

3.2.2021

A9-0011/6

Amendment 6

Alice Kuhnke, Ernest Urtasun
on behalf of the Verts/ALE Group

Malin Björk

on behalf of The Left Group

Evin Incir

Report

A9-0011/2021

Juan Fernando López Aguilar, María Soraya Rodríguez Ramos

Implementation of the Anti-Trafficking Directive
(2020/2029(INI))

Motion for a resolution

Paragraph 60

Motion for a resolution

Amendment

60. Deplores the fact that data on the identity of THB victims appear in police reports and throughout proceedings, making it hard for victims to speak out or to be protected from retaliation; encourages the Member States to keep victims' names and other identity data in separate files accessible to the police and the prosecution, but not to be disclosed to the suspected traffickers *or their lawyers*, while respecting the right to a fair trial;

60. Deplores the fact that data on the identity of THB victims appear in police reports and throughout proceedings, making it hard for victims to speak out or to be protected from retaliation; encourages the Member States to keep victims' names and other identity data in separate files accessible to the police, *lawyers* and the prosecution, but not to be disclosed to the suspected traffickers, while respecting the right to a fair trial;

Or. en

Amendment 7

Alice Kuhnke, Ernest Urtasun
on behalf of the Verts/ALE Group

Malin Björk

on behalf of The Left Group

Evin Incir

Report

A9-0011/2021

Juan Fernando López Aguilar, María Soraya Rodríguez Ramos

Implementation of the Anti-Trafficking Directive
(2020/2029(INI))

Motion for a resolution**Paragraph 67***Motion for a resolution*

67. Calls on the Commission to ***revise the Anti-Trafficking Directive after a thorough impact assessment*** in order to improve the measures for the prevention, tackling and prosecution of all forms of trafficking, especially for sexual exploitation as the largest area of THB; to address the use of online technologies in both the proliferation and the prevention of THB; to improve measures for prevention and the early identification of victims and easy and unconditional access to assistance and protection, while strengthening a horizontal gender- and child-sensitive perspective across all forms of trafficking;

Amendment

67. Calls on the Commission to ***adopt strong measures where there has been a lack of effective implementation*** in order to improve the measures for the prevention, tackling and prosecution of all forms of trafficking, especially for sexual exploitation as the largest area of THB; to address the use of online technologies in both the proliferation and the prevention of THB; to improve measures for prevention and the early identification of victims and easy and unconditional access to assistance and protection, while strengthening a horizontal gender- and child-sensitive perspective across all forms of trafficking; ***further calls on the Commission to evaluate whether to revise the Anti-Trafficking Directive after a thorough impact assessment;***

Or. en

Amendment 8**Alice Kuhnke, Ernest Urtasun**

on behalf of the Verts/ALE Group

Malin Björk

on behalf of The Left Group

Evin Incir**Report****A9-0011/2021****Juan Fernando López Aguilar, María Soraya Rodríguez Ramos**Implementation of the Anti-Trafficking Directive
(2020/2029(INI))**Motion for a resolution****Paragraph 68***Motion for a resolution*

68. Calls on the Commission to ***amend*** the Anti-Trafficking Directive with a view to ensuring that Member States explicitly criminalise the ***knowing*** use of all services provided by victims of trafficking which involve exploitation, as suggested by Article 18 of the Anti-Trafficking Directive, given the serious and extensive nature of this crime across the EU and the low number of prosecutions; ***regrets the fact that proving*** knowledge in using the services of a victim of human trafficking is a difficult matter for the prosecution authorities; stresses that the difficulty of finding evidence is not necessarily a conclusive argument for not treating a given type of conduct as a criminal offence; notes that restricting criminal liability only to the situation where the user has direct and actual knowledge that the person is a victim of human trafficking creates a very high threshold for achieving prosecutions; considers that the level of knowledge that should be required for this offence should be a matter for close examination; considers that the user should demonstrate that all reasonable steps were taken to avoid the use of services provided by a victim; is concerned about the fact

Amendment

68. Calls on the Commission to ***consider amending*** the Anti-Trafficking Directive ***or to present a complementary legislative proposal*** with a view to ensuring that Member States explicitly criminalise the use of all services provided by victims of trafficking which involve exploitation, as suggested by Article 18 of the Anti-Trafficking Directive, given the serious and extensive nature of this crime across the EU and the low number of prosecutions; ***emphasises the importance of removing the need to prove*** knowledge in using the services of a victim of human trafficking ***as it*** is a difficult matter for the prosecution authorities; stresses that the difficulty of finding evidence is not necessarily a conclusive argument for not treating a given type of conduct as a criminal offence; notes that restricting criminal liability only to the situation where the user has direct and actual knowledge that the person is a victim of human trafficking creates a very high threshold for achieving prosecutions; considers that the level of knowledge that should be required for this offence should be a matter for close examination; considers that the user should demonstrate

that law enforcement has insufficient knowledge of the knowing use of services provided by victims of trafficking, the lack of judicial practice of the relevant provision and the insufficient and inadequate human resources deployed; stresses the importance of Member States strengthening efforts to increase the number of investigations and prosecutions, and reducing the burden placed on victims and their testimonies during proceedings for evidence gathering; calls for regular and tailor-made training for investigators, prosecutors and judges, and for the systematic use of financial investigations and other effective intelligence-led investigative tools, which can provide a range of types of evidence to be used in addition to victims' testimonies; calls on the Member States to dedicate sufficient financial and human resources to properly address this crime;

that all reasonable steps were taken to avoid the use of services provided by a victim; is concerned about the fact that law enforcement has insufficient knowledge of the knowing use of services provided by victims of trafficking, the lack of judicial practice of the relevant provision and the insufficient and inadequate human resources deployed; stresses the importance of Member States strengthening efforts to increase the number of investigations and prosecutions, and reducing the burden placed on victims and their testimonies during proceedings for evidence gathering; calls for regular and tailor-made training for investigators, prosecutors and judges, and for the systematic use of financial investigations and other effective intelligence-led investigative tools, which can provide a range of types of evidence to be used in addition to victims' testimonies; calls on the Member States to dedicate sufficient financial and human resources to properly address this crime;

Or. en

3.2.2021

A9-0011/9

Amendment 9

Alice Kuhnke, Ernest Urtasun

on behalf of the Verts/ALE Group

Malin Björk

on behalf of The Left Group

Evin Incir

Report

A9-0011/2021

Juan Fernando López Aguilar, María Soraya Rodríguez Ramos

Implementation of the Anti-Trafficking Directive
(2020/2029(INI))

Motion for a resolution

Paragraph 71

Motion for a resolution

71. Calls on the Commission to regularly assess and review the implementation of the Anti-Trafficking Directive by the Member States and submit a report in line with Article 23(1), assessing the extent to which the Member States have taken the necessary measures in order to comply with the Directive and the impact of existing national law, and to introduce urgently infringement procedures where there has been a lack of effective implementation, report to the European Parliament and to come forward with proposals to revise it;

Amendment

71. Calls on the Commission to regularly assess and review the implementation of the Anti-Trafficking Directive by the Member States and submit a report in line with Article 23(1), assessing the extent to which the Member States have taken the necessary measures in order to comply with the Directive and the impact of existing national law, and to introduce urgently infringement procedures where there has been a lack of effective implementation, report to the European Parliament and to come forward with proposals to revise it, *if necessary*;

Or. en