



guideline

for **Frontline Service Providers**
in **Cases of Human Trafficking**



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About **human trafficking**

Trafficking in human beings is a global problem, affecting thousands of persons worldwide. The European Union, for more than two decades, has been actively engaged in fighting against this crime. In doing so, various prevention and information campaigns have been implemented all over Europe, many cooperations exist between the main source transit and destination countries, and law enforcement agencies have been engaged in a significant number of transnational joint investigations to combat human trafficking.

Nevertheless, during 2022, more than 10,000 persons have been subjected to human trafficking within the European Union. This represents an unprecedented increase of identified victims if compared to the statistics before. Another unprecedented tendency identified within the European Union is the fact that, for the first time, the number of persons subjected to labour exploitation is almost equal with the number of persons subjected to sexual exploitation. In most of the West European countries, which are the main destination countries for both EU and 3rd country nationals subjected to human trafficking, yearly more than 1000 victims of human trafficking are identified.

By means of exploiting their position of vulnerability, and by taking advantage of various legislative gaps, lack of control or information, the perpetrators recruit, transport, harbour and exploit the victims, within the country of recruitment and/or within other countries, leaving difficultly healing physical and/or psychological scars behind, both for the **direct victims** and for the possible **indirect victims** like family members or friends.

As the measures to identify victims of human trafficking diversify so do the methods of exploitation and the attempts to keep victims



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trapped in trafficking. In order to obtain more profit from the exploitation of vulnerable persons, traffickers adapt their modus operandi in such a way that human trafficking often is not committed as a single crime anymore but it becomes focal point which facilitates the proliferation of organised crime. These forms of hybrid criminality are more difficult to be investigated, lead to higher profits and ultimately managed to break the victims in such a way that they lose hope and refuse support and protection.

There is no single service provider that can cover all the needs of human trafficking victims, but there is a wide and strong network throughout the European Union that can ensure that victims of human trafficking receive the protection and support needed, that traffickers are held accountable for the crimes committed and that the security of the inhabitants of the European Union is a main interest of all the parties involved.

The present guideline supplements the SafetyNet Brochure and aims to facilitate key steps in victims identification, referral and support by navigating the readers through the main webs of our safety net against human trafficking.



Defining **human trafficking**

The European Directive 2011/36/EU defines, under Art. 2, human trafficking as being:

"1. The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

2. A position of vulnerability means a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved.

3. Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.

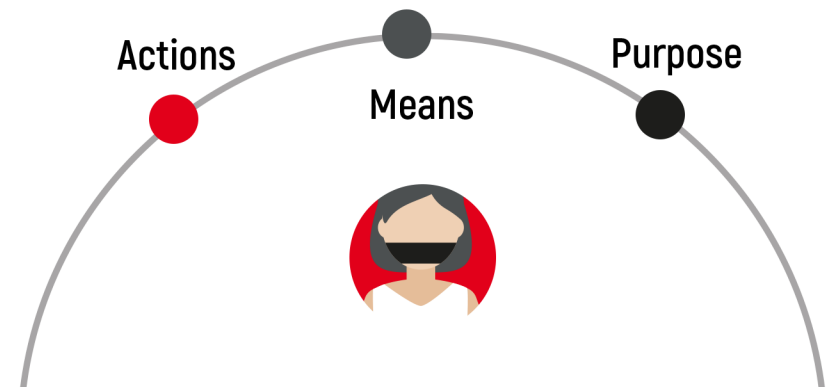
4. The consent of a victim of trafficking in human beings to the exploitation, whether intended or actual, shall be irrelevant where any of the means set forth in paragraph 1 has been used.

5. When the conduct referred to in paragraph 1 involves a child, it shall be a punishable offence of trafficking in human beings even if none of the means set forth in paragraph 1 has been used.

6. For the purpose of this Directive, 'child' shall mean any person below 18 years of age."

Given the fact that traffickers, throughout the years, have expended the methods of exploitation in order to ensure more illicit incomes, the list of the above-mentioned forms of exploitation has been complemented by the provisions of the Directive 2024/1712¹, which now, also includes forced marriage, illegal adoptions and surrogacy as forms of exploitation if all the necessary elements of human trafficking are being identified.

¹<https://eur-lex.europa.eu/eli/dir/2024/1712>



Actions (The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons)

Means (the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person)

Purpose (exploitation)



Labour exploitation



Sexual exploitation



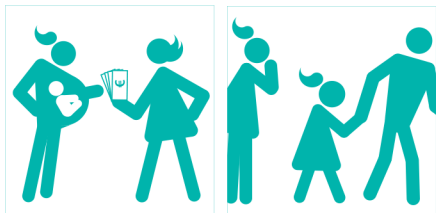
Forced criminal activities



Forced begging



Forced marriage



Other forms of exploitation: organ harvesting, surrogacy, child sexual exploitation



case studies

Labour exploitation



"Clara and Radu live in a remote village of Romania. The job opportunities in the area are rather limited and their level of education is low. Their parents did not have the necessary financial resources to cover the costs of attending a school in the next city. They are married and have four children. One of the children is having physical disabilities.

Clara and Radu decide to look for a job opportunity abroad. They accept the proposal of Andrea, a kind lady who regularly comes to their village, and advertises job opportunities in Germany. Andrea promises a well-paid job, transportation to and from Germany, accommodation in Germany and a working contract from March to October. In November they can return to their home and with the money obtained they can cover the costs of living and the medical treatment of their child until the next year when again, in March, they can return to Germany. Clara and Radu left their children in the care of the grandparents and went off to Germany.

In Germany they have signed various papers, in German language, and expected to receive their first salary in April. Both of them have worked extra hours, in some cases more than 12 hours a day, and could not see the doctor when Clara was sick, because allegedly the medical insurances was not done yet. In April Clara and Radu were told that, because they have not arrived in Germany by the 1st of March, there was a misunderstanding and they will receive the salary only in May. To survive from March to May, Andrea, the kind lady, has landed them money. In May, Clara and Radu have received a list of expenses, including the transportation costs, the cost of accommodation, cost for various insurances and taxes alongside of the money plus interest rates. This was the moment Clara and Radu realised that not only they will not get any salary but they also have debts towards their employer. Andrea has given them another loan. In June they have received their first salary. After all the costs have been deducted, they had altogether €300 Euro. The situation remained the same in July although more than €4000 have been promised by the employer. In August Clara and Radu wished to quit this job and return to Romania but had no financial possibilities to do so. When approaching Andrea, she told them that if they quit she will have a lot of problems, she knows



where they are living and she in turn will create problems to them. In September neither them, nor any other employees from the same village received their salaries but were threatened that if they leave they will never see the money again I will have problems when they return back home. The police has been informed in October about the situation of these employees and during a raid organised in November the employer, Andrea and all the other decision makers have been arrested. None of the employees, including Clara and Radu, wished to cooperate with the police and none of them wished to file a complaint against the employer and against Andrea. On one hand, they were afraid that, if they file a complaint, they will not receive their salary anymore, and if they say anything against Andrea, she would threaten their families and might harm the grandparents and the children.

During the controls organised by the police, representatives of a specialised counselling centre for victims of human trafficking have been present and have organised an information session, in their mother tongue, about their rights as employees, their rights as victims of labour exploitation, and the support possibilities for them as direct victims of exploitation in Germany and for their family members as indirect victims of exploitation, in Romania. They have accepted the offer to receive support for their family members who were living in Romania. It was only after these victims have found out that their family members have received support and protection in Romania that they decided to cooperate with the law enforcement in Germany.

During the criminal investigation phase, the specialised counselling centre from Germany has organised for all the victims identified appropriate and safe accommodation, has supported the victims to access the medical system, has cooperated with the respective consulate in order to obtain identification documents, as in some cases these have been taken away by the employer and have never been returned to the victims, has offered material and financial support and has ensured that the victims are stable from a psycho-social perspective.

After the criminal investigations have been finalised transnational repatriation has been organised, by the specialist counselling centre from Germany in close cooperation with a specialised counselling centre from Romania.

In order to be able to organise the transnational referral in a safe way and in order to ensure that a secondary victimisation can be avoided, the specialised counsellors have conducted a thorough risk and needs assessment², have developed in close cooperation with the receiving organisation from the home country and together with the victims a series of risk mitigation measures.

Furthermore, after the repatriation has taken place, periodic follow up and evaluation meetings have been organised between the specialised counselling centre from Germany, the victims and the specialised counselling centre from the source country. During this phase, the service providers alongside of the persons affected by labour exploitation have evaluated the already implemented measures, assessed if and if yes to which extend did these measures reach their goal and what is still needed in order to ensure safe and smooth integration into the local community.

Such measures implemented after the repatriation phase have led to a sustainable integration of the victims, have contributed to the prevention of secondary victimisation and have strengthened the corporation with law enforcement agencies both from the destination and the source countries. The victims, while feeling safe and without fearing for the safety of the indirect victims, namely their family members, have provided coherent and solid testimonies against the perpetrators and have returned to Germany to attend the court hearings as victim witnesses.

The perpetrators house being convicted to jail hand have being forced to pay compensations to the victims involved³.

²For guidelines on risk and needs assessments of victims of human trafficking please access: https://jadwiga-online.de/images/pdf/tiatas/Risk_and_Needs_Assessment_TIATAS_Project.pdf

³For best practises regarding trauma informed, victim centred, gender and culturally sensitive transnational repatriations victims of human trafficking, please access: <https://jadwiga-online.de/images/pdf/tiatas/Guidelines-Referrals-JADWIGA.pdf>

Sexual exploitation

Svetlana is 19 years old when she falls in love with Alexei. Alexei is a very charming 27 years old man. He behaves very nicely with Svetlana and her parents but terribly dislikes Svetlana's friends as they have a bad very bad influence on Svetlana. They are too childish, much too close to their parents, are not able to live an independent life, are not able to take own decisions and are not adventurous enough.

As the summer months are coming, Alexei promised a surprise holiday for Svetlana. In July their packed their luggages and headed off to the sea. The holiday started in Cyprus. During the first day of the holiday Svetlana spoke with her parents, told them how exciting everything was and also told them that she will only get in touch with them again after one week or so is they're heading off to a remote island where she will not have signal to speak on the mobile phone. During the next day of their holiday, Svetlana went together with Alexei to meet an old friend of Alexei who was living in Cyprus. Unfortunately, it turned out that this old friend was a human trafficker. And so was Alexei. By means of the loverboy method⁴, Alexei made Svetlana to fall in love with him. Furthermore, Alexei has pushed her friends aside, to ensure that none of her friends will notice anything about Alexei. Moreover, after arriving in Cyprus, Alexei has created a perfect excuse for the absence of Svetlanas phone calls with her mother.

Svetlana, by means of threats against her and against her parents, and by use of both physical and psychological violence, was forced into prostitution in Cyprus. When the summer ended, Alexei's friend organised and booked a place in a brothel in Germany where Svetlana should work in prostitution. While being in Germany, Svetlana has also been forced to work as an escort and while doing so, she was forced to sell drugs. Alexei threatened her, that if she would do anything against him, he would inform the police about her illegal activities. Svetlana was brought to hospital by a client of hers as she had an overdose of trucks.

It was the social worker from the psychiatry that discovered Svetlana's situation and informed the law enforcement agency who then, in cooperation with the specialised counselling centre, have been able to offer the support and protection needed, and reunite Svetlana with her family.

⁴To find out more about the Loverboy method, as a form of recruitment into human trafficking, please access: <https://jadwiga-online.de/projekte/gemeinsam-gegen-loverboys>



Forced adoption

In April 2022, Anastasia has left Ukraine due to the outbreak of the war. By the time she left Ukraine she was pregnant. She was having a very difficult financial situation, and was psychologically unstable. The sudden outbreak of the war, alongside of her anyway very difficult situation have completely broken her by the time she found a refuge in an east European country.

In this country, Anastasia has received a lot of support from kind volunteers. Should receive donations of clothing, hygiene products, food and a safe shelter. Her pregnancy was advancing, and Anastasia could not get in touch with the father of her baby.

By abusing her position of vulnerability, an NGO worker alongside of the corrupt child protection service officer have convinced Anastasia to give her child away for adoption. Because of the war in her country, because of her loneliness in the host country, because of lack of perspectives and because of her lack of financial means, Anastasia agreed. The NGO worker and the child protection officer have found a family who would be willing to pay for an illegal adoption.

After a few months, the situation of Anastasia got a bit more stable. She had adjusted herself to the new conditions of living, understood that her situation is not hopeless, that by keeping her child she would not put the existence of her child in danger so she decided to cancel the adoption procedures. This would however, lead to the fact that the NGO worker and the child protection officer would not receive the money paid for the child. This was the moment they have started to threaten Anastasia invite abusing the position of authority, the child protection officer threatened to take a Anastassia's child away. After Anastasia has suffered also physical violences, she reported the case to the police.

The police has managed to arrest the perpetrators and these are facing currently a criminal trial for having attempted to commit child trafficking. Meanwhile, with help of a specialised counselling centre, Anastasia is able to raise her child safely.



Forced marriage

By the time Claudia was approached by Sebastian, she has been working in a factory for over three years. She could hardly pay all the bills with the money earned. Sebastian told her that he would be able to arrange for her a working place at the same factories branch in or West European country, where she could do the same job but earn double as much. He knew the manager of a certain department from this factory based abroad and through his connections, Claudia would get a job.

They went off to Austria, where in a train station, Claudia was supposed to meet with an employee off the factory. With him she was supposed to travel further to the country where she was supposed to start working. Claudia waited for hours in the train station nobody came. Sebastian was not answering the phone and Claudia did not have a place where to go. Eventually she was approached by a kind man offered her a place to sleep during the night. In the morning, the man coming from India did not allow Claudia to leave the place anymore.

By using both physical and psychological violence, he forced Claudia to marry him. His aim was to receive, through Claudias European citizenship, a right to stay on the territory of the European Union. After marrying Claudia, she was forced into prostitution for several weeks. Eventually, Claudia was exploited in his private household and she was also affected by labour exploitation as she was forced to work in his shop without receiving any payment. Claudia manage to reach out to a friend from her home country. She told him everything that happened to her. She also told him not to reach out to the police because she was a very afraid of both Sebastian and her husband. Her friend reached out to a specialised counselling centre for victims of human trafficking from her home country. This in turn, reach out to a specialised counselling centre for victims of human trafficking based in the country where Claudia was living. With their help Claudia managed to escape while her husband has left the shop for a short period of time.

Claudia has received support and protection after this crisis intervention phase and was then willing to cooperate with law enforcement. Claudias testimony led to one of the largest investigations against forced marriage in Europe⁵.

⁵For further information on similar cases please access:
<https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf> , page 18



measures

of **support** and **protection**
taken by **first responders**

Identification and safe referral

If indicators of victimisation have been identified, it is important to understand that (potential) victims of human trafficking might have a series of needs that should, most likely, be immediately addressed.

Also, it is important to consider the fact that the (potential) victim of human trafficking might still be in danger and that possibly other direct or indirect victims of human trafficking might be affected by exploitation or might be subjected to threats. If victims are aware of these situations, the often times, in order to protect themselves and/or other persons, they tend to not disclose sensitive information about the exploitation, the exploiters, the potential network of organised crime and/or other third parties involved. Furthermore, at this stage, victims often do not trust in first responder or in, generally speaking, people willing to help, as, during the recruitment phase, it were people offered help and support that got the victims trapped into exploitation.

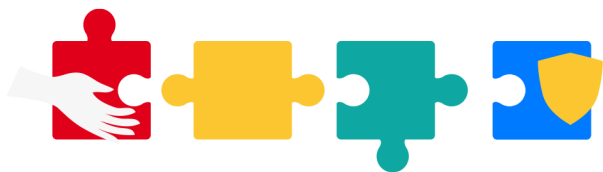
Therefore, when spotting indicators of victimisation, a crucial step towards long term support and protection, is to safely refer the potential victim or the victim into the specialised victim support service, where trained and specialised service providers (social workers, psychologists, psychiatrists, lawyers, IT experts, security experts) can address their needs and can implement risk mitigation measures to safeguard the security of the person(s) affected directly (victims or potential victims) or indirectly (relatives, family members, friends) by human trafficking.

When planning the referral, data protection and the consent of the (potential) victim constitute a core element. Since most of the victims have never been in touch before with specialised service providers they can hardly imagine what this concept really represents, which are the possibilities of support and protection in practise rather than in theory, and how quick could these services be accessed. Therefore, a simple question like "would you like me to organise for you an appointment at the counselling centre X", even if followed by further explanation, might not lead to an informed decision on behalf of the victim. It is therefore highly advisable to have the possibility of organising, with such service providers, initial and anonymous counselling sessions. Through these counselling sessions, specialised service providers introduce themselves and have the opportunity of explaining, in a specifically trained manner, the rights and support options of human trafficking victims.

Most of the countries within the European Union have established national or regional identification and referral mechanisms (NRM). An NRM is a “mechanism aimed at identifying, protecting and assisting victims of trafficking in human beings, through referral, and involving relevant public authorities and civil society.”⁶ (European Commission)

They describe the steps which should be taken after indicators of victimisation have been formally (through law enforcement agencies or specialised service providers) or informally (first responders e.g. child protection officers, teachers, translators, cultural mediators migration councillors, medical doctors, lawyers, labour inspectors, grassroot level police officers, immigration officers, local authorities responsible for registering sex workers, social workers from shelters for victims of domestic violence, social workers from shelters for homeless persons etc.)

The NRMs are generally based on a multi-disciplinary approach, involving a mutually reinforcing collaboration between potential first responders, law enforcement agencies and specialised counselling centres for victims of human trafficking, which are able to offer support in crisis situations (e.g. when exiting or shortly after exiting exploitation), are able to offer shelter and protection for short, medium or even long periods of time, can offer support for victim witnesses during and after criminal proceedings or criminal court hearings and, if needed, can organise transnational repatriations.



National Referral Mechanisms,
https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/national-referral-mechanism_en

For information regarding agreements of cooperation between law enforcement specialised service providers in Germany please access:

<https://www.institut-fuer-menschenrechte.de/das-institut/abteilungen/berichterstattungsstelle-zu-menschenhandel/nationaler-verweismechanismus/saeule-1-identifizierung-und-schutz>

For further information on the Bavarian cooperation agreement please access:

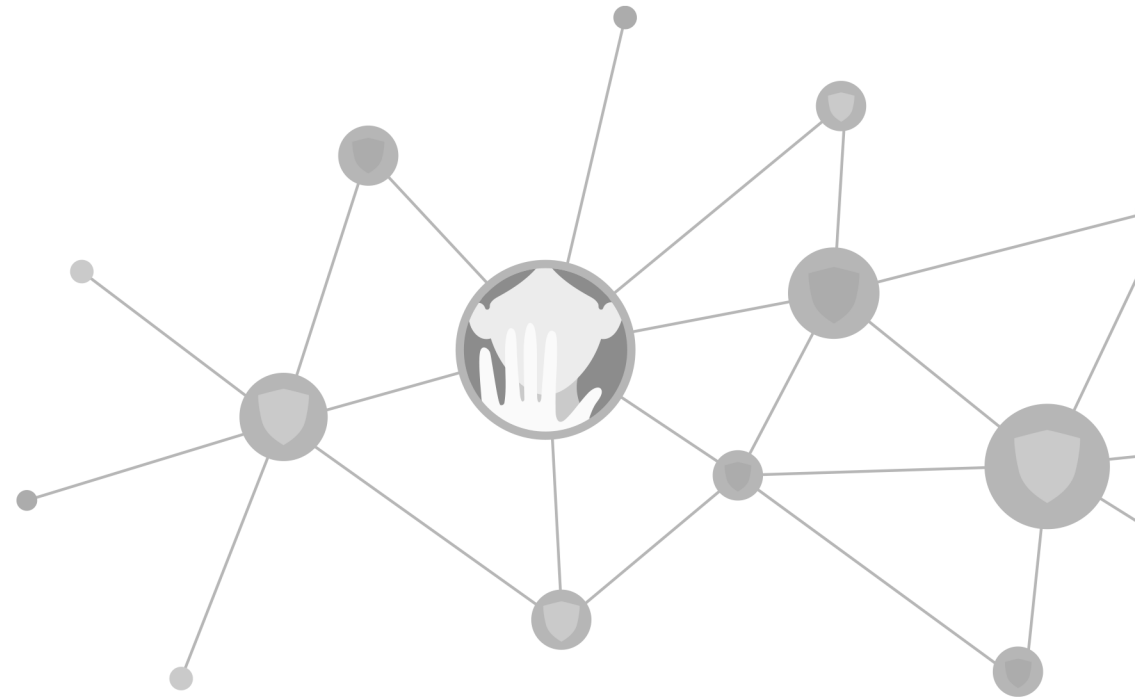
<https://www.gesetze-bayern.de/Content/Document/BayVwV96522/true>

For further information regarding multidisciplinary cooperation an national referral mechanisms please access:

<https://www.osce.org/odihr/NRM-handbook>

Main steps as first responders

- Ensure that the potential victim is stable from a psychological perspective, can understand the information provided, can coherently follow the dialogue and is able to take decisions. If this is not the case, ask for medical support
- Ensure that the potential victim is stable from a physically health perspective. If this is not the case, ask for medical support
- Ensure that the potential victim is in a safe and protected environment when assessing the situation, where she can not be monitored visibly or acoustically by third parties, not even by “alleged” friends or family members
- If the potential victim is aware of her condition of victimisation, conduct a first and basic assessment of potential tracking devices or apps that use geolocations
- Assess how many victims are in this situation, based on his/her knowledge, and collect basic information (names if known, gender, age, location, form of exploitation – law enforcement and service provider responsibilities might differ based on these information)
- Address immediate physical needs – food, water, hygiene, sleep, medication
- Inform him/her about possible specialised support and protection
- Get immediate information and counselling for the persons involved as first responders from specialised service providers
- If agreed upon, refer the person into the NRM
- In case of immediate, imminent and direct danger, contact the emergency services
- If support cannot be provided immediately by specialised service providers, ensure that you have received concrete advice and instructions on how to proceed until they can step in (be aware of physical and psychological threats as well as possible suicidal thoughts). Also, if specialised support can not be immediately provided, avoid the contact with the environment in which the person was victimised
- Provide written information on support services in a language the victim can understand
- Make a plan on what to do exactly until specialised service is being provided (e.g. if X happens then...). Establish coded words to be used in case of danger.



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