

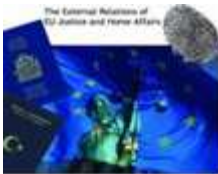


Malta-EU Steering & Action Committee

JUSTICE AND HOME AFFAIRS

Sectoral Committee
Weekly Update
15.01.10

Contents



**Follow up on COM (2009) 136
*Proposal for a Council
Framework Decision on
preventing and combating
trafficking in human beings,
and protecting victims***

Pg 2

**Hearing of Viviane Reding,
Commissioner Designate for
Justice, Fundamental Rights
& Citizenship**

Pg 3



Malta-EU Steering & Action Committee

Follow up on COM (2009) 136 - *Proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA*¹

This proposal has been discussed in Council and is at its first hearing stage in the European Parliament. On Tuesday Parliament intends to hold a debate on the oral questions which were made to the Council and the Commission.

The following are the questions made by Parliament:

Trafficking in human beings is a modern form of slavery and an extremely profitable business for organised crime. Europol's assessment for 2009 is that trafficking of women for sexual exploitation has not decreased and trafficking for forced labour is on the increase. Following the entry into force of the Lisbon Treaty, a new proposal will be put forward to replace the Commission's proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims.

1. Does the Council/Commission agree that the EU's approach to action in this field should be human rights centred, holistic and focus on external relations, return and reintegration policies, social affairs, social inclusion, migration and asylum, and that the following key elements should be taken as a basis:

- a) the level of penalties and sanctions for those, legal persons included, who make a profit from trafficking in human beings should reflect the seriousness of the crime and have a dissuasive effect;
- b) further action should focus on protecting the victim, taking the situation of minors into due consideration, by, inter alia, ensuring that assistance to victims is unconditional and that the consent of a victim to exploitation is always irrelevant;
- c) in order to discourage demand, further action could also focus on users of the services of trafficked people;
- d) any provision on jurisdiction should be coordinated with the draft Framework Decision on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings?

2. Does the Council/Commission aim to improve the coordination of information by asking Eurojust, Europol and Frontex, in consultation with the FRA, the Gender Institute and NGOs, to publish every year a joint report on trafficking in human beings, and by supporting the development of a common template for Member States and third countries for the collection of data relating to trafficking in human beings?

3. What concrete action does the Council/Commission envisage in order to step up prevention of trafficking in human beings?

¹ JHA Update 27th March 2009. This was also discussed during the first JHA committee meeting



Malta-EU Steering & Action Committee

Hearing of Viviane Reding, Commissioner Designate for Justice, Fundamental Rights & Citizenship

– "We should never be driven by fear, but by values"

Luxembourg's Commissioner Viviane Reding is expected to take up Justice, Fundamental Rights and Citizenship in the next Commission (in the outgoing Commission she was Commissioner for Information Society and Media). In her hearing before the European Parliament Ms Reding said that in the last decade, justice has been neglected in favour of security, but the Lisbon Treaty now allows a balance to be struck.

Ms Reding said that fundamental rights such as data protection will be a priority. The commission designate pledged to plug gaps in the free movement of citizens, taking infringement proceedings against Member States if necessary.

Ms Reding was questioned on various issues ranging from matters related to protection of women's rights such as maternity leave, combating violence against women, and the gender pay gap; to matters related to industry such as copyright protection and the balance between industry and consumer rights. Ms Reding was also questioned on a law for cross-border divorce cases and the mutual recognition of legal acts.

For a detailed summary of Ms Reding's hearing go to:

http://www.europarl.europa.eu/pdfs/news/expert/infopress/20100111IPR67125/20100111IPR67125_en.pdf