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Julia Maria Muraszekiewicz

# Protecting Victims of Human Trafficking From Liability

The European Approach

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- Discusses the difficult issue of 'non-liability' for crimes committed by people who are victims of trafficking
- Draws on human rights, victim rights and criminal law theory to argue why a provision on non-liability needs to exist
- Draws comparisons between crimes committed by human trafficking victims and by victims of domestic abuse and child soldiers
- Proposes an alternative provision which states and regional bodies could adopt

This book demonstrates the difficulty of protecting victims of human trafficking from being held liable for crimes they were compelled to commit in the course, or as a consequence, of being trafficked, under current European law. The legislation remains vague and potentially inadequate to recognise victimhood, safeguard the human rights of victims, and avoid further victimisation. Muraszekiewicz explains how the non-liability principle is rooted in criminal and human rights law, and proposes a more efficient provision and framework which would protect trafficked persons, and do better to encourage victims to act as witnesses in criminal proceedings against the perpetrators. In doing so the book will provide relevant stakeholders, including policy makers and law enforcement authorities, with a better understanding of the non-liability principle and how it ought to be used in practice.

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