



Human trafficking in the European Union : The case of Hungary

Human trafficking is not only a crime, but also a gross violation of human rights

Human trafficking is not only a crime, but also a gross violation of human rights. Human traffickers consider their victims a commodity and violate their basic rights, in a way that restricts their freedom to decide where to move or where to work in. Hence, there is an urgent need for an approach to be done by the government and the concerned authorities, to preserve the dignity and the well-being of people who were victims of trafficking.

The U.N.'s High Commissioner for Human Rights has encouraged all nations—and by extension, all service providers—to place human rights "at the center of all efforts to prevent and combat trafficking, and to protect, help and support trafficked people".

Despite its significant efforts, the office to monitor and combat trafficking in person report of 2021 lists Hungary as a Tier 2 country when it comes to human trafficking cases.



Human trafficking conventions

The Brussels Declaration on Preventing and Combatting Trafficking in Human Beings was adopted in Brussels on 18 to 20 September 2002, and came to have legal force and effect on the 25th of December 2003, and thus, it became the first instrument that is global legally binding, with an agreed definition on trafficking in persons. It is binding to the EU member states including Hungary.

Hungary has signed the Council of Europe Convention on Action against Trafficking in Human Beings on October 10, 2007. It was also ratified by Act XVIII of 2013 on April 4, 2013, which came into force on August 1, 2013.

Hungary is a European Union member known to have high rates of human trafficking, especially girls, for the purpose of sexual exploitation. It is also a source country for men and women trafficked for labor exploitation. The European Union Agency for Law Enforcement Cooperation (Europol) has been listing Hungary – besides Bulgaria, Romania and Nigeria – among the four most important source countries for sexual exploitation, in the last few years. Arising from its geographical location, Hungary is a popular transit country for illegal migration, since it lays at the crossroad of east-western and south-eastern migration. It moved up from the ninth place in 2014, to the seventh place in 2017-2018, as one of the most countries having human trafficking victims. The number of victims in Hungary has risen significantly from 283 cases in 2014, to about 1000 victims in 2018, as can be seen from the graphs below.



Figure 1: Top 10 European countries in human trafficking in 2014.

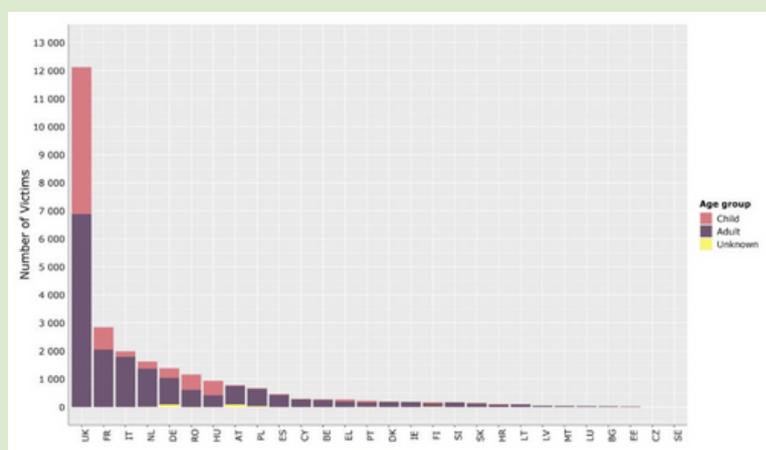


Figure 2: The number of human trafficking victims in European countries in 2017-2018. Where HU = Hungary.



The 2020 amendments to the Hungarian law (criminal code) has entered into force, including a non-punishment provision and a general protection measure for child trafficking victims. However, the Hungarian government has not achieved the minimal standards for eliminating trafficking in several key areas.

Foreign victims of trafficking who are not legal residents remained unidentified by the government's identification mechanism. Due to this fact, government officials were not able to adequately screen for trafficking indicators or identify victims among third-country nationals, such as asylum-seekers, as well as other vulnerable populations, including domestic workers or children in state-run institutions.



Recommendations

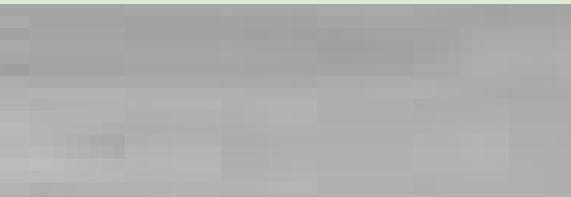


Despite the increasing interest in the recent period in preventive activities against human trafficking, the used methods are considered among the least used methods and techniques. There exists an inability to measure the efficiency of these methods accurately and realistically, as there are no approved and reliable measurement mechanisms. Until these links are better demonstrated between raising awareness or other prevention methods against human trafficking, and reducing it, these prevention methods will not work effectively in preventing human trafficking. Nevertheless, given the difficulty in identifying and extracting trafficking victims once they are immersed in this clandestine practice, effective prevention could be the most effective way to protect vulnerable populations. Due to the difficulty of identifying and tracing victims of human trafficking once they have immersed themselves in these secret practices, it is then difficult to rescue them from this secret world. Therefore, effective and targeted prevention may be the most effective way to protect the most vulnerable groups of society from human trafficking.

Recommendations

We suggest the following recommendations to improve prevention efforts:

- Governments should allocate resources for research and consultation with survivors to seek their views and experiences to learn the most effective preventions methods against human trafficking.
- Governments should allocate resources to develop assessment metrics for measurement effective prevention techniques, especially public awareness campaigns.
- Countries need to engage in an honest dialogue about labor migration and the supply and demand needs of the country. Significant work is needed to strengthen legal immigration avenues and regulations based on a reliable assessment of each country's labor requirements and immigration policies.
- Governments need to strengthen the capacity and capabilities of investigative forces, such as those between the police department and the ministry of Labor, to legitimize detection risks for employers who hire or exploit illegal workers and to strengthen employment deterrent laws.
- Hungarian government should put a new strategy to implement identification mechanisms for foreign victims as well as residents of Hungaria.



Every human has the right to live a healthy and safe life. According to the Equity and Human Rights Commission, the right for a human to live means that no one, including the government, is allowed to encroach on human's life and put it in danger. Governments are responsible for making protective actions for those who are at risk

Hungary is within the highest ranking countries in human trafficking in Europe, making it a concern for the security of Hungarian society, especially, for immigrants and domestic citizens who are suffering from extreme poverty, or those who are homeless[3]. Hence, stricter laws and regulations should be made to combat this devastating phenomenon.



In light of these findings, we recommend effective preventive actions that include protecting and providing support to survivor victims, learning more about the victims' experiences, and understanding the techniques criminals use to attract victims. Then, the Hungarian government should establish public awareness campaigns as a tool to raise awareness among Hungarians about the dangers of human trafficking to society and to individual security. The Hungarian government should also tighten control over the big companies that require a huge number of laborers, and ensure that all employees are officially registered and their rights are protected.

Although preventive approaches are important, there also should be deterrent penalties for those who engage in human trafficking. For instance, the Hungarian government should implement anti-trafficking laws with harsher penalties, increased prison sentences, and imposing large fines based on the injury to the victim.

Acknowledgment

"This Policy Brief is part of the Doha Courses on EU Law, a Jean Monnet Module made possible from funding by the Centre for Law and Development at the Qatar University College of Law, and the Erasmus+ Program."

Authors:



Salsabeel Elsayed Abdelrahman
Mahmoud
salsabelmahmoud@hotmail.com

Muneera Almuhanadi
Ma1704070@qu.edu.qa

Ismael Alkeilani
Ia1303380@qu.edu.qa

