to a denial of human dignity. Considered an expanding activity, human trafficking is now the third most profitable form of crime, after drug trafficking and arms trafficking. On the world frame, France appears not only as a country of transit and destination for victims of trafficking, but also a country that suffers from acts of trafficking and internal exploitation, even if this phenomenon remains more marginal. Eradicating trafficking in human beings is a daunting task for governments, institutions and associations that help victims. The complexity of the phenomenon of trafficking in human beings requires a global response based on human rights, which must be based on three main objectives: prevention, - protection, - punishment.

The Office of the United Nations High Commissioner for Human Rights has developed principles and guidelines on human rights and trafficking in human beings, with the aim of providing practical guidance and guidance on human rights-based policies to prevent trafficking and protect victims of this phenomenon. They aim to facilitate the integration of human rights issues into laws, policies and actions to combat trafficking in human beings at the national, regional and international levels. In particular, they call on states to develop traffic prevention strategies that address the onset of the problems. States are

invited to focus on factors, including inequality, poverty and all forms of discrimination, which increase vulnerability to trafficking. States must ensure that victims of trafficking are protected from further exploitation and other damage and receive adequate physical and psychological care, regardless of whether the victims are able or willing to cooperate with justice. States must take the necessary legislative and other measures to criminalize trafficking, the acts that characterize trafficking and trafficking-related behavior.

Children's rights are human rights. Every child in Europe and around the world should enjoy the same rights and be able to live without discrimination or intimidation of any kind. This is a key social, moral and human imperative for children - representing almost one in five people living in the EU and one in three worldwide - and the community at in general. The ultimate goal is to ensure that every child can fully develop and play a leading role in society - whether it means fighting for fairness and equality, strengthening democracy or leading the dual ecological and digital transition. That is why the protection and promotion of the children rights is one of the key objectives of the European Union's action, both inside and outside its borders. The rights of the child are enshrined in the EU Charter of Fundamental Rights, which guarantees the protection of these rights in the implementation of EU law. Defending the rights of the child extends to all areas of action and is one of the European Commission's key priorities, as set out in the political guidelines of President Von Der Leyen. The main goal of this strategy is to give children in the European Union and around the world the best possible life. It reiterates the rights and role of children in our society. Children inspire us and are at the forefront when it comes to raising awareness about environmental crises and climate change, discrimination and injustice. They are as much the citizens and leaders of today as they are the leaders of tomorrow. This strategy aims to take joint responsibility for joining forces to respect, protect and fulfill the rights of every child; to build together with our children a healthier, more resilient, fairer and more equal society for all. United Nation Convention on the Rights of the Child, ratified by all EU Member States, continues to guide action in this area. More than 30 years after its entry into force, considerable progress has been made and it is increasingly considered that children enjoy a set of important rights. The Convention recognizes the right of all children to have the best possible start in life, to be happy and healthy, and to reach their full potential. This includes the right to live on a clean and healthy planet, in a protective and caring environment, to relax, play and engage in cultural and artistic activities and, finally, to enjoy the surrounding nature, while respecting it. Families and communities must also have the support they need to care for the well-being and development of their children. Never before have children living in the EU enjoyed so many rights, opportunities and security as they do today. This is mainly the result of political measures, legislation and funding decided over the last decade by the EU, working with Member States. In recent decades, the Commission has presented important initiatives to combat child trafficking and the sexual abuse and sexual exploitation of children, missing children and the promotion of child-friendly justice. Child-specific regulations have been developed and incorporated into asylum and migration policies and legislation. Efforts to make the

Internet safer for children and to continue the fight against poverty and social exclusion have been redoubled. The revised 2017 EU Guidelines for the Promotion and Protection of the Rights of the Child are an important step in defending the rights of children around the world, along with numerous humanitarian and development programs that promote the right to health and education. The effects of these initiatives have greatly improved the lives of children in the EU and the practical implementation of their rights. The progress made, however, cannot be taken for granted. The time has come to strengthen these efforts, to address persistent and emerging issues, and to define a comprehensive strategy to protect and promote the rights of children in a changing world. Even today, too many children suffer serious and regular violations of their rights.

Children remain victims of various forms of violence and continue to be subject to socio-economic exclusion and discrimination based mainly on sex, sexual orientation, racial or ethnic origin, religion or belief, disability or that of their parents. Not enough attention is paid to children's concerns, as too often little importance is given to their views on the issues that matter to them. The COVID-19 pandemic has exacerbated existing difficulties and inequalities, while generating new ones. Children are thus exposed to growing domestic violence and are victims of online abuse and exploitation, as well as cyberbullying, while an increasing amount of child pornography content is shared online. Certain procedures concerning, in particular, asylum and family reunification have been postponed. The transition to online learning has disproportionately affected very young children, children with special needs, those living in poverty, marginalized communities such as gypsy children, and remote and rural areas, which lack access to connections to internet and computer equipment. Many children have thus lost the most nutritious meal of the day, as well as access to the services provided by the school. The pandemic has also severely affected children's mental health, which appears to have increased anxiety, stress and feelings of loneliness. Many children have not had the opportunity to participate in sports, recreational, artistic and cultural activities that are essential for their development and well-being. The EU needs a new and comprehensive approach to take into account new realities and persistent challenges. By adopting this first comprehensive strategy on the rights of the child, the Commission is determined to place children and their best interests at the heart of EU policies, through its internal and external actions and in accordance with the principle of subsidiarity. This strategy aims to bring together all recent and less recent EU legislative, political and funding instruments in a global framework. It proposes a series of targeted actions covering six thematic areas, each setting priorities for EU action in the coming years. This will require better consideration of children's rights in all related EU policies. The specific needs of certain groups of children, including those with multiple vulnerabilities and those exposed to intersecting forms of discrimination, are duly taken into account. This strategy is based on the Commission's previous communications on the children rights, as well as the legal and political present framework. It also contributes to the achievement of the objectives of the European pillar of social rights. Rooted in the United Nations Convention on the Rights of the Child and its three protocols, as well as in the United

Nations Convention on the Rights of Persons with Disabilities, the strategy will help achieve the Sustainable Development Goals (SDGs). It is also linked to the Council of Europe's standards on the rights of the child, as well as to its strategy on the rights of the child (2016-2021). The strategy is based on substantial contributions from the European Parliament, the Member States, children's rights organizations and other stakeholders, collected during the preparatory phase, in particular during an open public consultation and the European Forum on the Rights of the Child. 2020. This strategy was developed for and with children. The opinions and suggestions of over 10,000 children were taken into account in the development of this strategy. The children also took part in the development of its child-friendly version. This opens a new chapter and is an important step for the EU towards real children's participation in its decision-making processes.

Among the strategies that can be adopted to involve children in decision making, it stands out:

- political and democratic participation: a union that recommends children to be active citizens and members of democratic societies.
- socio-economic inclusion, health and education: a union that fights child poverty and promotes friendly and inclusive societies and child-friendly health and education systems
- fighting child poverty and promoting equal opportunities
- ensuring the right to health care for all children
- building an inclusive and quality education system
- Combating violence against children and protecting children: a European Union that helps children grow up without violence
- child-friendly justice: an EU in which the justice system enforces the rights and needs of children
- the digital and informational society: a union in which children can safely navigate the digital environment and take advantage of the opportunities it offers
- The global dimension: a union that supports, protects and empowers children around the world, including in crises and conflicts
- integrating the child's perspective into all EU actions
- the contribution of EU funds to the implementation of the strategy.

Conclusion

Trafficking and exploitation of human beings is a complex, multifaceted phenomenon that affects women, girls, men and boys, and can be related to any kind of human activity. Trafficking in human beings is a serious attack on the integrity of the human being. It is a widespread reality, but an unknown reality, in which the victims are silent and very difficult to count. This phenomenon requires multiple answers,

from prevention to the protection of victims' rights and the prosecution of traffickers, from the harmonization and adaptation of legislation to their effective implementation. To answer these challenges in the fight against trafficking and exploitation, the European Commission is firmly committed to helping children develop their potential as involved and responsible citizens. To this end, participation in democratic life must begin in childhood. All children have the right to express their views on issues that affect them and to take these views into account. In order to enable them to participate actively, poverty, inequality and discrimination must also be addressed in order to break the intergenerational cycle of inequality. This strategy is inclusive in its design and will be inclusive in its implementation. The Commission will monitor the implementation of the strategy at EU and national level and report on progress at the annual European Forum on the Rights of the Child. Children will participate in monitoring and evaluation, including through the future children's participation platform. The actions implemented, as part of the strategy, will be adapted where necessary. The Commission invites the European Parliament and the Council to endorse this strategy and work together to implement it. The Commission calls on the Committee of the Regions and the European Economic and Social Committee to promote dialogue with local and regional authorities and civil society. We all have a responsibility to listen to our children and to act now.

Bibliography

- Charte des droits fondamentaux de l'UE, 2012/C 326/02
- Une Union plus ambitieuse. Mon programme pour l'Europe. Par la candidate à la présidence de la Commission européenne, Mme Ursula von der Leyen. Orientations politiques pour la prochaine Commission européenne 2019-2024
- Convention des Nations unies relative aux droits de l'enfant, 1989
- How children (10-18) experienced online risks during the COVID-19 lockdown in spring 2020 (Comment les enfants de 10 à 18 ans ont-ils fait face aux risques en ligne durant le confinement lié à la COVID-19 au printemps 2020?), JRC, Commission, 2020
- Exploiting Isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic (Les risques de l'isolement: auteurs et victimes d'abus sexuels sur mineurs en ligne durant la pandémie de COVID-19), Europol, 2020
- Vers une stratégie européenne sur les droits de l'enfant, COM(2006) 367 et Programme de l'Union européenne en matière de droits de l'enfant, COM(2011) 60
- https://ec.europa.eu/info/sites/default/files/ds0821040frn_002.pdf
- Christian MöLLING, « State of play of the implementation of EDA's pooling and sharing initiatives and its impact on the European defence industry » p. 17 Etude pour la Direction Générale des politiques extérieures du Parlement européen – 2015