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Deliverable D3.3: **Report summarising the validation workshop**

Author(s): Pien van de Ven (TiU)
Julia Muraszkwicz (VUB)
Conny Rijken (TiU)

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1 INTRODUCTION

On the 10 June 2015 a validation workshop regarding the results of work package three took place at the Vrije Universiteit Brussel (VUB) in Brussels. Stakeholders, comprising of law enforcement persons, policy makers and civil society representatives, were invited to validate the findings from tasks 3.1 – 3.4. During the workshop the results of the research conducted as part of each task were presented and discussions were held according to pre-determined points of discussion.

By way of a reminder: the aim of Work Package Three was to examine the aspects of the trafficking industry in direct relation to traffickers. It sought to examine the specific characteristics of individuals involved in the trafficking industry, and their interactions with one another and larger criminal networks, from a sociological, psychological and criminological point of view. The tasks were the following:

- Task 3.1: Profiling the trafficker
- Task 3.2: Identifying incentives for traffickers
- Task 3.3: Analysis of the social interactions within the human trafficking industry
- Task 3.4: Identifying lessons learned

The aim of the workshop was to receive feedback and further suggestions from practice on recommendations drafted based on the research findings and ensure that the consortium findings are recognised by the stakeholders as experts, and to identify any gaps in the issues considered and the information presented by the consortium. This information was used to further develop the policy briefs, which will be finalised before 1 September 2015.

2 THE WORKSHOP

It was decided at the outset that the format of the workshop would be that of a smaller discussion than a large conference. This was so to allow rich interaction and discussion. The workshop was advertised on the TRACE website, on social media, in the TRACE newsletter as well as being added to the calendar of events of the EU Civil Society E-Platform on Trafficking. In addition we personally invited 75 persons via e-mail communication. Lastly, La Strada International highlighted the workshop in events attended by its representatives.

Three groups of stakeholders were invited: people from the field of law enforcement, policy makers, and NGO workers. These groups were invited to three separate sessions of 2 to 2.5 hours in order to discuss the results and to provide us with input regarding their experience from the field. However, attendants were invited to the other sessions as well, as their contribution to the discussions would be of very much value to us. Several attendants therefore decided to participate in more than one session.

Concept briefing papers were provided to the stakeholders in advance to the workshop in order to make sure stakeholder would be able to prepare and had an overall first impression of the outcomes of our research. Attached to these briefing papers were pre-established points of discussion for the workshop.

The following organisations attended the workshop:

Organisation	Country
Assistance system for victims of trafficking in human beings	Finland
ECPAT UK	UK
Former Nurse / Vrije Universiteit Brussel, student	Romania
Home Office	UK
Office of the national rapporteur on trafficking in human beings and sexual violence against children	The Netherlands
Anti-Slavery	UK
Frontex	International
West Yorkshire Police	UK
West Yorkshire Police	UK
Oasis	Belgium
Oasis	Belgium
Canterbury Christ Church University	UK
Canterbury Christ Church University	UK
SAVTEH (Femmes en détresse asbl)	Luxembourg
Stop the Traffik	UK
Le Monde Des Possibles	Belgium
International Trade Union Confederation	International
Her Majesties Prison Huntercombe	UK
Vrije Universiteit Brussel, student	Japan
Payoke	Belgium
Payoke	Belgium
Barrister	UK
Warsaw University, Human Trafficking Research Centre	Poland

Table 1: List of participants at the workshop (excluding TRACE consortium members)

In addition TRACE consortium members were present. The input from the stakeholders will be discussed in the following sections according to the pre-established points for discussion.

3 PRESENTATION OF THE FINDINGS

Sessions started off with a presentation of the findings by Conny Rijken (TiU) and Julia Muraszkievicz (VUB). The findings were the product of analysis of court file study, interviews and questionnaires conducted by all contributing partners. Methodology including getting access to the vulnerable groups of both traffickers and victims was discussed, along with ethical issues concerned. Also, motives and incentives for traffickers to be involved in trafficking were presented. The actual content of this can be found in deliverable 3.1 (report on the findings) and D3.2 (briefing papers).

4 SESSION 1 & 2: LAW ENFORCEMENT & POLICY MAKERS

For the first sessions, people from the field of law enforcement and policy were invited. As there is some overlap in their work and experiences, it was logical to have the two groups together. Results of the discussion will therefore be jointly considered in this section.

a. The low chances of being caught (reflected in the low number of convictions)

It was suggested that in several countries law enforcement agencies have improved their success rate of convicting for human trafficking. This is due to increased awareness and training on the issue. However, there is still much to gain considering knowledge and skills. In Finland for example, the ‘pimping clause’ is well known amongst law enforcement agencies while the trafficking in human beings clause is relatively new and quite complicated and therefore often remains untouched. Raising awareness, knowledge and understanding of the national jurisdiction and successful prosecution were considered to be vital to gain progress.

It seems this is one of the reasons for human traffickers to commit the crime. As prosecuting for trafficking in human beings is not an easy task we considered whether it would be a better option to prosecute for related crimes such as; rape, kidnapping, violent crimes, etc. instead or in addition to human trafficking.

The attendees agreed that in cases of human trafficking already a lot of prosecution is aimed at different offences to human trafficking, because human trafficking has a high threshold of proof. Also, it appeared that prosecuting for prostitution was the alternative with a higher sentence in some of the EU countries. The general idea amongst the stakeholders was to prosecute for the easiest to prove offence with the highest possible sentence. However, when prosecuting for less severe crimes, the police have smaller powers in terms of investigation methods, for example in Finland and the Netherlands. This is a hindrance in terms of evidence gathering.

The problem with prosecuting for other crimes is that the assistance for victims of trafficking in human beings may be deterred. It was therefore stressed that the victim status should be disconnected from the legal procedures. In the UK, a pilot considering exactly this is running.

b. Involvement of families, family business.

Acknowledging that a large proportion of traffickers come from criminal and violent families it is unsurprising that they enter the trafficking business. Family members are often involved in the trafficking activities.

Our question therefore focused on what options are available to disturb such families and whether it would be helpful to adjust law enforcement activities?

On the whole limited availabilities were found in terms of directly intervening with families, e.g. through the use of social services. However, participants agreed that family can play a reason for becoming involved in criminality, as can the general environment that one grows up in. As such increased attention should be paid to such environments/local communities/diasporas. Several cases were given by the stakeholders; massive micro-communities in the UK, cases of the Roma communities in several countries, and cases of Vietnamese and Chinese in Finland.

In Finland, multidisciplinary groups are working at the grass-roots level, trying to get access to these micro communities in order to prevent problems amongst young people that already have committed minor crimes from worsening. This has been successful.

Cooperation for joint investigation between countries of origin and destination was raised by the stakeholders to be vital to this issue. Now countries can only collaborate through EUROPOL, which seems very time consuming. Definitely when regarding the victims who are returned to their country of origin, it is very important to have such collaboration in order to prevent repeat victimisation. Also a multidisciplinary approach was considered to be very useful.

c. Characteristics and personality

A number of the traffickers have a defective conscience, lack any empathy and have narcissistic personality. As it is believed that in some cases psychological care during detention is helpful to prevent them from recidivism, our question was to what extent it would be helpful to have psychological diagnostics available for all persons suspected of trafficking and what could be the right follow up after diagnosis.

In relation to this, two major viewpoints were discussed. Some stakeholders viewed examination and a good follow-up as extremely relevant for further prevention of trafficking in human beings. In first instance, it does not seem to contribute to prosecution, but it helps us in understanding the crime, which is helpful to investigation. Moreover, it helps judges and law enforcement to understand the impact of the trafficker's behaviour on the victim.

Others viewed it as detrimental to prosecution as such a psychological examination might provide a way to hold the offender unaccountable to the crime or at least mitigate the circumstances.

A psychological statement of the victim however was viewed as helping the court in understanding the process of how a victim got lured into trafficking.

d. Use of technologies in performing trafficking

The use of new technologies for the recruitment, control and blackmailing of victims and the recruitment of clients requires a different type of investigation techniques. There were some progressive examples from the Netherlands. Our question was to what extent such actions would be possible in other countries.

Several examples were discussed such as pop up on websites, text messages, and labels on products. The national legislation on technical related issues was too specific for stakeholders to be able to state what exactly was possible and what not.

Other examples were given, such as an airline showing a short video on child sex tourism and education of hotel employees. This raised the question of involving private companies in the prevention and awareness raising of trafficking.

e. Involvement of society

As follows from the data collected, trafficking has many faces but increasingly takes place within (social media) networks, from homes or in hidden places. Situations of trafficking for sexual exploitation as well as trafficking for labour exploitation are more difficult to detect and increasingly law enforcement rely on information from the public to detect situations of trafficking. As this requires an active involvement and awareness raising of society, our question regarded what the options and good practices are to involve society more actively.

Awareness raising was put forward as a main point in prevention. Awareness should be raised about the situation of trafficking in destination countries and amongst medical personnel. Partnerships between countries of origin and destination were viewed as important in cooperation. Also, it was suggested the media play a huge role in this. The newspaper 'The Guardian' now for example has a platform specifically on trafficking in which they cooperate with NGO's.

It is important to have the society as a whole informed in order to be able to pick up the signals together with the guarantee that those responsible are able to proceed with such signals. A final statement was that the responsibility of society is different from that of private companies (corporate social responsibility).

f. Intervene in communities and geographical areas that traffickers tend to come from

We presented our findings that in certain countries, especially in Romania and Bulgaria, there are

areas and communes that are well known as the home-communities of traffickers (as well as victims). We also acknowledged that in many cases traffickers, draw on their social/private contacts for help in facilitating the trafficking business. E.g., ask a colleague to transport or recruit a victim.

We therefore asked stakeholders how law enforcement persons can intervene in these networks and what measures and activities are required to disturb the specific communities from being a springboard for future traffickers.

The general feeling amongst the stakeholders was that such communities are very difficult to access due to the massive distrust they have against authorities. It is therefore essential to have someone who is a national of that community, who the people will trust and with whom they will talk. Once a victim comes forward, often a snowball effect of others willing to come forward is achieved. It was emphasised that cultural workers and mediators anchored in these communities are essential in this.

5 SESSION 3: NON GOVERNEMENTAL ORGANISATIONS

Representatives from NGO's were invited for the third and final session. The following points were discussed during this ultimate session.

a. Options to support victims of crime without the need to testify or cooperate

The requirement to cooperate with the authorities as a condition for protection and assistance is an impediment for victims to receive protection and assistance at the right time or at all. It leaves them in an uncertain situation, which can be detrimental to their recovery. Our question was therefore about the role that NGOs can play to further disconnect cooperation from criminal procedures. For example, can the practices in the UK with NGOs as first responders be taken as a good example?

Overall, stakeholders agreed that the main goal should be to de-link the systems of investigating and providing protection, but it was noticed that in practice there is still a long way to go. In this, law enforcement agency want to have a testimony as soon as possible, which often conflicts with the view of giving a victim time to recover (reflection period). It was also suggested that NGOs could act as witnesses in trials instead of victims (like for instance in Belgium). However this raises questions as to the defendant's right to fair trial and hearsay.

In both the UK and the Netherlands an alarming trend was further identified that victims of trafficking rather apply for asylum than for the system of protection of victims of trafficking.

b. Intervene in disruptive environments

NGOs play an important role to empower and prevent young adolescent girls from broken families and with problematic childhood. They often come across these girls already at a young age. What can NGOs do to raise awareness and to ultimately prevent these vulnerable girls from ending up as a victim of trafficking?

Partially, it seems to be about the empowerment of these vulnerable groups. This could be done through providing education, information, teaching skills and raising the self-esteem, which is a crucial hurdle.

Examples of good practices included:

- The education of staff members of care homes in the UK, with regard to human trafficking.
- Multidisciplinary teams working with young vulnerable people on the streets (by being present during the night and at McDonalds for example).
- Awareness raising amongst taxi drivers, who are often also (linked to) traffickers.
- Putting young people together, especially survivors of THB, which would work empowering to them.

c. Increased attention to children of traffickers and criminals

Being a child of a trafficker is one of the risk factors of becoming a trafficker. What role can NGOs play to disrupt the familial inheritance of committing human trafficking? What are the options for child outplacement and to what extent could such a drastic intervention be considered a serious remedy? Would mandatory schooling provide a solution?

To this, the NGO stakeholders could provide us with very little insights as they mainly work with victims and not with traffickers. Their options are therefore very limited.

d. Mobiles and social media

Victims rely heavily on mobile phones as a technology and are likely to continue to use their Facebook/Twitter/Instagram account etc. after they are rescued. It is important that social workers are aware of issues like privacy settings and location tracking settings. To what extent do NGOs recognise these observations? Are there any good practices to deal with these situations?

Social media is currently used as a raising awareness and empowerment tool by NGO's. However it was acknowledged that consideration is due to the possibilities of using social media in investigations and court cases. Moreover participants agreed it is important that NGO workers and social workers are aware of latest technologies and what risks they may pose to trafficked persons. It would be hopeful it was decided to have a pamphlet on such matters.

6 FINAL REMARKS

The input provided by the stakeholders was used to improve deliverable 3.1 and 3.2 as needed. We found the contributions of stakeholders very substantive and useful to both the report (deliverable 3.1) and the briefing papers (deliverable 3.2) which will be finalised before 1 September 2015.