



EU Agency for Criminal Justice Cooperation

Supporting judicial authorities in the fight against TRAFFICKING IN HUMAN BEINGS

Trafficking in human beings (THB) is a serious and fast-growing crime area that affects millions of innocent people around the world and involves the severe violation of fundamental human rights. Human traffickers control and exploit vulnerable victims and make use of threats, force, fraud, deception or abduction. Traffickers predominantly capitalise on sexual and labour exploitation, often targeting individuals with limited education or financial means.

The many sensitivities around THB cases, combined with the often complex nature of these activities, present clear challenges to national authorities during the investigation and prosecution stage. The crimes are typically committed by organised crime groups (OCGs) who may have ample resources and sophisticated ways of working, and whose profits

may be hard to track and confiscate. Furthermore, THB activities are, by their very nature, transnational, often taking place across multiple jurisdictions, while the involvement of non-EU states may create additional difficulties for national authorities in the Member States.

Located in The Hague, Eurojust, the EU Agency for Criminal Justice Cooperation, is a unique facility that enables prosecutors, investigative judges and other judicial practitioners in the EU Member States to work together to tackle serious cross-border crime, including THB. Each Member State has a National Member at Eurojust; this unique structure enables Eurojust to effectively coordinate parallel investigations in several countries where victims are recruited, exploited and transported through or moved. The types of assistance Eurojust can provide include:

GATHERING EVIDENCE AND SHARING INFORMATION – Eurojust’s coordination during THB cases allows national authorities to work together to build cases against suspects, find links with other jurisdictions or investigations, clarify legal requirements and decide together on a prosecution strategy, by allowing effective information exchanges and evidence-sharing.

JOINT INVESTIGATION TEAMS – JITs are considered a highly effective tool for cooperation in THB cases. Eurojust offers a forum to discuss the suitability of JITs, clarifies relevant legal queries, supports the drafting of JIT agreements, participates in JITs and provides funding to JITs.

SWIFT EXECUTION OF JUDICIAL COOPERATION TOOLS – Eurojust facilitates the issuing and swift execution of European Arrest Warrants (EAWs) and European Investigation Orders (EIOs) and enables the issuing and execution of freezing and confiscation orders during criminal proceedings and, in urgent situations, even during joint action days.

IDENTIFICATION, LOCALISATION, PROTECTION AND WELFARE OF VICTIMS – Eurojust helps authorities coordinate their efforts to identify, locate, protect and support victims of THB in several countries during criminal proceedings and common action days, and also assists in clarifying requirements for the hearing of victims according to the different Member States’ legislations.

COORDINATING WITH THIRD COUNTRIES – THB cases often require EU investigators and prosecutors to work with authorities in other regions. Eurojust’s cooperation agreements with third countries, as well as its worldwide network of Contact Points, allow it to liaise between Member States’ authorities and non-EU States, to enable effective cooperation.

SHARING EXPERTISE ON THB – Through regular participation in projects, meetings and conferences, Eurojust helps to advance the response to THB within Europe’s judicial community. Eurojust also leads strategic projects to develop understanding and identify good practices in this fast-evolving crime area.



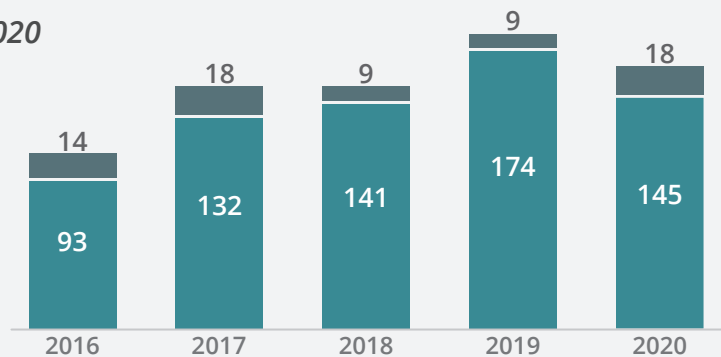
Eurojust's growing role in coordinating the EU response to THB

Human trafficking is a growing issue within the Member States, and national authorities are increasingly aware of the need for multilateral judicial cooperation to tackle this serious form of crime. In June 2018, the heads of 10 EU agencies, including Eurojust, renewed their commitment to work together to fight against trafficking in human beings, stressing the need for consolidated and coordinated approaches to combat this growing phenomenon.

Eurojust, for its part, has strengthened its approach to human trafficking, positioning the Agency as a hub for combating human trafficking in Europe. Against this backdrop, THB has become one of the five leading crime areas for which Eurojust's assistance is requested. Eurojust handled 163 new cross-border THB cases in 2020, in addition to 234 ongoing cases from previous years. Meanwhile, the number of new cases increased by 52 % between 2016 and 2020.

THB cases registered at Eurojust 2016-2020

■ Cases registered by Member States
■ Cases registered by non-Member States



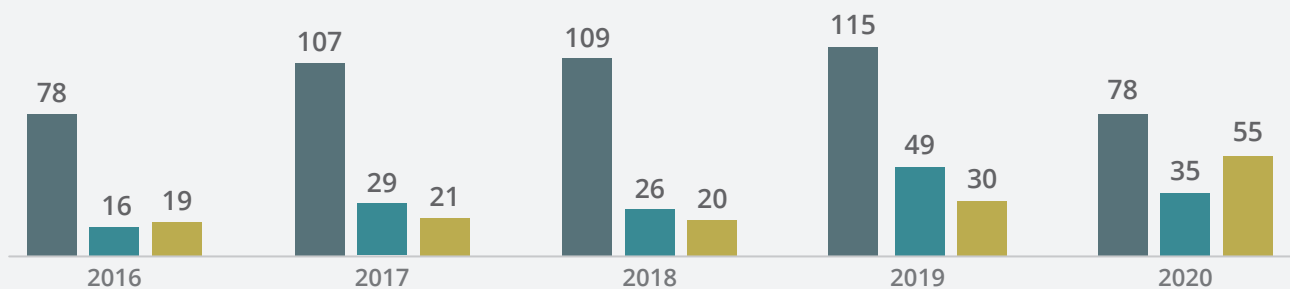
Sexual exploitation as a central motive

While THB crimes occur for many reasons, crimes involving human trafficking for the purpose of sexual exploitation and forced prostitution have become especially widespread in recent years.

Sexual exploitation is the most common primary motive for the THB cases dealt with by Eurojust. The second most common motive is labour exploitation, otherwise known as modern-day slavery.

Primary motives of perpetrators in THB cases handled at Eurojust

■ Sexual exploitation ■ Labour exploitation ■ Other



Note: The data reflected in this factsheet was extracted on 10 March 2021 and includes THB cases registered by the Member States. The UK is considered a non-Member State as of 1 February 2020.

Due to the ongoing nature of cases, these numbers may change after the reporting period.

“There are many obstacles national authorities may face while dealing with cross-border THB cases. Eurojust helps prosecutors overcome these obstacles by providing easy access to the full spectrum of judicial cooperation tools and expertise. The increasing demand for this support proves the well-recognised role of Eurojust: its tailor-made solutions have become a crucial factor in countless successful investigations.”

Ladislav Hamran, Eurojust President

Joint investigation teams emerge as a preferred cooperation tool in THB cases

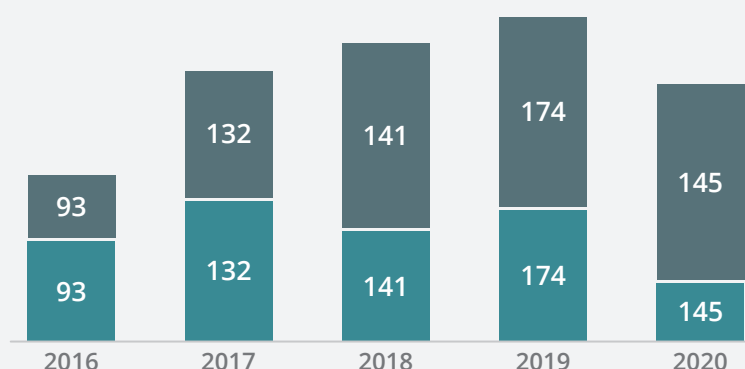
Eurojust's expertise in coordinating joint investigation teams (JITs) is especially valued in THB investigations. Between 2016 and 2020, Eurojust helped facilitate a total of 247 new and ongoing JITs relating to human trafficking, with the number of JITs receiving Eurojust's support growing from 31 in 2016 to 48 in 2020.

A key development during this period has been the use of JITs in THB cases involving partners from third countries. Eurojust's cooperation agreements, Contact Points and other international relationships have been an important vehicle for the extension of the JIT mechanism to countries beyond the European Union.

JITs* on THB

- New JITs
- Ongoing JITs from previous years

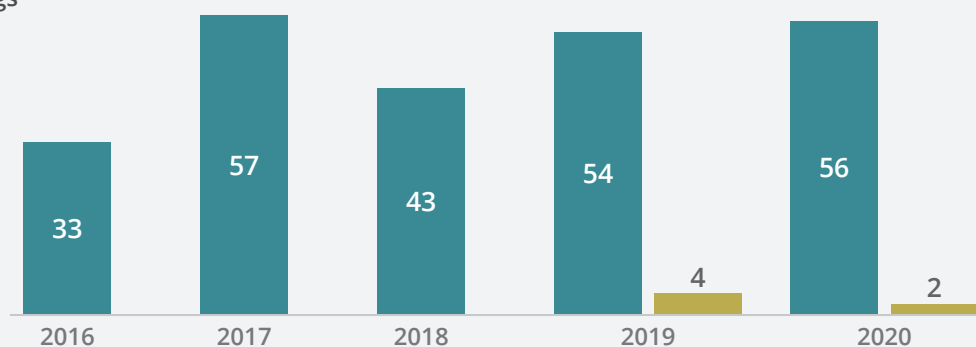
* A single JIT can cover more than one crime type.



As well as JITs, the use of other Eurojust tools in THB cases, such as coordination centres and meetings, has also grown during the past few years: from 2016 to 2020, Eurojust arranged 243 coordination meetings on THB.

Coordination meetings and coordination centres on THB

- Coordination meetings
- Coordination centres



Eurojust Report on Trafficking in Human Beings

In October 2020, the European Commission noted in its progress report on THB that judicial authorities in the Member States had raised serious concerns about difficulties in judicial cooperation. In February 2021, Eurojust published the Eurojust Report on Trafficking in Human Beings, with the aim of responding to these concerns. It presents solutions used by the Agency when assisting in complex THB cases requiring judicial coordination. The report expresses Eurojust's readiness to play a central role in the *EU strategy on combatting THB (2021-2025)*, by bringing substantial added value to the operational dimension of combating THB. The final aim of the report is to assist in successfully bringing human traffickers to justice, while protecting the victims. The report is divided into two main parts. The first part relates to the coordination of investigations and the second to victims' rights. The full version is available for download on the Eurojust website.

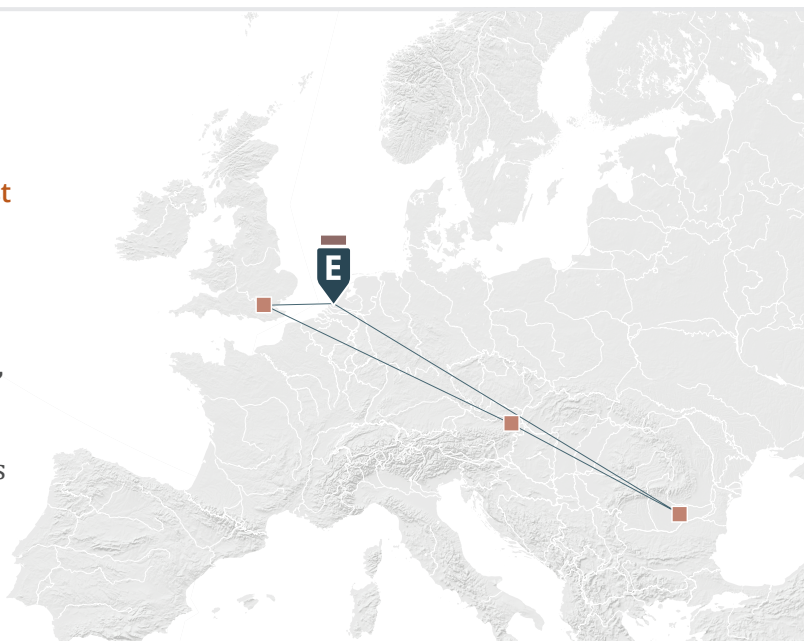


Case examples



Rapid action via Eurojust leads to arrest of 10 human traffickers

An organised crime group (OCG) in Romania, Austria and the United Kingdom allegedly forced its victims into prostitution, using the so-called 'loverboy' approach, where young men tempt women from deprived backgrounds to work for them. It is also alleged that the suspects subjected the victims to physical aggression and rewarded them with stolen golden jewellery.



May 2020 – Coordinated action day supported by Eurojust

- ▶ **Ten suspects of trafficking in human beings are arrested** and five others placed under judicial control by the Romanian authorities. Two female **victims are brought to safety**, one of whom was under immediate threat from the criminal network.
- ▶ Eurojust facilitates the execution of **European Investigation Orders** (EIOs) to Austria and the United Kingdom and assists with the coordination of the operation.
- ▶ The authorities search three places in Austria and the UK and seize weapons, such as guns and machetes, as well as jewellery, luxury clothes, cash and IT equipment.



April 2020 – Within one week, Eurojust identifies the competent authorities in Romania, Austria and the United Kingdom, and puts them in contact with one another. This rapid intervention allows the authorities to immediately coordinate efforts, in spite of the challenges posed by the COVID-19 pandemic.

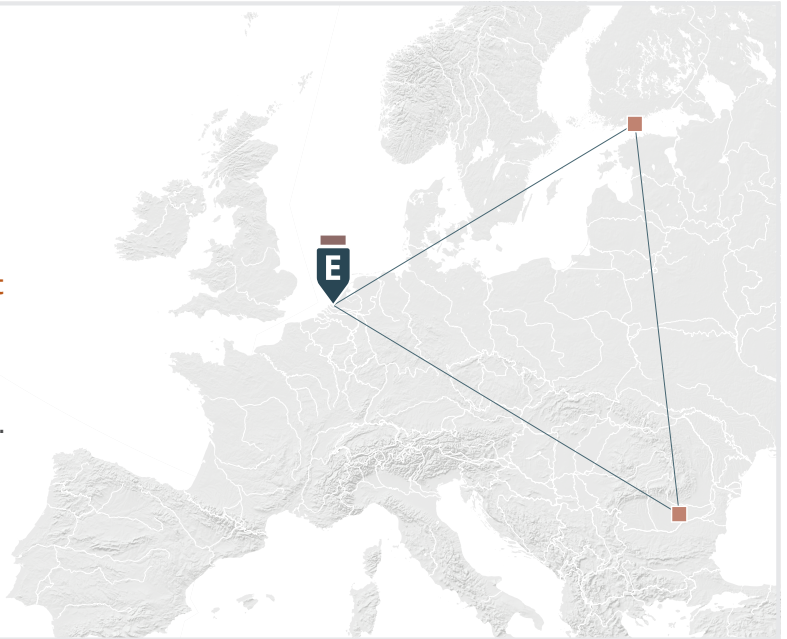




EUROJUST

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Human traffickers swiftly taken to court with support of Eurojust An organised crime group (OCG) in Romania and Finland allegedly ran a network for the sexual exploitation of around ten women. The suspects recruited their young female victims from poorer rural areas of Romania for sexual exploitation in Finland, often under false pretences.



November 2020 – Thanks to the rapid judicial cooperation facilitated by Eurojust, the alleged perpetrators are swiftly taken to court and **formally charged** with trafficking in human beings, inciting prostitution, and money laundering.



May 2020 – Immediately after the second coordination meeting, the **joint action day** takes place. It results in the **arrest of nine OCG members** in Romania and Finland. Their **victims are returned to safety**.



May 2020 – A **second coordination meeting** is held. The delegations agree on jurisdictional issues, deciding with Eurojust support **which country is best placed to prosecute** whom and for which crimes. The joint action day is prepared.



January 2020 – Eurojust organises the **first of two coordination meetings** in this case. During the meeting, a **joint investigation team** is set up, funded by the Agency. The delegations clarify differences between legal provisions of the two countries. For example, Finnish law permits the use of recorded statements in court, while Romanian law requires written statements.



2019 – At the request of the Romanian authorities and with the support of the Romanian and Finnish National Desks at Eurojust, **investigations into the OCG are opened in Finland**.



Action against criminal network organising street prostitution in Italy – In June 2021, a joint investigation team of the Italian and Romanian authorities, with the support of Eurojust, took new action against a criminal network which exploited female victims for street prostitution in northern Italy. During an action day, eight suspects were arrested in both countries. Another eight members of the same organised crime group had already been arrested in 2019 for the same offence. Safety has been provided for a group of 20 female victims. For many years, the OCG exploited young vulnerable Romanian female victims, who were forced into street prostitution in the province of Bergamo. To pay for their living, they became double victims as the OCG members compelled them to borrow huge sums of money at usury charges. Eurojust coordinated the judicial cooperation between authorities and the action day in the three countries. The Agency also funded the JIT into the case and assisted in the execution of freezing orders and European Arrest Warrants for the suspects taken into custody in Romania. Europol provided additional support to the JIT.



Convictions in UK for Slovak gang behind modern slavery case – In May 2021, five members of a Slovak organised crime group were sentenced in the United Kingdom for up to eight years in prison for the exploitation of fellow nationals in a case of modern slavery and money laundering. Between 2008 and 2017, the victims were forced to work under appalling circumstances in British restaurant kitchens and car wash facilities, receiving only approximately EUR 25 for working weeks of up to 80 hours a week. In 2019, Eurojust organised and supported coordinated actions of the UK and Slovak authorities that led to the arrest of the five perpetrators. At the request of the British authorities, Eurojust initiated judicial cooperation with Slovakia in 2015 and set up a joint investigation team between national authorities in the two countries. With Eurojust funding, the JIT supported the speeding up of investigations, culminating in a successful action day in 2019. Furthermore, the Agency facilitated the issuance and execution of European Arrest Warrants and European Investigation Orders.



Dismantling of network that exploited illegal labourers in France – In February 2021, a network involved in the concealed employment of Moldovan nationals, working under false identities on building sites in France, was dismantled as the result of a Eurojust-supported joint investigation team between the French, Romanian and Moldovan judicial authorities. During an action day, 38 persons were arrested, including the Romanian owner of several French construction companies. The investigations followed three strands: into THB and concealed employment in France as well as money laundering in Romania, with the Moldovan authorities investigating the provision of fake identity documents. Eurojust organised three coordination meetings to prepare and support the action day and assisted in the execution of European Investigation Orders and requests for mutual legal assistance in coordination with the Moldovan authorities.

Identifying and supporting the victims of trafficking

Trafficking victims are subjected to various forms of exploitation, mainly sexual, but also including forced labour, especially in the construction industry and in mining, fishing and agriculture. Domestic servitude, forced begging, child soldiers, child brides and forced marriage are further examples of forms of exploitation.

Traffickers typically target society's most desperate and vulnerable individuals. For example, the victims of THB are often afflicted by other challenges, including poverty, unemployment and lack of education, as well as war and natural disasters such as earthquakes and floods. Meanwhile, women and children make up the vast majority of victims: according to the United Nations Office on Drugs and Crime, globally, 51 % of trafficking victims are adult women, while a further 20 % are girls.

In many instances, people forced into activities such as prostitution and slave labour are not immediately

identifiable as victims and may be afraid to speak out and reveal their status due to fear of reprisals by the perpetrators. Furthermore, the action of forcibly moving people between countries means victims are not known to the authorities in the locations where they end up.

By enabling surveillance and other investigatory techniques, as well as effective information exchanges between the involved authorities, Eurojust helps authorities identify and locate victims more quickly.

As well as the support it provides to victims during cases, Eurojust works closely with other EU and international institutions to support the protection and welfare of victims of trafficking. For example, in October 2018, Eurojust participated in the EMPACT THB ETUTU meeting in Stockholm to discuss strategies to better support Nigerian victims in Europe subjected to trafficking.



EU Victims' Rights Platform

In September 2020, the European Commission inaugurated an EU Victims' Rights Platform, bringing together all relevant actors, including Eurojust, to ensure a more horizontal approach to victims' rights at the EU level. Eurojust has long-standing experience in successfully overcoming cross-border challenges and will use that experience in more pronounced ways in the interests and service of victims of cross-border crime, including THB. To enhance the engagement in this area, the College of Eurojust set up a dedicated internal structure to deal with victims' rights and interests, bringing together the expertise of the Agency in this field. In 2020, Eurojust chaired the network of the nine EU agencies that operate in the field of justice and home affairs, dealing with security, justice, fundamental rights and gender equality. The central theme of the Eurojust presidency of the network was the protection of the victims of human trafficking.



“ *Trafficking in human beings is not always very visible, yet it is one of the most heinous crimes. In most of the cases, it exploits people who already live in difficult conditions, with their dignity taken away. Together, we must step up our efforts to tackle this dreadful kind of exploitation, and at Eurojust, we stand ready to coordinate effective investigations to protect victims.* ”

Filippo Spiezia, National Member for Italy, and *Ivanka Kotorova*, National Member for Bulgaria,
Chair and Vice-Chair of the Anti-Trafficking Team at Eurojust

Eurojust's response to THB involving children

Child trafficking is one of the criminal trends that has increased most sharply in the Member States in recent years while, worldwide, almost one-third of all reported victims of trafficking are minors, according to the UN Office on Drugs and Crime.

Eurojust plays an active role in fighting criminality related to children, including trafficking in human beings. The Agency has established a dedicated response to these challenges, which includes the appointment of a Eurojust National Member to be the Contact Point for child protection. The Eurojust Contact Point is mandated to represent Eurojust in child

protection and related matters, offering advice and supporting the use of tools and measures such as the INTERPOL database on missing children. The role of the Contact Point also includes (i) ensuring Eurojust has access to best practice in the field, (ii) following the work of national authorities, law enforcement organisations and other bodies in the field of child protection, and (iii) maintaining statistical overviews of all cases related to the topic handled by Eurojust. The Contact Point has also been nominated as the Eurojust contact for the Missing Children Europe Project, which is designed to reduce (re)trafficking of unaccompanied migrant children.



Identification and protection of victims of child sexual abuse

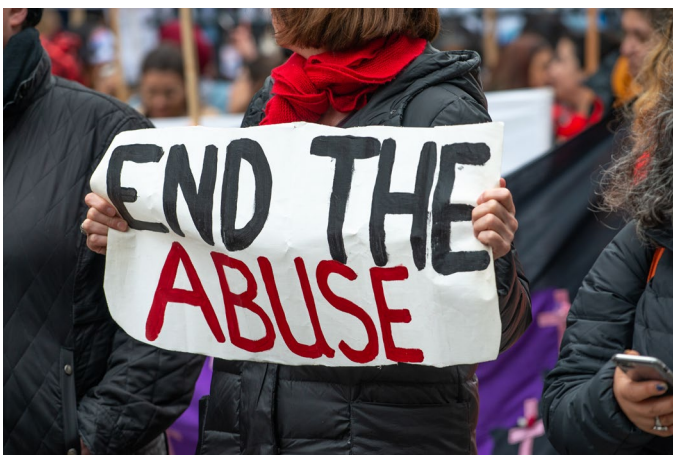
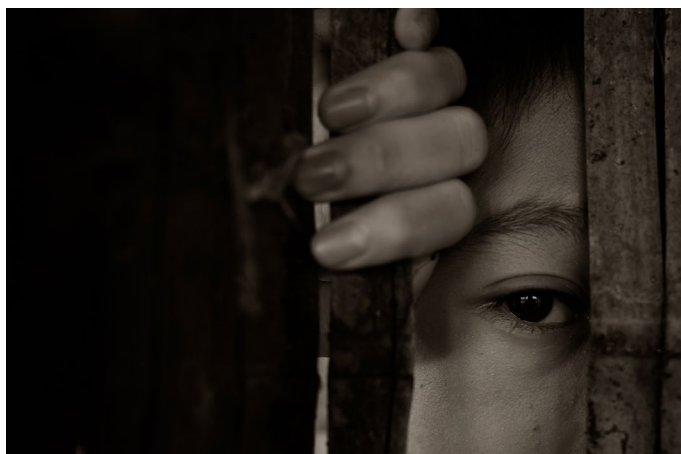
Young boys from an orphanage in Bulgaria became victims of Norwegian suspects running the orphanage. Norwegian and Bulgarian authorities began investigating and a JIT was set up to enable rapid and close cooperation and coordination between them.

Important aims of the JIT were the identification of all child victims, the provision of timely and adequate protection and professional assistance, and the protection of the children's rights. It was also important to obtain an agreement on a date to simultaneously carry out procedural and investigative actions in Bulgaria and Norway to arrest the perpetrators and collect and preserve evidence on the criminal activity.

The parties discussed in detail the admissibility of evidence in Norway with regard to the children's statements. In an annex to the JIT agreement, the parties included information and legal provisions about the interviewing of children as victims or witnesses in Norway. According to the Norwegian Criminal Procedure Act, prosecutor-led police interviews of children under the age of 16 years must be conducted under specific criteria in cases regarding sexual offences and domestic violence.

Under Article 13(5) and (6) of the MLA 2000, the Norwegian members of the JIT, entrusted by the leader of the team, asked the competent authorities of Bulgaria to allow designated Norwegian investigators specialised in interviewing children to conduct the interviews in Bulgaria in accordance with the Norwegian legislation (e.g. using designated rooms that were designed to allow participants to be present but not in the same room as the child).

The annex clarified that the interviews must be tape-recorded and transcribed for presentation during the trial proceedings, to avoid the children having to be summoned and undergo further trauma. The annex also explained the provisions regarding the suspects' rights in relation to the interviewing of children. It underlined that, if the interviews were not carried out in accordance with these criteria, the evidence might be inadmissible in Norway or have poorer evidential value.



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