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Official Report

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Thursday 12 September 2013

Session 4

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

14th Meeting 2013, Session 4

CONVENER

*Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP)

DEPUTY CONVENER

*Hanzala Malik (Glasgow) (Lab)

COMMITTEE MEMBERS

*Clare Adamson (Central Scotland) (SNP)

*Roderick Campbell (North East Fife) (SNP)

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

Helen Eadie (Cowdenbeath) (Lab)

*Jamie McGrigor (Highlands and Islands) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Myria Vassiliadou (European Commission)

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

Committee Room 1

Scottish Parliament

European and External Relations Committee

Thursday 12 September 2013

[The Convener opened the meeting at 10:00]

Human Trafficking

The Convener (Christina McKelvie): Good morning and welcome to the 14th meeting in 2013 of the European and External Relations Committee. I make the usual request that all mobile phones and electronic devices are switched off because they interfere with our broadcasting.

We have apologies from Helen Eadie, who is convening another committee this morning. We have not had apologies from Hanzala Malik, who I hope will be here later.

We have only one item on our agenda today, but it is a very important one and something that this committee has taken a great interest in. We have with us today the European Union anti-trafficking co-ordinator, who I believe is the first person in that role, which is appointed by the European Commission.

As I said, it is a new role created by the Commission to take responsibility for improving co-ordination between the EU and international agencies involved in the prevention of human trafficking. If anyone knows anything about human trafficking, they will know that it must be tackled across borders, so it is excellent to have an EU co-ordinator for that.

We therefore have with us Myria Vassiliadou: kalimera and welcome to Scotland. I believe that you have an opening statement. If you go ahead with that, we will go on to questions afterwards.

Myria Vassiliadou (European Commission): Thank you very much. Thank you for the "Kalimera", and kalimera to all of you. I am very honoured to be here with you today, and thank you very much for having on the agenda only this item, which is indeed extremely important.

I am here simply to convey the message of how fundamentally important it is to implement the EU legislation against trafficking in human beings. I will talk just a little about that and will not take up too much of your time. I hope that we will have more time to talk afterwards.

At the EU level, we look at trafficking in human beings as being fundamentally a human rights violation that is a serious form of organised crime.

I want to clarify how we understand trafficking human beings. Of course, there is a legal framework and legal definition. However, to put it simply, it is about people who live under appalling conditions and work for or provide services to others against their will, with absolutely no choice to escape; whose lives are often in danger and whose families are threatened; and who often disappear.

I want to clarify first that I am not here to talk about regular or irregular migration, people smuggling or undocumented workers. I am here to talk about people who live in slavery-like conditions in today's Europe. Within that context, I am very happy that we have the EU legislation that was adopted in 2011. The member states were very keen on the legislation and adopted it in record time. It is very ambitious. After the Lisbon treaty, it is the most ambitious criminal law instrument that we have and it is very comprehensive.

Historically, we have thought of trafficking as a crime and have let law enforcement deal with it, which is of course very important. However, that is not the only thing that we have to do about trafficking. We have to prevent it from happening altogether. We have to prosecute the traffickers—that is for sure—and convict them. We have to protect and assist the victims, and we have to ensure that they are reintegrated into society. The EU legislation tries to do all that.

The deadline for the translation or transposition of the legislation into international law was 6 April this year. Up to now, 14 member states out of what is now a total of 28—with Croatia—have notified the Commission of transposition. The United Kingdom has decided to opt in, which we very much welcome, and it has notified the Commission of its transposition of the directive.

Our job now is, first, to study what notification means and whether the EU law is mirrored in international law. The next step is the most important part and is one for which we all have joint responsibility: we have to ensure prompt implementation.

This instrument is unlike a lot of other EU instruments that have involved debates on Europe, which it is not my job to engage on. This is one area that the EU member states are keen to work together on because there is no other way. Trafficking is a transnational form of organised crime and, unless the member states join forces, there is no way that the phenomenon can be decreased, let alone eradicated. I also think that no member state would want to be seen to be ignoring modern-day slavery.

It is also about following money trails, and the member states should focus on that. I have said

that trafficking is a serious form of organised crime. According to the United Nations, it provides up to \$32 billion—about €25 billion—of profits a year to the traffickers. We must therefore follow the money, conduct thorough financial investigations and ensure better prosecution and convictions.

We mirror the EU legislation with a policy framework. The policy framework is the “EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016”, which was adopted by the European Commission. It includes about 40 actions—I will not bore you with all of them—most of which the European Commission is responsible for. There are also actions that we recommend for the member states. It is a rare instance of EU policy being taken on fully by the member states, which mirror the EU strategy. They adopt it in the Council conclusions and commit to carry out a number of actions. I am very pleased to see that.

In some ways, my job is extremely difficult because I am after \$32 billion, but it is also easy because it is an area that people want to work together on—at least they say that they want to do so; we must see how they implement what they say.

I will give you some numbers. The International Labour Organization gives a conservative estimate of 880,000 people being in forced labour in Europe in the past decade. However, the first Eurostat report for which the member states collected information on identified and presumed victims shows that, embarrassingly, only 23,000 victims have been identified. That is not even the tip of the iceberg.

There are hundreds of thousands of people in Europe today who are trafficked. Our data suggests that 62 per cent of those who have been identified are women and girls who are trafficked for sexual exploitation. The rest are trafficked for other forms of exploitation of which the list is becoming increasingly long. There is labour exploitation of workers in construction, the agricultural sector, domestic work, the healthcare sector and so on. There is also trafficking for benefit fraud, and trafficked people are increasingly being forced to engage in criminal activities. In addition, people are trafficked for the purpose of organ removal. The list is horrifying and is getting longer and longer.

An additional problem is that, although the number of identified victims is increasing, the number of prosecutions and eventual convictions is going down. That is where the member states have a very important role to play.

It may be of interest to the committee that 61 per cent of the victims that the member states identified are EU citizens being trafficked in the

EU. A lot of the time, we tend to think that it is something that happens far away from us. However, I always say that, if it is estimated that 1 million people are being trafficked in Europe, there are another 1 million people who know exactly where those people are. We are all responsible for the problem and we are all responsible for doing something about it.

My role is a strange one because it was created by an article in the EU directive. What is significant is not the importance of what I do, but the importance that the member states decided to attach to the issue. There are two people in this type of role in different capacities, one working on terrorism and the other working on anti-trafficking. That speaks volumes about how the different member states want to work together on the issue.

The directive and the legislative framework stipulate that all the work that we need to do needs to be done in close collaboration with civil society. That is not just a lot of jargon; it is because civil society is very likely to come into contact with victims first. Civil society therefore needs a role in helping to identify, assist and protect the victims, and eventually to help them to reintegrate into society.

The spirit and ethos of this strategy and policy framework is to work together. We cannot get this done if only the police are involved, even if they are doing an excellent job. We need labour inspectorates to work together, as well as border guards, consular services and, of course, civil society. We need anyone who might come into contact with the victims to work together systematically.

When it comes to civil society, we have launched an EU civil society platform with 100 non-governmental organisations. I spoke to about 10 NGOs from Scotland yesterday. We want to ensure that they are aware of the EU's legislative and policy framework because they are the ones who can help us and tell us how best to do our job and build better policy. Also, it is in the directive that they should be informed.

I also wanted to highlight to the NGOs yesterday the document that you have in front of you on the rights of victims. There are no new rights or decisions or anything like that. The document is about explaining how far the member states separately and the EU together have come towards ensuring that the victims are protected by 17 or 18 different pieces of legislation. That is very useful. It is not about exposing member states by showing them all these rights; it is about facilitating the work that is being done. We are talking about slaves, not about any other issue on which we might have a debate.

The document that you have in front of you has been translated into all 23 languages, precisely because we want to reach out to NGOs and to victims themselves to help them to escape and reintegrate into society.

What might be of particular interest to the committee is the external dimension of the work that we do. I have the responsibility of working with third countries and international organisations. Most of the victims tend to come from 10 identified third countries. We have the External Action Service of the EU, and we have what we call the action-oriented paper. It is a member state document, not a Commission document, in which the member states have agreed on all 10 countries based on a number of criteria on which the Commission, the EU and member states have to strengthen their efforts. Some of them are neighbouring countries such as the Ukraine and Russia and others are further away, such as Nigeria, China and Vietnam. Some of those countries might be familiar to the committee because of the work that you do on where the victims might be coming from.

At the moment we are working very hard with the External Action Service and our member states to see how best to ensure more co-ordinated work with those countries. At the end of the day, what is important is how funding is allocated, and that is also a concern of this committee because you all identify with that issue as well. We have different ministries and services that are doing very good work, but it is often paralleled in different policy areas.

In the area of trafficking, because I am privileged to have this task, I have tried to gather all the funding that has gone into working against the trafficking of human beings from all the different sectors of the EU, such as development, enlargement and so on, as well as from crime prevention and reduction. Now that we are gathering it, the actual amount is staggering. It is the first time that this has been done in any policy area at the EU level. We intend to publish that, but we are not doing it just to say how much has been allocated. That is never enough if we are going to help people. We need to do it in a better, more accountable and more co-ordinated way so that it has an impact.

We are going to assess and do a policy review of all the projects that have ever been funded at the EU level, and ask what they say, what they want us to do, and how we can ensure better policy making and better use of that funding to match the policy needs and the needs of the victims.

10:15

We are also assessing and evaluating awareness-raising campaigns that we and the member states have funded. Every NGO will ask for a certain amount of money to publish posters. Are they helpful? I do not know. Have they had an impact? I do not really know. All I see is that we have a lot more trafficking than before—or, at least, we know about a lot more than before. We need to look into that issue harder and ask questions about how to do our job better in the future.

There is no trafficking unless there is demand for trafficking. Somebody is buying the products and using the services of the victims, most of whom are recruited through social networking and through temporary work agencies and intermediaries working online. How do we address the demand?

The legislation is a strange animal because, in article 18 of the directive, which obliges member states to take action to reduce demand, it takes more of a soft-law approach. There is also a provision that says that, in 2016, I have to contribute to a report on what measures member states have taken—they are not obliged—to criminalise those who knowingly use the services of victims of trafficking. It is about victims of trafficking; it is not a broader debate.

Demand is a fundamental issue not only for sexual exploitation but for labour exploitation. That is why we are launching a European business coalition in 2014. We want to engage with the private sector. We want cleaner supply chains. We want the private sector to use more ethical practices and the consumers and clients to be more aware.

A clinical way of considering the matter—I say this to the business sector—is that trafficking hurts legitimate business practices. It hurts the way in which we conduct our business. I hope that the victims are our priority but, if somebody does not want to think about them, the financial element is also important. The member states need to follow the money; it is not something that the EU can do.

Everything that I said is on the Commission website. I am keen about, and committed to, ensuring that we are accountable in what we do, so every project that has been funded at the EU level is now on a central website. You can find anything there. We will publish there where the money has gone, where it will go in the future and how it feeds into policy.

Thank you very much for your time and for inviting me.

The Convener: Thank you very much for that comprehensive and detailed account of the work

that you are doing. The committee has taken an interest in the transposition of the directive and perhaps nudged the UK Government in the right direction on some of it. I have a question about your work with member states.

The UK Government has announced a proposed modern slavery bill. The legal system in Scotland is different and justice is devolved. The Cabinet Secretary for Justice here has agreed to consider that bill to determine whether we could just adopt some of the practices throughout the UK because it would give us cross-border co-ordination.

In Scotland, we also have a dedicated anti-trafficking unit and a Criminal Justice (Scotland) Bill going through the Parliament right now that will make trafficking an aggravated crime, which will allow us to convict traffickers more easily. We are also in a big debate about whether we should abolish corroboration, which is usually one of the stumbling blocks to getting a sound conviction.

Is there anything else that we could do in Scots law alongside the member state, which is the UK?

Myria Vassiliadou: That is the key question. There are a number of things.

As I said, the UK has notified the transposition of the directive. At the moment, we are collecting all the information. The notification of transposition is one thing, but the Commission then needs to check the extent to which the national law—the member state law—complies with the EU law. That is the next step.

At EU level, we are doing our job much more quickly than we normally would. Normally, we take a long time because we have to wait and we need to adopt and transpose. However, the commissioner and I were keen to do a quick job on trafficking. We have sent non-communication letters to the member states that have not yet notified the Commission, and we will launch the exercise to study the transposition very quickly. After that, we will launch infringement procedures, which, normally, we do not tend to do for years. This will not take years, because people's lives are at stake, so we cannot afford to wait that long.

That was a long way of telling you that I cannot comment on the UK Government's proposed modern slavery bill. The EU directive is about minimum standards and compliance. My next step would be to ask whether the proposed bill fully complies with the directive. If it goes beyond the directive, all the better.

In my eyes, parliamentarians, decision makers and politicians have a big responsibility to push for the implementation of the directive and to ensure that it happens. This is not me doing the EU thing—I really think that it will make a difference to

people's lives. I very much welcome the opportunity to be here, because the greater the pressure that the committee exerts on the Scottish authorities and more broadly, the more able we will be to do our job and to do it well. The only thing that I can do at my end is check whether the directive has been fully implemented.

The other thing that I can tell you is that, when it comes to areas such as convictions and prosecutions, it is up to you to push in that direction—what can the EU do? We estimate that there are hundreds of thousands of victims in northern Europe, and yet we see figures such as 10 convictions. That is dreadful. We must focus on that issue. For me, conducting financial investigations and holding different authorities accountable are fundamental.

A related issue that will probably come up relates to article 19 of the directive, which is on the national rapporteurs or equivalent mechanisms. Basically, it says that there is a need to establish national rapporteurs or equivalent mechanisms, whose job it is to report on trends, to collect data or ensure the collection of data, to assess the impact of national actions and to report to EU level. At that point, we will draft our own report.

There is nothing in the legislation that stipulates that it must be an independent body that does that. Independence means different things geographically, and in different places and different bodies. There is nothing in the directive that stipulates that an independent body must perform that role. What an independent rapporteur might mean in my country and what it might mean in this country might be two different things.

I can tell you that the legislation stipulates a number of obligations for the bodies concerned. We are working with the representatives of the bodies, and I chair a meeting with all those people in Brussels twice a year. We are trying to come up with guidelines on what they need to work on and report, based on what they want—it is up to them, not me, to decide that.

The more co-ordination there is, the better. It is important that there is more representation from different areas and different stakeholders, because we have had the police representing the police and reporting on the police for 20 years. The point is to move beyond that. We need to have different stakeholders involved. What that means in the geographical and political context of this country is, of course, for you to decide.

The Convener: Thank you. You pre-empted my next question, which was about my disappointment that the UK Government has not appointed a rapporteur. You have expressed your feelings on that.

I open up the questioning to committee members. Jamie McGrigor will go first.

Jamie McGrigor (Highlands and Islands) (Con): You are obviously much closer to this subject than most people are and you know much more about it. First, are there examples of best practice from elsewhere in Europe that Scotland could learn from in our efforts to combat human trafficking? Secondly, is there a great deal of evidence that human trafficking is taking place in Scotland? Thirdly, apart from for the sex industry, you mentioned people being trafficked to work in the agriculture and healthcare sectors and for benefit fraud. How does the average person identify the signals that someone is possibly being trafficked? What are the signs that the ordinary person could pick up?

Myria Vassiliadou: Those are very good questions. Actually, I am not the expert, but I am privileged to be surrounded by a lot of experts who I try to ensure are better placed to do the work—

Jamie McGrigor: I understand that you are a co-ordinator.

Myria Vassiliadou: Yes, I try to co-ordinate. I do not assume expertise on every area of trafficking, but I know a little bit about it.

There are different best practices in different countries. To give an example that I dealt with last week, for the EU anti-trafficking day on 18 October—I understand that that is also anti-slavery day in the UK—we are organising an event with internet experts so that we can understand more about internet recruitment. We sent invitations to the member states, but in most member states the people working on cybercrime and the people in the law enforcement field who try to prevent trafficking of human beings do not know each other. However, there are some countries—I cannot give names now but I am happy to send them later—in which those people not only work together but have regular meetings to co-ordinate their work. Some member states replied saying, “Should we send someone from the cybercrime unit or someone from the anti-trafficking unit?” They need to decide that for themselves, but the problem is that they do not know each other. However, there is good practice among those who work together.

There is also good practice on the identification of victims by what we call national referral mechanisms. I do not know what that means in the context of the UK, but a national referral mechanism involves not just the police—if victims were identified only by the police, not many would be identified, given the experience of the past 20 years—but officials in different front-line services, who co-ordinate in a systematic manner on identification and in close co-operation with civil

society. In some member states, such national referral mechanisms work very well and the different stakeholders are happy with the way that things work.

Let me give an example that happens to come from the UK but could come from anywhere. On anti-trafficking day last year, we heard from an ex-victim of trafficking for labour exploitation who happens to be a UK citizen. That guy, who was in his 20s, was trafficked in Sweden but then managed to escape. After he gave his testimony, I sat there doing my blah-blah to explain the issues. During the break, he came to me and said, “I don’t know what you’re talking about, but when I was identified as a victim I was sent from one authority to another. Nobody knew my rights. I didn’t know my rights. Nobody told me anything.” That example happens to come from the UK—it is a good example because at least he was identified—but there are thousands of such examples.

There are also examples of people who say, “I went to the service and was helped, and I managed to reintegrate into society.” However, those examples are very few. There are more examples of people being retrafficked, I am afraid. There are many examples like that, although it depends on the area that we are talking about. We do not have enough examples of parliamentarians and decision makers proactively taking an interest in the matter, so I welcome the committee’s interest and I think that we should have a lot more of that.

In terms of evidence, if you are asking about numbers, I cannot give you separate numbers from those that are published in the Eurostat report. If you are asking about what the 10 people in the room said yesterday, they all knew of examples. Some of them talked about having helped hundreds of people. Now, I do not think that an NGO would lie. Why would it lie that it had helped 500 people? However, when you look at the number of convictions, you see that there have been perhaps only three. I do not know about the situation in Scotland, but they said that there are problems in different areas.

There is something there. I am not saying that the situation in Scotland is worse or better, because I do not know. What I do know is that there are a lot of people out there who are not identified.

How do we identify people? For front-line officials, the EU directive and our policy provide for training. When I say training, I do not mean one hour and, “Let’s all get together and talk about trafficking.” I am talking about the need for judges, prosecutors, the police, NGOs and labour inspectors to have extremely focused training on identifying people who have been trafficked.

10:30

Last April, we had a meeting with an informal network of labour inspectors from throughout the member states and it was the first time that they had discussed trafficking of human beings. Most of them were looking in amazement, wondering how they related to the issue. I actually had to push for us to have a place on the agenda, yet hundreds of people, if not hundreds of thousands, are trafficked.

When we come to the average citizen, it is about creating more awareness. It is our responsibility in different areas of decision making to ensure that there is a lot more awareness about what we buy and the products that we consume. We see people in the street and we make a lot of assumptions about them: "Oh, that's just a person begging or whatever." Sometimes people who have been trafficked are thieves or muggers—they should be punished for that. There are areas in which they have criminal networks around them. Understanding demand is a fundamental priority and it is one that the EU is very much focusing on at the moment.

There is also demand online. We need to understand who advertises for people to get these jobs. Who responds to the adverts? Who applies? What are the processes that lead to people getting these jobs? However, a fundamental issue is that of being responsible consumers.

Roderick Campbell (North East Fife) (SNP): I have a couple of questions. First, notwithstanding that the UK does not have a national rapporteur who would be charged with the collection of data, do you have any views on the collection of data in the UK or in Scotland? At the very least, could you tell us what you think would be best practice in the collection of data on human trafficking?

Myria Vassiliadou: After convictions, the second most difficult task is the collection of data. First, that is because it is a hidden form of crime. We are talking about organised criminality predominantly. It is difficult to get data in all areas of organised crime.

That said, it is extremely important that there is co-ordination among the different bodies that are able to collect data. They need systematically to ensure that they keep one another informed. Often, civil society, border guards, consular services—which, by the way, do not think that they have anything to do with this—labour inspectors and so on do not communicate with one another. There are differences in definitions and in their understanding of trafficking. There are issues of data protection and so on. Unless those are clarified and we have clear definitions and we abide by the EU legislation, we will be prevented from collecting better data.

The encouraging part is that that applies to the UK as well. I do not think that we have separate statistics for Scotland. In 2008, the quality and types of data were worse than the data collected in 2010. In that sense, we are progressing in understanding how best to collect the data and how to ensure that we have better definitions.

However, we are far from doing our job. We are now working with the United Nations Office on Drugs and Crime on co-ordinating our work to ensure better collection of data. What the Administrations also suffer from is fatigue—report after report. However, if the UNODC report goes to one authority and the Eurostat report goes to the national statistical authority, we sometimes end up with different data.

That is an indication of where part of the problem lies. The biggest part is that trafficking is a hidden form of crime. We have a lot of work to do in that regard. We started doing it, however, and it was courageous, because we were expecting a lot of criticism. We did not get it, in fact, because everybody is struggling with the same issue. There at least seems to be a lot of willingness to do a better job this time. We launched an activity one month ago. Basically, we sent a questionnaire to all the member states, and we are waiting to see what this new exercise brings.

Roderick Campbell: One of the most interesting things that I have heard this morning—and I also heard it yesterday, when you were addressing the Justice Scotland conference—is something that has surprised me. You said that 61 per cent of people trafficked had been identified as European citizens. That is a very high figure—it is much higher than I had anticipated. Given the general rules on freedom of labour and freedom of movement throughout the European Union, does that high figure pose particular problems for member states generally? Do you have any thoughts on that?

Myria Vassiliadou: Human trafficking is caused by vulnerability. It is caused by people being in conditions of poverty and being socially excluded. The emphasis should be there. As I have said, it can happen to UK citizens, who can be trafficked in the UK. That happens.

Do not forget that all the other victims, of whom there are hundreds of thousands, come from outside the European Union. Unfortunately, the restrictions seem to have made little difference to organised networks. We do not have fewer people being trafficked from outside Europe; we have other people being trafficked, and that should be taken into consideration. Where the restrictions are—in which areas—is one thing to take into consideration.

There is something to be said about migration, asylum and trafficking—there are of course links between them. There are also other links, and the debate should be focusing on how we ensure that people who are socially excluded and live in conditions of vulnerability are no longer in that situation.

Roderick Campbell: What I was getting at is the difficulties that member states have under the freedom rules in keeping a proper track of what is happening, with people moving across the European Union all the time.

Myria Vassiliadou: That is why member states are very keen to work together. At the EU level, we have funded many joint investigation teams. Indeed, the UK was part of quite a successful investigation team. Europol can help with intelligence gathering. What is lacking is not necessarily to do with the controls that take place at the borders—perhaps it is; I do not know—but is to do with how the different police authorities and other authorities co-ordinate with one another. It is fundamental to address that point—that is not happening enough. There should be more co-ordination in that sense.

I said this yesterday, so sorry for repeating it. A few months ago, the director of Europol was saying that he estimates there to be 3,000 small organised gangs around Europe today. Before, we had the heavyweights—the big, organised networks—but there were very few of them. Now, there are 3,000 gangs all over Europe. They operate in so many different flexible ways that they are very hard to control. They do more than one type of thing—they do not have a job description like mine, and they do all sorts of crime at the same time. They are very engaged in drug trafficking, too. Gangs do not operate just in Europe. The same people who are trafficking people from Romania to Spain, for instance, might be trafficking people from Nigeria to Spain, and they tend to do that very well. There are other questions around that, which we need to be asking at the same time.

Clare Adamson (Central Scotland) (SNP): The issue is possibly one of the most important that the committee has considered, and I am very glad that you are here to share your insights with us.

You have already mentioned the general public's understanding of the issue. That is one of my great concerns. There were big headlines about the cockle pickers who were killed at Morecambe Bay a few years ago, and there was the case of people who were killed on a fishing boat that had become their home. That was a new phenomenon in Scotland. I think that, when the general public know about those situations, they are genuinely appalled by them. A local case of

mine involved a very popular local restaurant in whose wall cavities people were discovered to be sleeping. I know that local people who had enjoyed meals in that restaurant and were oblivious of what was happening around them were genuinely outraged by that. There were no prosecutions, as the people were trafficked into the EU and the case was very complicated.

Should we be doing much more in educating our citizens on the matter? Has there been any investigation of the possibility of using something like the Fairtrade logo? We have already had the outrage across Europe over the recent scandal to do with the provenance of food. Has there been any investigation into having a guarantee of provenance of products in our supermarkets to ensure that trafficking has not been involved in their production, or a certification of businesses to give people confidence that, when they purchase services, that has been checked?

Myria Vassiliadou: That idea is similar to ideas that have been voiced previously. How we educate the public is a tough issue. We want to do an evaluation of awareness-raising activities, because we want to see what works so that we can do our job better. We have, of course, given a lot money in good faith, and I am glad that that money was given, but we need to see how best to do things. I do not really have an answer to that question. That is why we are doing a study of how best to do things.

My understanding is that we must be a lot more targeted. As decision makers and politicians, we need to ensure that the issue is always voiced in different fora, but that can be done in a very targeted way in schools, jobcentres and many other different fora in which we can ensure that there is more awareness.

That said, the work with the private sector is always a challenge. Obviously, there are certain limits on what can be done with the private sector. Many people tell me, "Oh, you do corporate social responsibility or nothing." In some ways, that is nothing; in some ways, it is not nothing. It is about good practice. The more civil society is engaged in that, the more the private sector will be careful. After all, what kind of business wants to be associated with trafficking?

The question, of course, is how far we can track the supply chain back. Supply chains have become very complex. Originally, we thought, "Let's have a European business coalition." I am being very honest with the committee. We thought, "Let's have an award for the best business." That would be a good thing, but we then thought, "Can we really check? How far can we check?" We can check that the business has a good code of conduct, that its workers are properly paid, and

that it has all the documents, but how far down the supply chains should we stop?

The idea of a Fairtrade logo is very interesting. It is always at the back of my mind. I do not think that it will happen tomorrow, but it would be very good to think ahead and see how best to do it, without violating any of the interests of the private sector and harming legitimate business. The issue is something to consider.

When I was interviewed for my post three years ago, I did a lot of reading and discovered that Eurobarometer had asked people whether, in trade, they would be willing to pay 50 per cent more for a product if they knew that no people were exploited in producing it. It was interesting that 78 per cent of those people said yes. I still have that question and intend to show it to the business sector, as it would say, "What do you do about this?" That is the kind of information that we need. I do not think that anyone wants to be associated with human slavery.

That is something to keep in mind. In my position, I always keep in mind the extent to which I can in any way interfere with the way in which the business is conducted.

10:45

Clare Adamson: Is specific funding available for public awareness education programmes?

Myria Vassiliadou: Yes—a very simple yes. It goes all over the place: development, enlargement, employment and so on. In the directorate-general for home affairs, we fund not only work on law enforcement but work on creating better awareness, reducing demand and so on. We are a lot more careful about how we distribute that money, but we very much welcome applications. I am proud to say that we have four times as many applications as we did two years ago. That is partly a result of awareness-raising work that we have done with our member states and with stakeholders. A lot more new people are applying for funds and a lot more new NGOs have been granted funds. Of course, the funds have not increased, but I always say that we have to move beyond the usual suspects, even though some of them are doing their job very well. We have professionals doing a professional job—you know how these things work—but I would like to reach out throughout the EU, from Scotland all the way down to Cyprus, where I come from, to make sure that people are involved and are aware. That is the only way in which we can do something about this.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): You said that 830,000 or so people are involved in this area in the European Union but that the number of prosecutions is reducing. Is that

due to the fact that the policy is not working and the traffickers are succeeding? What should we do to try to tackle the consumers of the services? Can you clarify whether people who consume the services are committing an offence? If we take a light touch in that regard and people are able to say that they did not know that the people were trafficked, they can escape punishment. Should we be doing more to make it clear to people who use the services that they are indeed committing an offence? Might that be the best and most successful way in which we can proceed, in the long term? I have to say that, from the figures that you have given us, it looks as though we are not winning the battle.

Myria Vassiliadou: Those are difficult questions, and I thank you for them.

I think that the previous policy did not work because, for the past 10 years, due to a framework decision that was made in 2002, the issue has been approached only as a law enforcement issue. When you look at the issue as one of police versus traffickers, you forget about the complex phenomenon of human trafficking. It is obvious that that approach will not work, especially in the current financial and social climate. That is why the new legislation was adopted and why I am pushing for it to be fully implemented. The police are fundamental, and I consider policing to be a core issue, but the situation is not just about the police going after the traffickers. We are talking about organised criminals, and there are huge interests at stake. You need to take a multidisciplinary approach to the issue and bring together all the stakeholders.

I am not the only one who is convinced about the new policy. Normally, when someone from the European Commission goes to the European Parliament, people want to shoot them. However, when I go to the European Parliament, people welcome the strategy. Civil society welcomes the strategy in a way that it does not normally welcome strategies. That is because people think that it represents the right way ahead. Of course, we are asked to do more—we are always asked to do more—but everybody thinks that we are all on the same track. I have to believe that and I have to try to convince everybody to work in that direction. I am convinced that that is the only way in which to address convictions and prosecutions.

There is a big debate about whether consumers are committing an offence. It is a very sensitive one because there are clients as well as consumers, as it is also about services. However, it is not only about sexual exploitation by clients, but about consumers who buy products. Article 25—I think—of the directive says that by 2016 we have to look at member states' practices in terms of criminalising clients or consumers who

knowingly used the services of trafficking victims. There is a debate around that. Some ask how we can prove that people knowingly used the services of or bought products that were made by trafficking victims. Others argue that criminalisation would have a normative effect and that people would be 10 times more careful in case they were criminalised, so they would ask more questions.

There are so many different perspectives on dealing with sexual exploitation in member states. There are 28 member states and there are 28 different perspectives, varying from criminalising all clients of prostitution, for example, to ensuring that everyone involved in prostitution is fully and legally protected. That is a grey area and I am not here to comment on it. However, if I were a policy maker at member state level, the first issue that I would debate is that of demand and ensuring that we deal better with consumers and clients, in whatever shape or form the member state—or the Scottish Government, for example—thinks appropriate. I would place the utmost importance on debating demand. It is pure logistics and economics that there is no supply without demand. For me, if we do not deal with demand, we are doing nothing.

Willie Coffey: Do you know how many successful prosecutions there have been?

Myria Vassiliadou: I do not have the information in front of me, so I apologise for that. However, it is in the Eurostat report, which I am happy to send to the committee. We have hard copies, but it is also on our website. The report shows all the convictions in member states, some of which have better rates than others. However, we must always compare how many prosecutions there were with how many of those led to conviction. We must also consider the estimated figures for trafficking. In some countries, we have three prosecutions and two convictions but very low estimates, but the rates are different in other countries. For example, in Romania, we have a lot of convictions, but we also have the highest number of identified victims. The data is therefore very complex.

Hanzala Malik (Glasgow) (Lab): Good morning. I am really impressed by your knowledge and I have learned a lot from your presentation and your answers. I want to draw on your experience and ask you three short questions.

First, is it your experience that victims tend to be of the same people as their traffickers? For example, if you are Chinese, the chances are that you will be victimised by the Chinese community; if you are from Asia, it will be the Asian community; and if you are European, it will be the European community. Is that your experience?

Myria Vassiliadou: I think that it varies and that there is not necessarily such a connection. Often, organised networks of traffickers consist of both EU citizens and citizens of other countries who operate together and are happy to recruit anyone who is vulnerable. I do not think that it is predominantly the case that the Ukrainian 13-year-olds who are trafficked for sexual exploitation in Europe are trafficked by Ukrainian traffickers. My guide in that regard is Europol, which identifies that about five or six nationalities, from both within and outside the EU, tend to be most involved in the human trafficking rings. However, the nationalities of the victims do not always correspond with the nationalities of the traffickers; sometimes they do and sometimes they do not.

It is not a question of saying, “Oh, you are the criminal and you are working against your own people,” but of finding out who is vulnerable. We often find that criminality exists predominantly in places where people are more vulnerable to poverty. I do not like to point fingers at people in that way, but it is easy to see. That is true of the 10 third countries, and it is what Europol says in its public report on the criminal networks. We have a lot of Chinese networks and Albanian-speaking networks, and Europol identifies the Roma community as being involved. I am trying to think of some of the other nationalities—I think that there are Russian networks, for example. That is happening within and without the EU, but it is public information—my knowledge comes from the Europol report.

Hanzala Malik: That demonstrates clearly the difficulties in dealing with the issue. The whole business has moved on and become more professional, which leads me to my second question. How can you establish a police agency across Europe that can work not only with local police agencies, but with community leaders? There are leaders in every community, and I find it difficult to believe that they would not know what is happening in their backyard. How can the police engage with them to try to stamp out this activity? What would be your advice in that respect?

Myria Vassiliadou: That is the whole ethos of EU policy at present, and of the directive itself. As I said, the previous policy did not work. If the police are not trusted by the respective communities—that could happen anywhere; it depends on the country and the context—and do not work with NGOs, how far are they going to get? The ethos of the directive—which is enshrined in the strategy that was mirrored in the Council’s conclusions—is that the stakeholders that we have identified have to work together.

I mentioned the need for targeted training. It is not for me to tell the police that human trafficking is happening, but I can say, “This is what needs to

be done, this is who you need to work with and this is whom you must reach out to."

I very much agree that there are some people who know what is going on, although there are others who do not. In any case, reaching out to communities and even neighbourhoods or small local authorities is fundamental, and it is one of the tasks in which I am trying to engage. I work with regional and local authorities. If there are housing issues, who knows better about housing than the local authority? If the police do not work with the local authority, the housing authority and the social worker, how can we get to the bottom of the issue? I can only agree with you on that.

Hanzala Malik: You indicated that funding was available, and I have some questions about that. How is it to be used? Is it just for NGOs, for NGOs in collaboration with the police, or for NGOs, the police and local authorities? Where is the funding available from? What are the normal target amounts for doing such work? Are there any set packages so that people do not have to reinvent the wheel and can instead learn from the experience of others who have used such packages successfully?

Myria Vassiliadou: First, I must note that whatever I tell you is valid only until the end of 2013, when the new financial framework at the EU level will be agreed. That said, a lot of the work in this area will continue in one way or another.

When I joined the European Commission in this job two years ago, my first question was to ask who was working on trafficking in the European Commission. I was told that there was me and a dedicated home affairs funding programme that is available to member states, NGOs and local authorities, which can work separately or together—they can decide how to do that.

Funding starts from €100,000 but it can be up to €600,000. Joint investigation teams, for example, are expensive so normally more money would be allocated to them. We are doing something on organ trafficking involving universities, scientists and so on—that is another example of something that is more expensive. Each time, €5 million is allocated and we have two calls a year. As I said, I am very keen to diversify that funding and to ensure that more stakeholders benefit from it.

11:00

That is what I knew when I joined the Commission. Then, however, a big, horrifying exercise of mapping where the money is allocated showed me that we have 11 DGs allocating money on trafficking in human beings in different ways. For example, DG development allocates money, and some money goes to Nigeria. However, we did not know about all of that in DG

home affairs. I am sure that a similar thing happens in your authorities and in your Government. I think that such things happen a lot in Administrations everywhere.

We have collected all that information and we are going to analyse exactly how things have worked in order to inform better policy making. We are calculating how much money has been allocated overall, and that will be published on the website. I cannot tell you now because I do not know exactly how much money has been given, but that information will be on the website before the end of the year. However, if someone were asked to do that job, they would see all the projects on a central website because we felt that it was important for member states—for stakeholders—to know that information.

Hanzala Malik: I am trying to establish success stories in particular because, like many others, I am very fearful that there may well be an influx of victims during the Commonwealth games in Glasgow, and we need to be ready for that. Scotland prides itself on being reasonably clean compared with our counterparts across Europe, and we want to retain that reputation. Therefore I think that it is important that we engage with your website to establish success stories so that we can emulate those—do not be surprised if we come to visit.

Myria Vassiliadou: You would be most welcome. It is very important to consider such things when it comes to large-scale events, especially sporting events. We sometimes try to undermine the importance of that for all sorts of reasons. I do not know about such cases personally, but there have been a lot of studies to demonstrate that we have to be very vigilant indeed. There have been projects to that effect in the past, and there are other practices in other member states, so it would be good to link up with previous experiences. We welcome such approaches.

Hanzala Malik: The Commonwealth games is a big, historic event for us and therefore we are nervous about ensuring that we cross all the t's and dot all the i's.

Myria Vassiliadou: Of course. I am from Cyprus, so I know that the event is coming up.

The Convener: Jamie McGrigor has a very quick supplementary.

Jamie McGrigor: The recent financial crisis in the eurozone has led to enormously high youth unemployment in some areas of Europe. I saw the figure of 56 per cent for Spain the other day, for example. Is there evidence that that huge surge in youth unemployment has led to more trafficking?

Myria Vassiliadou: I cannot give you the evidence because the data that is being collected now is for 2011 and 2012. We sent out questionnaires and will receive the data.

Having said that, I would find it extremely surprising if it was not the case that the surge has led to more trafficking. It would be a pleasant surprise if vulnerable young people were not applying for vague jobs online that have been advertised on Facebook or wherever and ending up in situations that they did not expect. A guy who spoke at a conference last year—a very well-presented, well-spoken, clever young man, aged perhaps 21 or 22—said, “It could happen to any one of you if you lost your job.” Everybody was just—well, you know, but it is like that. I can only assume what you are assuming.

The Convener: We have exhausted our questions to you for now. We probably have many more. On behalf of the committee, I thank you very much for a fantastic insight into your job and the work that you do.

The committee has taken a keen interest in the issue—and I am involved in the cross-party group on human trafficking. You have brought up a number of issues that the committee will take forward. I suggest that the committee consider a course of action next week. I refer, for example, to the points that Jamie McGrigor made about youth unemployment and to the funding for awareness-raising campaigns. We also want to examine whether the UK bill fully complies with the directive.

One of the most horrifying things that I heard from you is the fact that the industry is worth \$32 billion—if that was in pounds, it would be just short of the entire Scottish budget. It is unbelievable that, as we try to deliver health, education and justice, other people are using billions of dollars to fund a criminal lifestyle. That is absolutely horrific.

Myria Vassiliadou: The reason for our policy and legislation, and the reason why the position that I hold was created, is precisely that organised crime can be tackled only in an organised and co-ordinated way. There is no other way. That is the whole ethos of the work that we are trying to do in the new policy that we have launched.

Thank you for all the detailed questions. I normally get vague questions, so I am happy and honoured to be with you today.

The Convener: On organised crime, you are spot on. When our Government talked about placing an anti-trafficking unit in our police headquarters, I wanted to know where exactly it would be placed. We recently changed to a single police force, and I wanted to know where the unit would be because I was concerned that the people tackling cybercrime would be in one place

and the anti-trafficking unit in another, rather than the two units being together. However, the anti-trafficking unit was placed in the heart of our serious and organised crime unit, which was obviously spot on.

We must strive to ensure that the communication continues. The committee will probably examine what the Scottish Government has done thus far, what it proposes to do in the future, what the UK Government is doing and how we can raise awareness. Perhaps we will examine the UK Government’s proposed modern slavery bill to determine whether it complies with the directive. Scots law is slightly different, so perhaps we will do some work on that.

We would be delighted to have you back and would be delighted to come and visit you, if you want.

Myria Vassiliadou: I was hoping for another visit because I love this city so much that I keep coming back.

The Convener: We extend an open invitation to you to come to the committee at any time.

I thank everyone for coming along. The issue has generated a lot of interest throughout Scotland and the UK. Myria Vassiliadou has been supported by excellent people from the European Commission’s office and we look forward to seeing her again.

If the committee is content, I will place some of the issues that were raised today on the agenda for next week, to allow us to begin some new work on them and, specifically, to chase up some of them with the Scottish Government. Is the committee content to do that?

Members indicated agreement.

The Convener: The clerk will bring something back for the next meeting, which is on Thursday 19 September.

Meeting closed at 11:08.

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