

## Call for Evidence – EU Strategy on Combating Trafficking in Human Beings

### Submission by La Strada International

La Strada International is a European NGO platform against human trafficking, working from a human rights-based perspective to support trafficked persons. It aims to prevent human trafficking and to protect and realise victims' rights through direct support, knowledge exchange, capacity-building, cross-sectoral cooperation, and monitoring and advocacy to ensure the effective implementation of European anti-trafficking policies and legislation. The Platform unites 33 organisations across 24 European countries, both EU and non-EU, supporting approximately 5,000 presumed victims of human trafficking each year. Drawing on over 30 years of frontline experience, La Strada International has closely monitored the development and implementation of EU anti-trafficking strategies, policies and legislation. Informed by this long-standing engagement and our direct support to victims, we are happy to outline our recommendations for concrete actions to be included in the forthcoming EU Strategy on Trafficking in Human Beings.

### Introduction

La Strada International welcomes the development of a new EU Strategy on Combating Trafficking in Human Beings for the coming years and underlines the importance of a comprehensive approach **covering all stages of human trafficking**, from prevention to investigation and prosecution, with the **rights, protection and support of victims at its core**, at both EU and international level.

We expect the forthcoming EU Strategy to demonstrate a **renewed political commitment** and to establish a **strong, coherent policy framework** to effectively prevent and address human trafficking across the EU. The Strategy should reinforce the correct and effective application of the (amended) EU Anti-Trafficking Directive by providing clear strategic guidance on issues that remain **insufficiently defined in EU law and policy**, ensuring coherence with other relevant EU frameworks, and serve as a forward-looking framework for coordinated action to guide EU anti-trafficking efforts in the years ahead. Such action should be taken with strong involvement of civil society.

Recognising the complexity of human trafficking, the strategy must promote a comprehensive response that addresses root causes, strengthens prevention and supports Member States in better assisting victims, through a clear human rights-based approach, protecting individuals at risk, empowering victims, and ensuring their effective access to their rights, including by enhancing victim support and referral mechanisms. It should also advance awareness-raising, research, and robust data collection and analysis, next to ensuring that serious criminal conduct is effectively investigated and prosecuted.

While meeting their existing legal obligations, we believe, the Commission and EU Member States have sufficient scope to go further than the minimum required by EU law and can take additional measures.

## **Effective Use of the Existing Legal and Policy Framework**

The EU anti-trafficking legal and policy framework provides a strong foundation, but its impact remains uneven. Persistent challenges include inconsistent transposition and implementation, gaps in victim support, and limited coordination across sectors and EU Member States.

The anti-trafficking field involves a wide and steadily growing range of actors. While this diversity brings valuable expertise and resources, it also creates risks of duplication, overlap and competition, next to wasting resources. Moreover, it places an increasing burden on anti-trafficking stakeholders, who are required to engage with and respond to multiple parallel initiatives, visits and events, next to excessive reporting requirements, including towards multiple international instruments or bodies. Moreover, the proliferation of initiatives — including those driven by commercial interests — risks fragmenting efforts and diluting overall impact.

In a context of financial constraints, anti-trafficking action must become more effective, targeted and cost-efficient. This calls for stronger coordination and cooperation and clearer division of tasks among all relevant actors, including between international governmental bodies working in the European anti-trafficking field and national EU governments. Also, greater alignment with existing and forthcoming legislative and policy initiatives is essential to avoid duplication, competition and money-driven actions, and to maximise impact and ensure added value.

## We call on the European Commission and EU Member States to:

- Prioritize the effective implementation of the EU Anti-Trafficking Directive; hereto the Commission should make full use of the powers conferred by the Treaties and provide practical and operational guidance and promote more frequent exchange among Member States on the application of the Directive.
- Strengthen cooperation agreements with international and regional actors, defining clear division of responsibilities, focusses and mandates in the field.
- Set clear strategic priorities at EU and national level to focus resources where they can deliver the greatest impact, while addressing all forms of exploitation.
- Reinforce national coordination mechanisms across all relevant sectors, including law enforcement, labour inspection, social services, asylum authorities and civil society organisations and build their resources and capacity.
- Invest in sustainable, high-quality and long-term victim support systems, rather than short-term, fragmented or project-based approaches.

## Victims' Access to Support and Protection

The EU Anti-Trafficking Directive outlines several key requirements for EU Member States regarding the support of human trafficking victims. Specifically, it establishes a comprehensive framework designed to ensure that victims receive effective support, protection, and assistance throughout the legal process. However, many victims continue to face significant barriers to assistance and protection due to a complex range of factors, including under-identification, fear of law enforcement and **lack of safe reporting and complaint mechanisms, inadequate victim support services, inconsistent implementation of legal frameworks, and various personal, cultural, and legal obstacles.**

Referral, protection, and support are often **closely tied to the criminal justice system**, dependent on criminal investigations and victims' cooperation with authorities.

Due to this access to justice, remedies, non-punishment provisions, and residence rights – embedded in EU law - remain limited for many victims in practice. A victim-centred approach - **embodied in an unconditional support framework (also called a 'social path')** - is essential, as it ensures that victims' needs, rights, and dignity are fully respected. Additionally, safe reporting mechanisms are crucial to protect victims from further harm, allowing them to seek justice without fear of retaliation or

deportation. This will provide access to crucial support services, helping victims recover and break free from the cycle of exploitation, which also positively impact on fighting the crime of human trafficking.

**We ask the Commission and EU Member States to:**

- Build the capacity of frontline officers and promote multidisciplinary identification teams with involvement of civil society, to improve victim detection across various sectors. Mandatory vulnerability screening and sufficient time for victim identification – in line with EU law - is essential to ensure that **all potential victims** are properly recognised and supported.
- **Create safe environments** for victims to report crimes without fear of prosecution for acts they were forced to commit by traffickers, and without fear of secondary victimisation, intimidation, or retaliation in criminal proceedings. *Note, this requirement was already part of the 2021-2025 EU AT Strategy, but has not been applied by EU Member States in practice.* Service and justice providers should be able to guarantee that personal data of undocumented migrants that report human trafficking practices, will not be shared with or accessed by immigration authorities for immigration enforcement purposes.
- **Ensure unconditional support for trafficking victims**, guaranteeing they are treated as rights holders, without prejudice or bias and ensure equal treatment of all victims of human trafficking, regardless of race, sex, age, form of exploitation, country of origin, residence status, formality of their work, or situation.
- Build a robust framework of support that **fully respects the fundamental rights of victims** and improve the functioning of National Referral Mechanisms (NRMs) to ensure they effectively connect victims with appropriate services and legal protections. The formalisation of NRMs should **not** be used to further limit access to support and protection of certain groups of victims.
- Enhance access to **mental health care, legal aid, and compensation** to support victims' long-term recovery and reintegration and make financial resources available for these needs. To enhance access to compensation, EUMS are encouraged to establish compensation funds; to extend legal aid and financial investigation measures for the execution of compensation orders and ensure that recovered assets and corporate fines are used to for compensation, as recommended by the Directive. Such assets and corporate fines should also be used for the payment of unpaid wages of exploited workers. Moreover, States should consider

advance payment for awarded compensation orders, when there are delays for such payment by the offender.

- **Adequately and timely implement the non-punishment provision** - Competent authorities must have the obligation to apply the non-punishment provision as early as possible, and discontinue any proceedings and any measures implying restrictions of victims' rights including - but not limited to - detention, as soon as relevant grounds for victimhood have been found. This implies that proceedings against the victim must be promptly terminated and all their consequences cancelled, before and after an eventual conviction, and criminal records must be cleared, and any other sanctions cancelled including fines or other administrative sanctions.

## Awareness & Prevention

To address human trafficking more comprehensively, it is essential to reducing vulnerabilities and to ensure that all victims are reached, protected and informed of their rights. Enhanced awareness and legal clarity is urgently needed around newly established related offences, that will not only support prevention but also help ensure accountability for offenders across all sectors.

We ask the Commission and EU Member States to take the following actions to enhance awareness, prevent and reduce human trafficking and other severe exploitative practices:

- Increase the awareness and outreach among vulnerable groups, particularly among EU migrants and Third-Country Nationals (TCNs), including undocumented migrants and those in informal work, and inform them about their rights and the risks of exploitation. Such awareness and outreach work should target vulnerable people in high-risk sectors and environments.
- Take measures to reduce the overall vulnerabilities of migrants and refugees and ensure that all migrants have access to protection and support, including international protection. The temporary Protection Directive for Ukraine has been a good example of how to reduce vulnerabilities.
- Address awareness on trafficking for the exploitation of surrogacy, of forced marriage and or illegal adoption, to address the knowledge gaps on these forms of human trafficking and to better detect and support victims of such exploitation. At national and European level networks should be built with those actors that might be able to detect possible victims; can

refer victims to support structures, and/or are responsible to investigate or prosecute these crimes.

- Launch public awareness-raising campaigns to inform the public, employers, and service users about the criminalisation of knowing use of trafficking victims' services, now it is embedded as offence in the Anti-Trafficking Directive. The offence should be used both as a preventive (normative) tool and be actively enforced in practice to hold those who knowingly use exploitative services - and thereby facilitate human trafficking - accountable.

## **Accountability of the Private Sector**

Migrants are disproportionately represented in low-wage sectors across Europe, such as agriculture, care, domestic work, construction, and hospitality, which often lack adequate labour protections. Subcontracting chains, misuse of posting rules, and unregulated recruitment agencies further increase the risks of exploitation, with businesses using these mechanisms to evade liability. The recent weakening of the EU Omnibus proposal has exacerbated these vulnerabilities, leaving migrant workers in these essential sectors exposed to greater risks. To address the growing exploitation of migrants in Europe's low-wage sectors, the EU and its Member States must strongly promote a decent work agenda and implement stronger regulations on recruitment, enhance due diligence obligations for businesses, and ensure that migrant workers receive equal labour protections, regardless of their migration status. By improving transparency, enforcing strict sanctions for violations, and integrating anti-trafficking frameworks with corporate governance, the EU can make significant strides in eradicating exploitation and protecting the rights of vulnerable workers.

We call upon the European Commission and EU Members States to ensure:

- Support for stronger EU-wide regulation of recruitment agencies, including cross-border intermediaries, to ensure transparency and fairness, with all workers having access to labour rights and complaint mechanisms, regardless of migration status.
- Extend labour law protections to all workers, including those in informal sectors, in line with EU law and ILO conventions, to address the full continuum of labour exploitation.

- Combat exploitative business practices by strengthening enforcement of labour standards and tackling the misuse of subcontracting chains, posting abuses, and letterbox companies that evade responsibility.
- Mandate compliance monitoring and sanctions for companies violating labour laws, particularly in sectors prone to exploitation, also using the options of article 6 of the Directive.
- Introduce national due diligence obligations for both large companies and SMEs and incentivise transparency in public procurement, to ensure accountability in national and EU supply chains.
- Align anti-trafficking strategies with corporate governance, ensuring that EU legal instruments, such as the Forced Labour Ban and the Directive on Corporate Sustainability Due Diligence (CSDDD), directly contribute to anti-trafficking efforts. Encourage greater collaboration and information-sharing between anti-trafficking, business, and human rights fields, also to avoid that responsible national and EU actors work in silos.
- Ensure that financial investigations are systematically integrated into anti-trafficking law enforcement efforts in order to generate robust evidence against exploitative business models, impose effective and proportionate sanctions for misconduct, and recover assets that can be used to compensate victims.

## **Involvement of Civil Society Actors in all Aspects of Anti-Trafficking Work**

The EU Anti-Trafficking Directive recognises the essential role of civil society in combating human trafficking, particularly in providing direct victim support such as shelter, legal aid, and psychological services. CSOs are critical in identifying and referring victims, often working alongside law enforcement and social services to ensure victims are properly supported. They play a key role in raising public awareness and advocating for stronger policies and legislation, particularly around labour exploitation and trafficking. Civil society also monitors the implementation of anti-trafficking measures, identifying gaps in victim protection and holding governments accountable. Through training and capacity building, CSOs can help strengthen the response of public institutions and ensure a victim-centred approach to trafficking. Finally, the Directive encourages civil society's involvement in policy development and evaluation, ensuring that their on-the-ground experience informs the creation of more effective, comprehensive anti-trafficking strategies.

We therefore ask the European Commission and EU Member States to:

- **Leverage civil society expertise to better identify potential victims of trafficking**, ensuring NGOs are actively involved in the victim detection and identification processes, as well as their referral to assistance and support.
- Engage specialised **NGOs in the creation and implementation of national referral mechanisms** and a possible European Referral Mechanisms, to enhance victim support and coordination.
- **Address the shrinking space** for civil society by protecting their critical and independent role in anti-trafficking work, and ensuring they have the freedom and possibility to operate effectively.
- **Enhance CSOs involvement and ownership in national and European fora**, including the EU Civil Society Platform against Trafficking in Human Beings, national task forces, consultative groups and other fora, to ensure their voices are central in shaping policies and initiatives.

Next to the involvement of CSOs, States should **involve people with lived experience** in the designing of anti-trafficking measures and policies at national and European level. Such involvement should be participatory, consent-based and safe, and time and contribution provided should be compensated. It is of utmost importance that people with lived experience are not used to push for any governmental political interests or aims.

## Monitoring & Data Collection

More comprehensive data collection on human trafficking is crucial to fully understand its scale and inform policy decisions to enable evidence-based policymaking, effective monitoring, and cross-border cooperation. **Accurate data enables better resource allocation and identifies vulnerable sectors**, trends and emerging practices. **Independent rapporteurs play a pivotal role** in monitoring compliance with international anti-trafficking obligations, offering impartial oversight, advocating for policy improvements, and identifying gaps in victim protection and legal frameworks. Their work ensures transparency, holds governments accountable, and promotes the effective implementation of anti-trafficking strategies. Additionally, it is essential to reflect critically on the effectiveness of anti-trafficking measures, especially in terms of victim access to rights and the efficacy of National Referral Mechanisms (NRMs).

We recommend the Commission and EU Member States to:

- **Strongly support the work of independent rapporteurs and their role in impact monitoring** and establish national independent Rapporteurs bodies with sufficient resources.
- **Improve data collection, analysis, and information-sharing** across EU Member States and address gaps in data collection, including related to under-researched forms of exploitation, to close significant knowledge gaps.
- **Enhance digital capabilities for NGOs, law enforcement, and other experts** to stay abreast of technological developments that affect trafficking practices and consider requesting relevant data providers to report on ICT use by offenders for the recruitment and exploitation of victims.
- **Systematically monitor the impact of European and national anti-trafficking policies**, focusing on the effectiveness of victim support, including victims' access to rights and justice.
- **Conduct impact research on the amended EU Anti-Trafficking Directive**, in particular on the amended articles 2 (offences concerning trafficking in human beings); 6 (sanctions on legal persons); 8 (non-prosecution or non-application of penalties to the victim); 11 (assistance and support for victims of trafficking in human beings), 11a (victims of trafficking who may be in need of international protection) and article 18a (offences concerning the use of services provided by a victim of trafficking in human beings).
- **Ensure that National Referral Mechanisms (NRMs) are properly evaluated** to assess their impact on victim referral, protection, and whether they lead to gaps in services or fail to meet their objectives.
- Ensure that data can help to respond to evolving geopolitical landscape, emerging forms of exploitation and risks related to wars and conflicts.

## Funding & Resources

Sufficient funding is essential to effectively combat human trafficking, as it ensures comprehensive victim support, effective prevention, cross-border cooperation, research, and the enforcement of legal frameworks. **However, cost-effective funding is equally important** to maximize impact, avoid duplication, and ensure that resources are used efficiently, particularly in times of financial constraints. By focusing on high-impact, evidence-based initiatives and optimizing resource allocation, cost-effective funding can make anti-trafficking efforts sustainable and scalable. The Commission and EU

Member States must ensure that sufficient funding is directed towards combating human trafficking and supporting victims.

We ask the European Commission and EU Member States to:

- Ensure targeted funding for **specialised shelters for victims of trafficking, ensuring safe accommodation and support services** tailored to their needs.
- Make adequate financial support available for training frontline professionals in high-risk sectors.
- Ensure grass root organisations remain having full access to EU and national funding programmes and **prioritise their access** over commercial initiatives.
- Reduce duplication and ensure complementarity, prioritise evidence-based, victim-centred actions and fund independent monitoring and research that holds governments accountable.

La Strada International and its separate members would be happy to further contribute to any targeted consultations related to the drafting of the upcoming strategy. We are also committed to contributing to its effective implementation, once it is adopted.

La Strada International, 26 January 2026