

# Safe!

## *“Voices from the Field”*

Safe and Adequate Return, Fair Treatment and Early Identification of Victims of Trafficking from Third Countries outside the EU

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Final Report AMIF Project 2017 – 2018



The Safe! project was co-financed by the Asylum Migration and Integration Fund (AMIF) of the European Union, the Dutch Ministry of Justice and Security and the Dutch Ministry of Health Welfare and Sport



Ministerie van Volksgezondheid,  
Welzijn en Sport



Ministerie van Justitie  
en Veiligheid



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## **Preface**

There is an urgent need throughout the European Union and the so-called third countries to respond adequately to the current asylum and migration flows of 100,000s of uprooted people that seek safety within the EU. Many of these people are extremely vulnerable to exploitation, both during their travel as well as after they have reached one of the EU Member States. Adhering to international human rights standards the EU strives to offer early identification and protection from harm as well as support with safe return and sustainable re-integration for victims of trafficking in human beings.

The Safe! project that was financed under the Asylum Migration and Integration Fund (AMIF) has contributed significantly to a better understanding of effective strategies and training methods among professionals regarding early identification and protection of victims of trafficking on the one hand and safe return and sustainable re-integration on the other hand. It has equipped professionals throughout the EU and in third countries with pragmatic, tailor-made tools and has increased knowledge, which is of daily use, be it at the European borders, in early reception centres, in shelters or at high-risk work places.

Most of all, Safe!'s major accomplishment was to bring people from the anti-trafficking and migration field together, who otherwise rarely meet, to jointly discuss the issue of trafficking among refugees and migrants. Both in national and international platforms these 'voices from the field' were enabled to exchange dilemmas, best practices and ways forward, often formulated in 'down to earth' observations and solutions. By doing so, they contributed to a sharper awareness of the necessity to guarantee early identification, protection and safe return of victims of trafficking among migrants and refugees entering the EU.

Through the national and international Expert Meetings and trainings implemented within the scope of the Safe! project, representatives from 26 European countries, of which 19 EU Member States, have benefitted directly from the Safe! project. Indirectly the Safe! project will benefit all European Member States as well as third countries through the ample dissemination of the project's products and results.

I had the pleasure to give the keynote speech at Safe!'s International Platform in October 2018 in Sofia, Bulgaria, where I met with more than 85 experts in the anti-trafficking and migration field, an experience that also positively influenced the research for my new report for the UN Human Rights Council in 2019.

In June 2018 I reported to the Human Rights Council on Early identification, referral and protection of victims or potential victims of trafficking in persons in mixed migration movements. I highlighted that much remains to be done within Europe to improve the situation of victims of trafficking with regards to early identification and protection, as well as support for safe return and sustainable re-integration. The strategies and training programmes that were developed within the Safe! project are a positive step forward in this process and will consequently contribute to improve the situation of trafficked persons throughout the EU and third countries.

**Maria Grazia Giammarinaro**

**UN Special Rapporteur on Trafficking in Persons, especially Women and Children**

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## Summary

**Safe!'s main focus has been to increase societal awareness regarding (possible) victims of trafficking among newly arrived refugees and migrants and to provide tools to assist these new groups in a human rights based approach.**

The overarching goal of the Safe! project can be summarized as follows:

*“To enable the early and adequate identification and protection of victims of trafficking as well as to ensure their safe return and sustainable re-integration in the context of the current asylum and migration processes within the European Union.”*

Safe! has worked towards this long-term goal in a pragmatic and strategic way, incorporating the vast field experience of 13 specialist NGO, GO and IGO partners in the Netherlands, Hungary, Bulgaria and Macedonia that work with victims of trafficking on a daily basis.

Safe! reached **1,010** professionals in the anti-trafficking and migration field through the implementation of eight work packages:

### **1. - 2. Development of strategies and tailor-made training programmes for Early Identification and Protection as well as Safe Return and Sustainable Re-integration of Victims of Trafficking**

- Safe! partners implemented fieldwork at borders, first reception centres and in high-risk work places where trafficked persons might be identified. Safe! partners also counselled victims of trafficking on the option of safe return and re-integration. Moreover, an international survey involved **69** respondents from 30 European countries (21 EU Member States). This provided invaluable input for the development of the strategies and training programmes.
- Tailor-made training programmes were developed for Early Identification and Protection based on the Euro Traf-GuID Guidelines and for Safe Return and Sustainable Re-integration of Victims of Trafficking based on the Safe Future Methodology. A specialized trainers pool implemented the training programmes at (inter)national platforms.

### **3. - 6. National Platforms in the Netherlands, Bulgaria, North Macedonia and Hungary; International Platform in Bulgaria to exchange strategies, dilemmas and best practices and to implement training on Early Identification and Safe Return and Re-integration of Victims of Trafficking**

- Four National Platforms were implemented, one in each project country, involving experts from the anti-trafficking and migration field to discuss dilemmas and ways forward. Each platform started with an Expert Meeting, followed by hands-on training for professionals coming into direct contact with (possible) victims of trafficking.
- On top of this, the international Platform was the highlight of the Safe! project, involving **105** (I)GO-NGO experts from 26 European countries (19 EU Member States). It provided the final input for the strategies and training programmes and allowed exchange of expertise and networking among a great variety of participants.
- **260** experts participated in the Expert Meetings. These participants then shared their newly acquired knowledge with **279** colleagues.
- **135** professionals joined the training programmes. These participants then shared their newly acquired skills with **140** colleagues.
- **7** trainers participated in the especially designed ‘Training of Trainers’ session during the International Platform.

### **7. European Network Building and 8. Communication and dissemination of project results**

- **120** experts attended presentations of Safe!'s project results at three European events organized by other expert organizations on the issue of trafficking and migration.
- A social map was created, including app. 150 NGOs, GOs and IGOs involved in the early identification, protection and/or safe return and re-integration of victims of trafficking.

The project's Final Report ‘*Voices from the field*’ provides an in-depth analysis of strategies and trends regarding early identification and protection as well as safe return and sustainable re-integration of victims of trafficking. It also contains the training programme that was developed within the project.

'*Voices from the field*' can be used for future lobby and advocacy in all project countries in order to raise more awareness on the issue of the early identification and safe return and reintegration of victims of trafficking from third countries.

The professionals that have been trained within the Safe! project will be able to apply their newly acquired skills in their interaction with (possible) victims of trafficking.

Last but not least, the training modules will be of invaluable use to future trainers that would also like to work with the *Safe Future Methodology* on the safe return and reintegration of victims of trafficking and/or the *EUTrafGUID* on early identification.

# Chapter 1 Introduction

**This chapter addresses the background, objectives, main activities and results of the Safe! project. In addition, chapter one introduces the consortium of partners responsible for project implementation and provides insight into the methodology used throughout the project.**

## Chapter structure

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## 1.1 Why this project?

Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons<sup>1</sup> defines Trafficking in Persons as follows:

*‘the recruitment, transportation, transfer, harbouring or receipt of 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.’*

Three constituent elements are present in the Protocol’s definition of trafficking in persons<sup>2</sup>:

- **The Act (What is done):** Recruitment, transportation, transfer, harbouring or receipt of persons.
- **The Means (How it is done):** Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.
- **The Purpose (Why it is done):** For the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs.

In the context of the current asylum and migration processes within the EU human trafficking has taken on a whole new dimension. Amongst the 100,000s of uprooted people crossing the Union’s external borders it has become increasingly difficult to identify trafficked persons at an early stage. While it was already difficult to ensure adequate identification of trafficked persons, alarming news also spread rapidly about unaccompanied children missing from refugee centres, young girls travelling with adult men pretending to be their family and vulnerable people being recruited for exploitative labour sectors whilst trying to reach safety. Central and Eastern European countries that historically were predominantly countries of origin or transit countries for victims of trafficking are now increasingly becoming destination countries too. Western and Northern European countries are increasingly confronted with victims of trafficking from outside the EU, although also EU nationals continue to be victims of severe forms of exploitation like human trafficking.

At the other side of the spectrum, victims of human trafficking who reach the limits of their legal stay within the EU are in dire need of sustainable support to reach a well-informed decision about their future, including the option of a safe journey home and support for a successful re-integration.

<sup>1</sup> <http://www.unodc.org/unodc/en/treaties/CTOC/index.html>

<sup>2</sup> <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html?ref=menuseide>

Taking this into account experienced police officers, specialist NGOs and seasoned IOM staff have raised the alarm on what they witness in their daily work with vulnerable groups at the first reception centres for asylum seekers and migrants, at the European borders and within shelters. They called for new, innovative approaches, which resulted in the Safe! project. The goal of the Safe! project was to ensure early identification, adequate protection, safe return and sustainable reintegration of victims of trafficking. The Safe! project was built on valuable existing instruments such as the Euro TrafGuID Guidelines for the First Level Identification of Victims of Trafficking in Europe and the Safe Future Methodology for Safe Return and Re-integration. The Dutch project coordinator HVO Querido is a large shelter organization with a long-standing reputation regarding the protection of victims of trafficking. HVO-Querido is widely recognized, both nationally and internationally, as a leading specialist on the issue.

## 1.2 Safe! project objectives, activities and results

The overarching long-term goal of the Safe! project can be summarized as follows:

*“To enable the early and adequate identification and protection of victims of trafficking as well as to ensure their safe return and sustainable re-integration in the context of the current asylum and migration processes within the European Union.”*

The Safe! project has worked towards this overall long-term goal in a pragmatic and strategic way, incorporating the vast field experience of specialist NGO, GO and IGO partners in the Netherlands, Hungary, Bulgaria and North Macedonia that work with victims of trafficking on a daily basis. At the core of the project was a multi-stakeholders cooperation, which allowed each partner to contribute its own specialism to reach the project objectives:

1. To develop and implement strategies and a tailor-made international training programme for Early Identification and Protection of Victims of Trafficking based on the Euro TrafGuID Guidelines.
2. To develop and implement strategies and a tailor-made international training programme for Safe Return and Sustainable Re-integration of Victims of Trafficking based on the Safe Future Methodology.
3. To link (I)GO and NGO stakeholders in the anti-trafficking field with organizations involved in the current asylum and migration processes within the EU and to stimulate mutual cooperation and exchange of expertise, dilemmas and best practices.

To sum it up, the Safe! project has been all about increasing societal awareness regarding (possible) victims of trafficking among newly arrived refugees and migrants and providing tools to assist these new groups in a human rights based approach.

## Project activities and results

To implement the project goals Safe! developed eight work packages building up the project in a logical order, ensuring high quality and involving all project partners intensively:

### 1. Development of strategies & tailor-made international training programme for Early Identification and Protection of Victims of Trafficking

- Safe! partners implement fieldwork at borders, first reception centres for refugees and migrants and high-risk work places where trafficked persons might be identified, providing invaluable input for the development of strategies and a training programme based on the Euro TrafGuID Guidelines. For this, an International Strategies, Early Identification and Protection meeting took place in the Netherlands in June 2017. Also, input and case studies were gathered from victims themselves who stay at shelters.
- As a result of this work package a tailor-made international training programme has been developed for Early Identification & Protection of Victims of Trafficking based on the Euro TrafGuID Guidelines.
- After establishing a specialized trainers pool a try-out training was implemented in the Netherlands. The training programme has thereafter been realized at (inter)national platforms and shared by participants with colleagues (multiplier effect).

- Apart from the development and implementation of the training programme, an international questionnaire was disseminated. This online research provided input for the strategies to be discussed at the (inter)national platforms. The questionnaire involved 69 respondents from NGO, GO and IGO in 30 countries and addressed trends, dilemmas and best practices on early identification and protection as well as safe return and reintegration.

## **2. Development of strategies and tailor-made international training programme for Safe Return and Sustainable Re-integration of Victims of Trafficking**

- Safe! partners counsel victims of trafficking on a daily basis on the possibilities of safe return and sustainable re-integration. This proved to be invaluable input for the development of the strategies and training programme based on the Safe Future Methodology. Also, input was gathered from victims themselves who stay at shelters.
- As a result of this work package a tailor-made international training programme was developed for Safe Return & Sustainable Re-integration of Victims of Trafficking based on the Safe Future Methodology. The training programme was implemented by the above mentioned expert trainers pool at (inter)national platforms and shared by participants with colleagues (multiplier effect).

## **3, 4, 5. National Platforms in the Netherlands, Bulgaria, North Macedonia and Hungary to exchange strategies, dilemmas and best practices and to implement trainings on Safe Return and Sustainable Re-integration & Early Identification and Protection of Victims of Trafficking**

- In all project countries National Platforms were implemented, involving NGO, GO and IGO specialists from the anti-trafficking and migration fields to discuss dilemmas and ways forward. Each platform started with a one day Expert Meeting, followed by two days of hands-on training for professionals coming into direct contact with (possible) victims of trafficking. As a result participants shared their experiences with their colleagues (multiplier effect).

## **6. International Platform to exchange strategies, dilemmas and best practices and to implement training on Safe Return and Sustainable Re-integration & Early Identification and Protection of Victims of Trafficking**

- The international Platform was the highlight of the Safe! project, involving 105 (I)GO-NGO specialists and other relevant stakeholders working on the issue of trafficking and/or migration from 26 European countries, of which 19 were EU Member States. This platform comprised a one day Expert Meeting, followed by training. It provided the final input for the strategies and trainings programmes and allowed exchange of expertise and networking among a great variety of participants.

## **7. European Network Building**

- One of the main features of Safe! was to contribute to European network building, first and foremost through organizing the International Platform, but also by presenting the Safe! project results at different European platforms.
- Moreover, a social map was created, which included approximately 150 NGOs, GOs and IGOs that are involved in early identification, protection and/or safe return and re-integration of victims of trafficking.

## **8. Communication and dissemination of project results**

- As a result of this work package, special webpages were developed and launched with all the project products. Moreover, communication with stakeholders and (social) media were an on-going feature of Safe!
- The Final Report ‘Voices from the field’ with in-depth analysis of strategies and trends regarding early identification and protection as well as safe return and sustainable re-integration is also one of the results of this work package.

### 1.3 Target groups

The main target group of the Safe! project consisted of professionals, authorities and other stakeholders in the four project countries that work, on the policy level, on the issue of trafficking and/or migration. Furthermore, professionals that might get directly in touch with (possible) victims among newly arrived migrants and refugees in the EU were also part of the target group.

A second target group consisted of the (I)GO-NGO specialists on trafficking and/or migration from the 26 European countries that participated in the International Platform.

Indirectly *all* European Member States as well as third countries benefitted from the project through ample dissemination of the project's products and results.

Directly and indirectly, the project's result will also benefit trafficked persons throughout the European Union and third countries, as the project's strategies and provided training will enable their early identification and protection, as well as support for their safe return and sustainable re-integration.

### 1.4 Project duration and donors

The Safe! project has been implemented from 1 January 2017 until 31 December 2018. The project was submitted to, and approved by, the European Asylum Migration Integration Fund (AMIF) under the 2015 call for proposals, with co-financing from the Dutch Ministry of Justice and Security and the Dutch Ministry of Health, Welfare and Sport.

### 1.5 Project consortium

The Safe! project consisted of a unique consortium of specialist NGO, GO and IGO partners in the Netherlands, Hungary and Bulgaria, supplemented with on-the-ground expertise from the Republic of North Macedonia. Partners were NGO's specializing on the protection of victims of trafficking as well as La Strada International, the police, the International Organization for Migration and the National Commission for Combating Traffic in Human Beings in Bulgaria. The following partners were involved in the project together with the Dutch project coordinator HVO-Querido:

#### Bulgaria

- Animus Association | La Strada Bulgaria
- IOM Bulgaria
- National Commission for Combating Traffic in Human Beings in Bulgaria

#### Hungary

- IOM Hungary
- National Police Hungary

#### Netherlands

- CoMensha (Dutch Coordination Centre for Human Trafficking)
- FairWork
- HVO-Querido (project coordinator)
- Humanitas Rotterdam
- IOM Netherlands
- National Police Netherlands
- La Strada International

#### North Macedonia

- Open Gate | La Strada North Macedonia

All project partners enjoy joint ownership of all the products that were developed within the Safe! project, i.e. the final report and the training manual.

Together *Safe!* partners have a broad experience with fieldwork, longstanding expertise in supporting victims of trafficking and a strong focus on a multi-stakeholders approach, both nationally and internationally.

Most project partners have cooperated intensively and successfully before:

- HVO-Querido, Humanitas, CoMensha, Animus Association and IOM in the development of the Safe Future Methodology.
- HVO-Querido, CoMensha, IOM and the National Police in the RAVOT-EUR project for transnational referral mechanisms between the Netherlands, Hungary and Belgium.
- La Strada International, CoMensha, Animus Association and Open Gate within the International La Strada Network, established in 1995 as the first Central and Eastern European Network against trafficking in human beings.
- HVO-Querido, Humanitas, CoMensha, FairWork, IOM and the police in the specialized shelters of victims of trafficking in the Netherlands.
- HVO-Querido, FairWork, Open Gate and the police in the fieldwork on early identification and protection in the Netherlands.
- La Strada International, CoMensha and FairWork on advocacy, info campaigns and training programmes, both nationally and internationally.
- Animus Association, the National Commission for Combating THB in Bulgaria and IOM Bulgaria on a variety of national projects, among others the development of national referral mechanisms in Bulgaria.

## 1.6 Project methodology

*Safe!* was firmly embedded in fieldwork that formed the foundation of all project activities. Safe! partners are daily confronted with the reality of victims of trafficking and use this as an inspiration for the development and implementation of realistic strategies and effective training.

*Safe!* partners have ample experience with multi-stakeholders cooperation on a basis of equality and mutual respect and consider this as vital to the project's success.

*Safe!* project products have been developed in co-creation between project partners and NGO-GO-IGO specialists answering to the international questionnaire and attending the (inter)national platforms. Victims of trafficking had a clear voice in development, monitoring and evaluation via focus groups. Strategies and training programmes were only finalized after thoroughly discussing, testing and evaluating them.

*Safe!* partners strongly believe that work should build on previous best practices and resources. Thus the *Safe Future Methodology*<sup>3</sup> previously developed by Safe! partners formed the foundation for the training materials for Safe Return & Sustainable Reintegration. Similarly the Euro *TrafGuID Guidelines for the First Level Identification of Victims of Trafficking in Europe*<sup>4</sup> sustained the strategies and training development for Early Identification and Protection.

3 The Safe Future Methodology and other Safe Return project results can be found online at (a/o): [http://lastradainternational.org/lsidocs/3086-Safe\\_Future\\_Methodology.pdf](http://lastradainternational.org/lsidocs/3086-Safe_Future_Methodology.pdf) and <https://www.comensha.nl/artikel/detail/teeven-spreekt-waardering-uit-over-resultaten-safe-return>.

A specialized follow-up methodology regarding the position of children can be found (a/o) at: <https://www.comensha.nl/artikel/detail/engelse-versie-safe-future-methodiek-inzake-kinderen>

4 The EU TrafGuid can be found online (a/o) at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/ro\\_common\\_guidelines.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/ro_common_guidelines.pdf)

The *Safe Future Methodology* was successfully developed and implemented in 2013/2014 in joint ownership between all project partners within the Safe Return project in the Netherlands, Bulgaria and Nigeria, counselling over 400 clients. Clients that choose to return are actively referred to support organizations in their country of origin for safe return and sustainable reintegration. Multi-stakeholder cooperation and risks assessments are core elements.

*Safe Future* was successfully developed and implemented in 2013/2014 within the Safe Return project<sup>5</sup> in the Netherlands, Bulgaria and Nigeria, counselling over 400 clients. It was considered a break-through as it provided a new perspective to victims of trafficking and enabled care workers to touch upon a very sensitive issue in a rights-based manner.

The *European TrafGUID* Guidelines were developed in 2012/2013 within the context of the project 'Development of Common Guidelines and Procedures for the Identification of Victims of Trafficking'<sup>6</sup> by project partners in Bulgaria, Greece, Spain, Romania, France and the Netherlands and led by the French Ministry of Foreign Affairs. Apart from the direct project partners, the Council of Europe, ILO, ICMPD and the UN Office on Drugs and Crime were also involved in the project.

## 1.7 Composition of this report

Chapter 1 provides the motivation and background of the Safe! project, as well as the project objectives, target groups, main activities and expected results. It also offers insight into the project consortium and methodology. Chapter 2 highlights the European Inventory on challenges, practices and training needs with regards to early identification and safe return and reintegration of (presumed) victims of trafficking among (newly arrived) migrants and refugees. Chapter 3 is devoted to the development and implementation of the Early Identification and Safe Future, Safe Return training programmes. Chapters 4, 5, 6 and 7 zoom in at the national level in the Netherlands, Bulgaria, North Macedonia and Hungary, contemplating the results of the National Platforms, including the Expert Meetings and trainings for professionals. In chapter 8 the results of the International Platform in Bulgaria are shared, followed by overall conclusions and recommendations in chapter 9.

Appendix 1 entails more information about the Safe! project partners, whereas appendix 2 refers to the social map developed within the project. Appendix 3 and 4 contain handouts to be used during the implementation of early identification and Safe Future training programmes.

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5 The Safe Return project was financed by the Dutch Ministry of Justice and Security and the Dutch Ministry of Welfare Health and Sport, as well as the Municipalities of Alkmaar, Amsterdam, Arnhem and Groningen.

6 The project 'Development of Common Guidelines and Procedures for the Identification of Victims of Trafficking' was financed by European Union/European Commission Directorate General Home Affairs under the ISEC 2010 Call for proposals as well as with co-financing from five participating States.



## Chapter 2      **The European Level: Inventory on challenges, practices and training needs in relation to early identification and safe and adequate return of (presumed) victims of trafficking among (newly arrived) migrants and refugees<sup>7</sup>**

**This chapter describes the inventory that was implemented on early identification, protection, safe return and sustainable reintegration of (presumed) victims of trafficking among migrants and refugees. The inventory included 69 professionals from 21 EU and nine non-EU countries working in the anti-trafficking and/or migration field. It first deals with the definition of early identification, the current screening and identification process as well as the accessibility of services. It then concentrates on the main challenges that were indicated.**

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### 2.1      **Methodology**

In the framework of the Safe! project an online survey was launched aimed at collecting input from NGO's, GO's and IGO's about general trends, bottlenecks, (training) needs and best practices related to (early) identification and protection, as well as the safe return and reintegration of trafficked persons, in particular in the context of the recent refugee and migration flows to and within the European Union. The research provided an invaluable contribution to the development of the training programme and (Inter)National Platforms within the Safe! project. It also contributed to the 2018 report that the UN Special Rapporteur on Trafficking in Human Beings, especially Women and Children, delivered to the United Nations Human Rights Council in May 2018.<sup>8</sup>

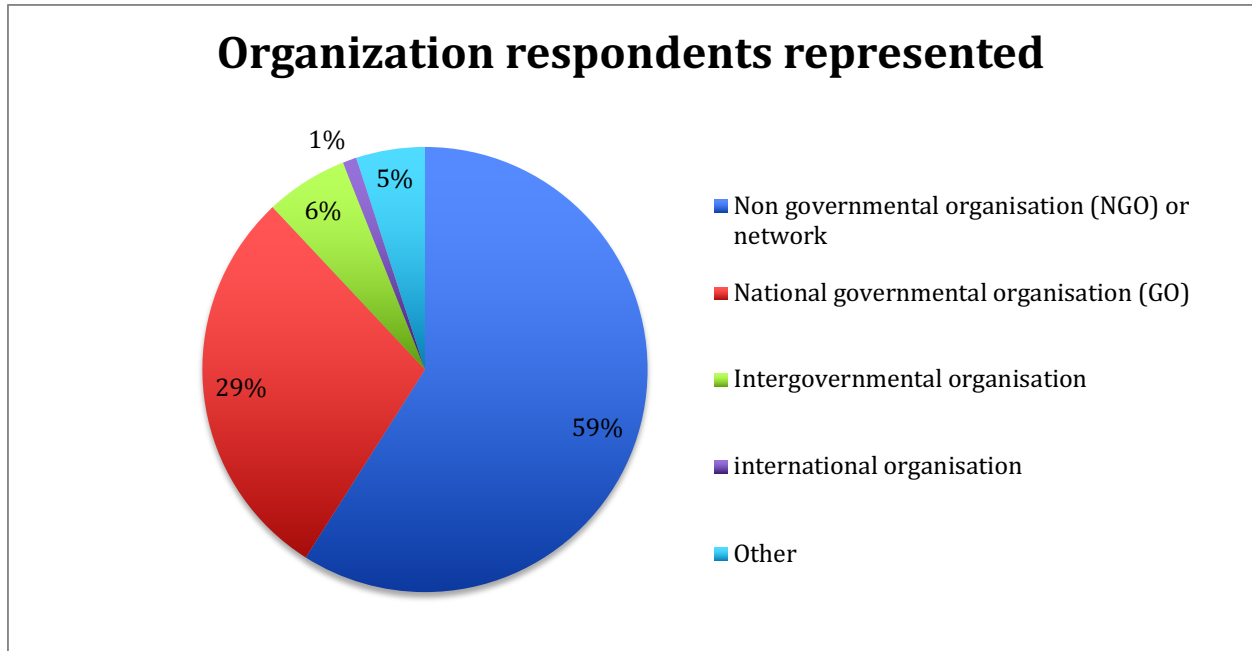
The online questionnaire was sent out between the 11th of April and the 16th of November 2017 to 500 recipients. It was supplemented with six verification interviews and the outcomes of a workshop on early identification that was organised during the La Strada International NGO Platform in Skopje, North Macedonia on the 27th of October 2017.<sup>9</sup>

7 The international research has been implemented by Suzanne Hoff from La Strada International and Eefje de Volder from CoMensha. The text for this chapter is derived from this research, with some summarizing and editing done by the author of the Safe Final Report.

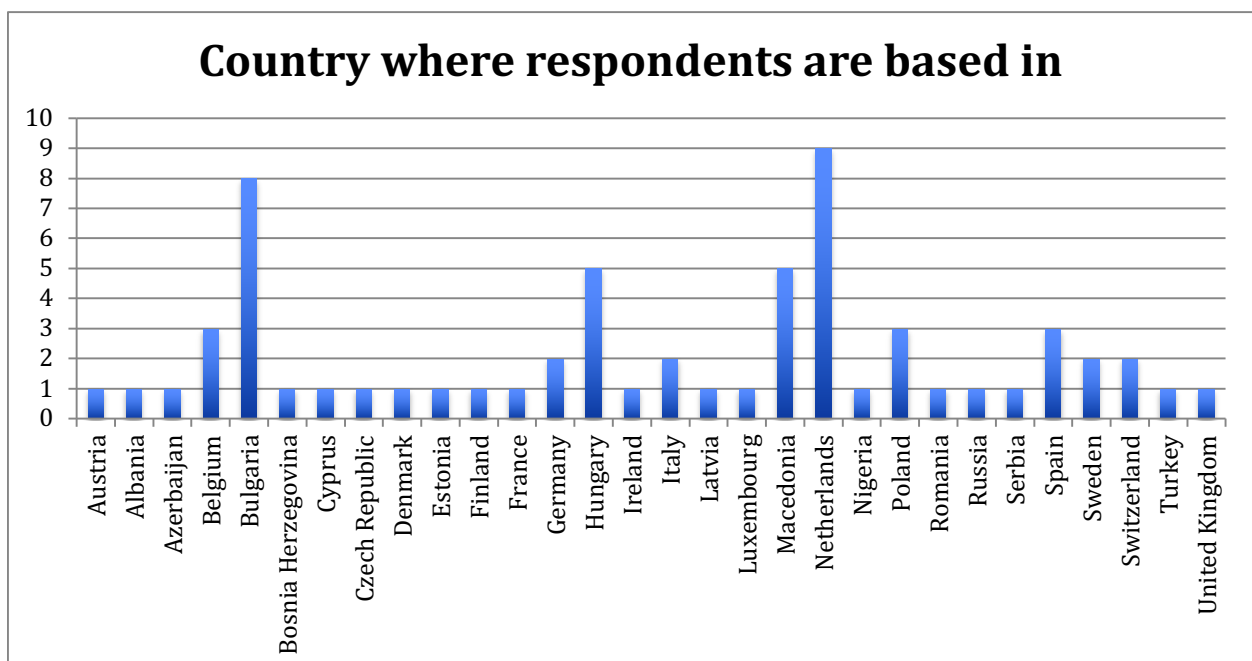
8 A/HRC/38/45. United Nations Human Rights Council, Thirty-eight session. Report of the Special Rapporteur on trafficking in persons, especially women and children (14 May 2018)

9 Three verification interviews in the Netherlands with COA, Red Cross and Refugee Council; one verification interview in North Macedonia with a representative of Open Gate, one meeting in Hungary with among others representatives of ICMPC and a Skype interview with a representative of Animus Association Bulgaria.

A total of 69 respondents from 30 European countries (of which 21 EU Member States) have participated in the research. Of these, 53 respondents have filled in the questionnaire (11% response rate), six have been interviewed to verify/supplement the country-specific outcomes and ten have participated in the workshop on early identification. From these respondents, almost two-third (59%) represent a non-governmental organization or network, while 29% work for a governmental organization. 5% of the respondents represent an intergovernmental organization and 1% an international organization.<sup>10</sup> In the final category (other 5%), one respondent has mentioned to work for the Independent Rational Rapporteur Office on Trafficking in Human Beings, one for a religious congregation and one for a research institute.



The 69 participants represented 30 countries of which 21 EU and nine non-EU countries:



<sup>10</sup> Those who indicated to represent an International Organization (IO) were all IOM representatives

## 2.2 Defining early identification of (presumed) trafficked persons

From the definitions provided by the respondents it can be concluded that ‘early’ in the context of the identification process means as soon as possible; e.g. ‘*immediately upon arrival*’ in the respective country, ‘*as soon as possible victims have come in contact with professionals*’; or ‘*within the shortest possible period of time after stakeholders have started working with that person*’, ‘*prior to the occurrence of any form of exploitation at the host country*’, and ‘*before relevant victim rights are granted*’.

Respondents also stressed that while identification needs to take place at the earliest stage possible, it should not be considered as a one-step process. It may take time for presumed victims to come forward with their experiences of (severe) exploitation. Respondents mentioned that ‘*identification takes time, requires a calm and a safe space, in order for a trustful relationship to develop*’. This is true in particular in transit countries as migrants and refugees often want to continue their journey as quickly as possible to try to reach their planned final destination. However, also in their destination country there is often not much time, due to migrant policies that require quick decision-making.

Identification has been referred to as both a proactive informal, as well as a formal process of screening persons to detect signs for exploitation or human trafficking. Often reference was made to the need of formal indicators of (vulnerability factors for) human trafficking.

Moreover, the respondents mentioned that verification was to be done through documents, personal interviews with specialized people<sup>11</sup>, medical checks, etc. One respondent stated ‘by information sharing, referral and assistance and reporting of signs of human trafficking to internal and/or external contact persons’. Public awareness campaigns and hotline/helpline services were also mentioned as support means for identification, as these would increase self-identification.

When asked who should be responsible for early identification, most respondents indicated ‘frontline officers’, or ‘law enforcement officers’. One respondent stated ‘any actor who has any influence on the case or relation with the client’. Another referred to ‘a process of interaction between different professionals – doctors, social workers, policemen, teachers including civil society’ and ‘migration authority’. It was stated that those to identify should have knowledge, be trained, have the capacity and ‘be able to act and support potential victims’. As one respondent clearly articulated: ‘make sure that officials of all organizations involved are trained to recognise even the slightest signs of human trafficking, in order to maximize the chances of early identification of victims’. Another mentioned ‘a complex of activities to find potential and possible victims of human trafficking on time’. The latter again referred to the fact that early identification is ideally not a one step process but involves multiple relevant parties that come in contact with newly arrived migrants and refugees.

As for where early identification should take place, it was mentioned ‘at the entry points of the receiving country’ or ‘screening at border points by trained airport officials’. Some respondents also referred to hotline services and public campaigns as a way for possible victims of trafficking to self-identify.

### In conclusion

Concluding from this, we can see that the respondents in particular underline that early identification needs to take place at the earliest possible stage when arriving in the respective country, and that identification ideally should be proactive and informally conducted. At the same time the need is stressed to have indicators in place on the basis of which the situation or vulnerability of the person should be assessed as well as to have clear procedures on what to do when a person is indeed a possible victim of trafficking. In order to assess the situation of possible victims among newly arrived migrants and refugees adequately, it was throughout stressed that all relevant parties that might be in contact with newly arriving migrants and refugees should be trained for that purpose. Also in case when early identification fails, it is important that victims are still identified at a later stage. Some referred to identification by multi-stakeholders (including e.g. NGOs, general service providers, health providers, migrant organizations, labour authorities), others mainly to border police and front line officers.

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11 Once reference was made to ‘building on the experience of the operators working in the field’.

On the basis of the input of the respondents, early identification is a process and ideally it should receive further deliberation on when the identification process should take place, by whom, on the basis of which criteria, how it is to be conducted as well as the duration and purpose. The survey provided the following guidance:

- **When:** from the earliest moment as possible after arrival in the respective country (being either a country of destination or a transit country).
- **Duration:** early identification is not necessarily a one-step process. While early identification ideally starts at the earliest moment possible when presumed trafficked persons arrive in the respective country, it would be beneficial to think of ways to allow victims that do not come forward initially to have the trust to reach out to a trained person at a later stage (on-going component). Persons who have experienced severe forms of exploitation might not instantly discuss their situation. This is most relevant in receiving countries where refugees/migrants intend to stay for a longer period of time (in contrast to transit countries).
- **Where:** early identification takes place first and foremost at the entry points of the receiving or transit country. Since early identification is considered an on-going process as it might take time for possible victims to come forward, other places have been mentioned as well, including reception centres, meeting points of migrant organizations and meeting rooms with counsellors. Early identification might be more likely achieved in a calm and safe environment, but under the circumstances it might not always be possible to realise this.
- **By whom:** those professionals who are the first to come in contact with newly arrived migrants and refugees, varying from (border) police to NGOs and from health care/general service providers to migrant communities. It is important that those people who (as part of their profession) come first in contact with newly arrived migrants and refugees are able to early identify presumed victims of trafficking. Since many different professionals can be involved, communication among these stakeholders is considered to be key.
- **On the basis of:** clear procedures and indicators, yet these should be supportive tools as part of a broader professional expertise.
- **How:** informal, proactive, respectful, taking time (if possible).
- **Purpose:** early identification is first and foremost a preliminary identification (picking up signals which might indicate that the person is a victim of trafficking), after which persons are referred for further (formal) identification (and then providing protection and assistance). The purpose of early identification is to recognise potential situations of exploitation, to identify these persons (after referral) and to award them with protection and assistance, where required.
- **Training needs expressed:** knowledge and capacity among all relevant professionals through training, indicators and clear procedures (how to signal, what to do).

## Food for thought

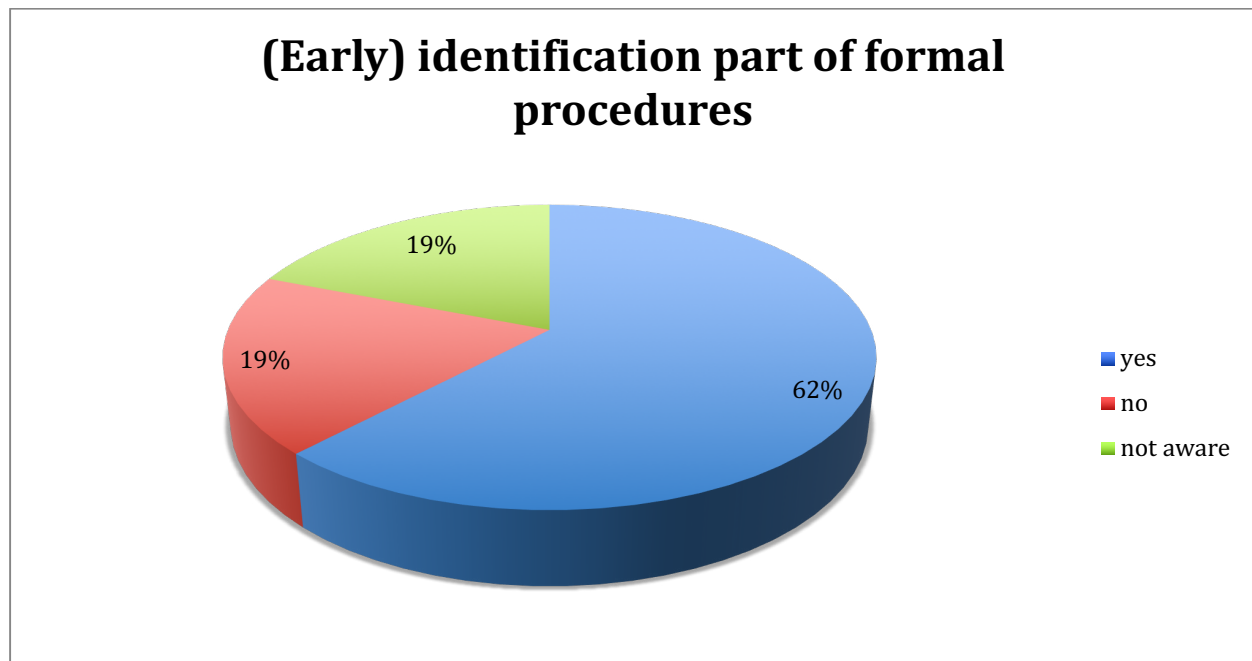
Some respondents also provided discussion points for the (Inter)National Platforms:

- Should early identification also include the identification of potential victims that may fall victim of trafficking in the receiving country, but have not been a victim before entering the country?
- What if the purpose of early identification cannot be met (recognition and providing protection)? What if early identification takes place, but in practice it only serves the purpose of registration but no protection and assistance are provided? Is early identification then still in the benefit of the newly arrived migrants/refugees or can it have unintended consequences (e.g. exposing trauma that is then not dealt with)?
- Should we not rather promote early assistance and support for all vulnerable persons, in order to later be able to identify trafficked persons? This will help to ensure that vulnerable persons as well as persons at risk of trafficking also receive the protection and assistance they need, which will contribute to the prevention of human trafficking, the building of trust and will encourage persons to come forward with testimonies.

### 2.3 Current screening and early identification of arriving migrants and refugees

From the 53 questionnaire respondents that participated in the international survey, 33 stated that migrants and refugees are currently screened and identified in their country (61,5%), while ten stated that this was not the case (19,25%). The last ten respondents stated not to be aware (19,25%).

Most respondents (33) indicated that (early) identification is part of an existing formal procedure. This formal procedure was either described in the National Referral Mechanism (NRM) (20); in the Standard Operational Procedures (SOP) (12); in the National Action Plan (NAP) (9); in a governmental decree (3); or as part of internal procedures within organisations (3). Some referred under 'other' to separate internal procedures of organisations. Ten respondents stated that no formal procedure existed and ten stated not to be aware of such procedures.



Respondents gave several reasons why currently there is generally no screening/early identification of possible trafficked victims among migrants and refugees in their respective countries:

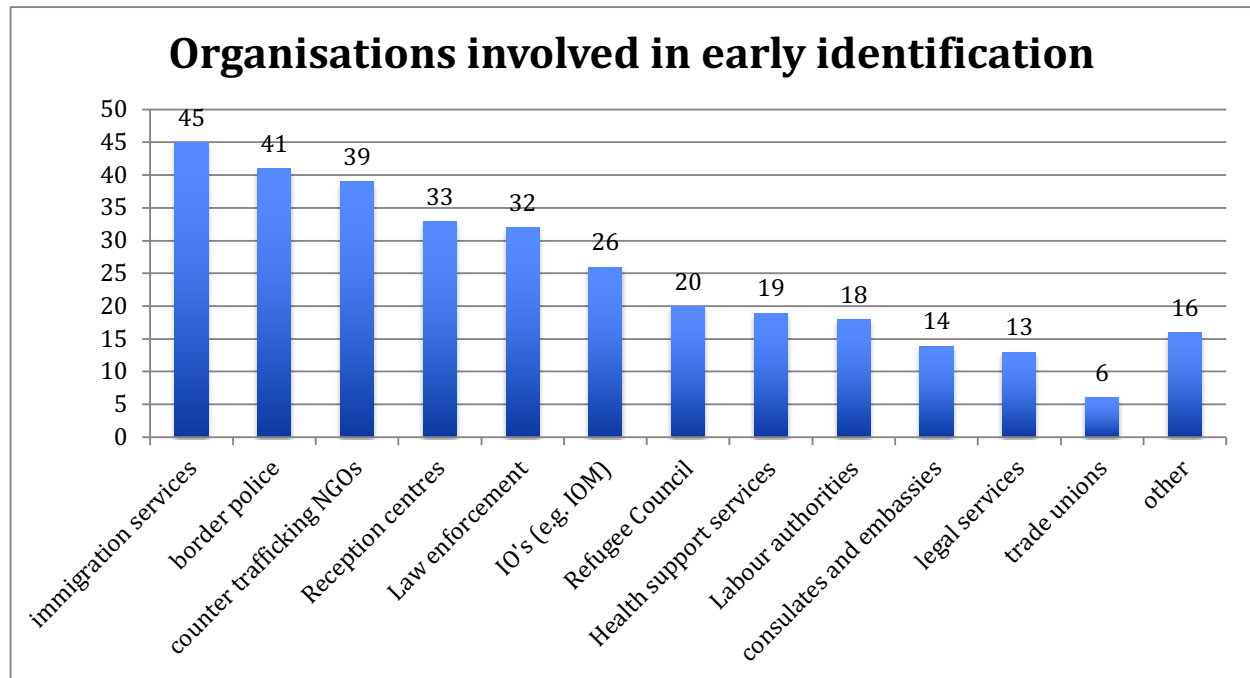
- Lack of awareness.
- Lack of sufficient - in depth- knowledge.
- The large influx of migrants and refugees.
- Lack of cooperation mechanisms, skills and capacity.
- Not mandatory, not part of (formal) procedures.
- No priority.
- Lack of political will.

Based on the above, it can be argued that the outcome is very much dependent on the respondents and what their interpretation is of the current screening/early identification mechanism in their respective countries. It could be that procedures or specific identification services are available, but not everyone is aware. Furthermore, there might be different opinions on whether available services can be defined as screening and identification activities. Also while some would argue that screening and identification activities are in place, others would argue that these are still insufficient and incomprehensive and therefore answer negatively to the question whether currently screening/early identification takes place. Of more importance are the reasons which are provided to explain why currently no screening/early identification takes place. While some of the reasons can be addressed (lack of awareness/knowledge/cooperation or lack of mechanisms/skills), others are more of a structural character (lack of capacity) and/or relate to the political climate of the respective country (no priority, lack of political will), making it more difficult to change and address. In addition, external factors like the increase of migration flows also have an impact.

## Organizations involved in (early) identification of presumed trafficked persons

While several respondents indicated that currently no screening/early identification is conducted, they did answer the question on the organizations involved in early identification. It is presumed that they meant 'should be involved'. Three respondents indicated not to know which organizations are currently involved.

The table below shows which stakeholders are/should be involved identification according to the respondents:



As can be seen from the graphic above, respondents indicated especially immigration services, border police, counter trafficking NGOs, reception centres, law enforcement and international organizations as the stakeholders which should be involved in early identification. In addition respondents also selected refugee councils, health support services, labour authorities, consulates and embassies as well as legal services and trade unions.

Stakeholders that were mentioned under 'other' were:

- Local authorities/municipalities
- Child protection services
- Psychosocial help and support services/ social welfare centres/personal care providers
- Other NGOs - NGOs that are not working directly with trafficked victims
- Task force units at the police
- Volunteers at relevant organizations
- Public educational service providers
- The National Commission for Combating Trafficking in Human Beings in Bulgaria

15% of the total of 53 respondents that answered this particular question indicated that all relevant parties are (to be) involved but that other constraints stand in the way of effective screening/early identification. Lack of resources (13%) and lack of awareness (87%) were mentioned most often.

## Food for thought

Some respondents also provided discussion points for the (Inter)National Platforms:

- When there is lack of political will to ensure early identify/screen trafficked persons among third country nationals, how can we address it?
- What do we mean with 'screening and identification activities', what are criteria to assess that these are in place?

## In conclusion

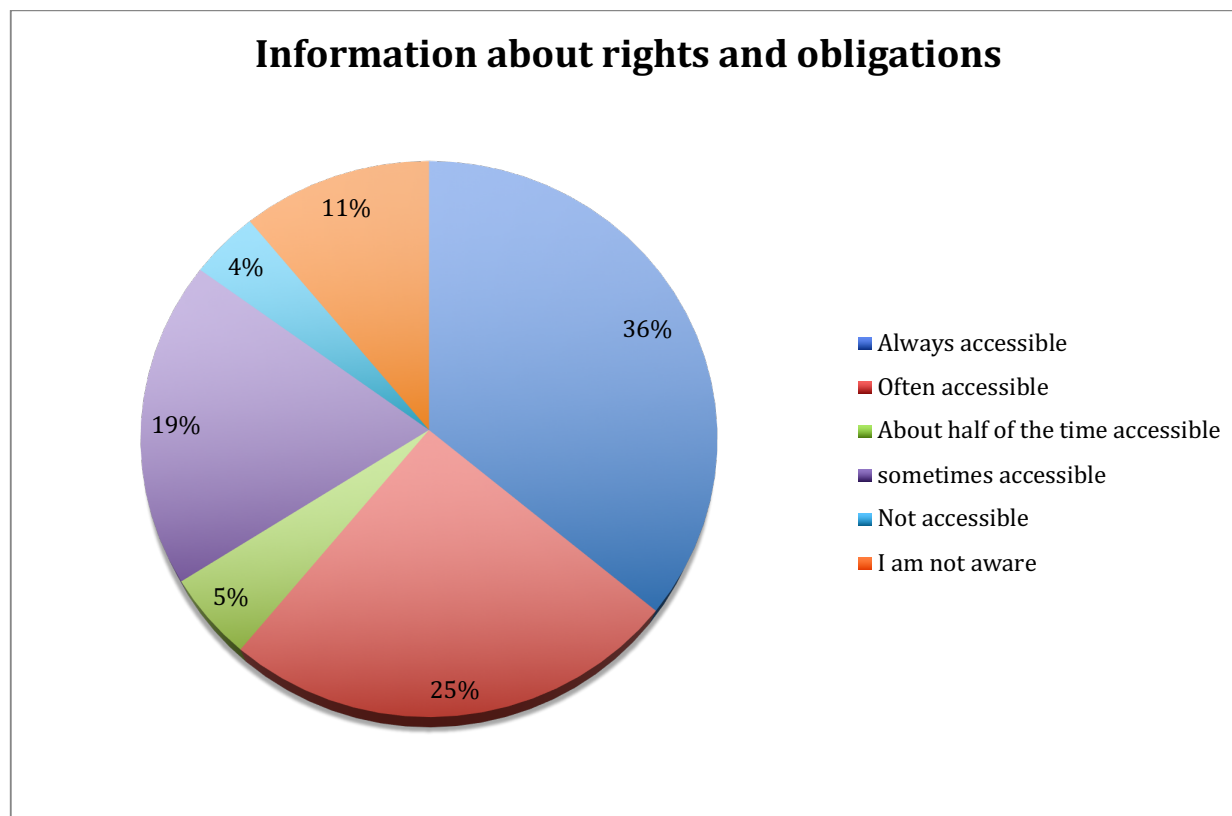
While most respondents indicated that identification is part of formal procedures (which is positive since it was indicated as an important element for early identification), it does not give us much insight in the correlation between formalising indicators and the likelihood of being early identified. Moreover also here it could be noted that answers differed as some distinguished between early and general identification procedures, while others did not. No assessment has been done on the formal procedures in place in the European countries and whether and how reference is made to the role of frontline officers and the target group of newly arriving migrants and refugees. It would be advised to analyse current NRMs, NAPs and other coordination and referral mechanisms to check whether the early identification of migrants and refugees is explicitly mentioned and whether there are specific procedures in place to enhance the early identification of new groups of migrants.

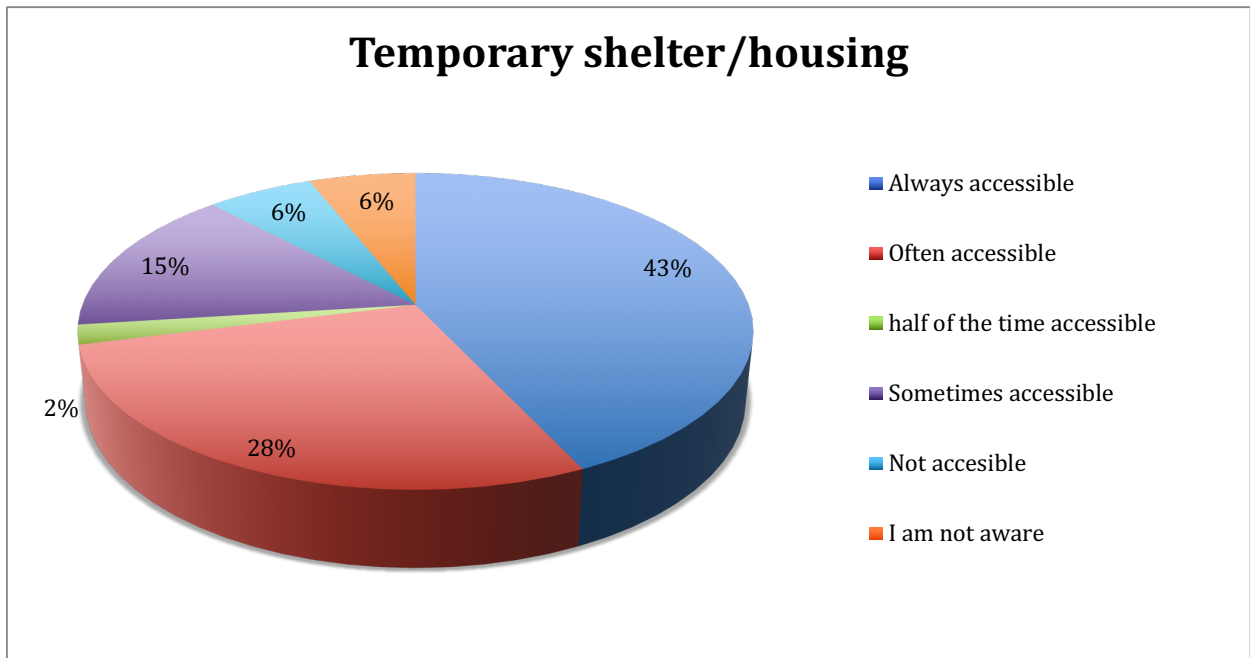
It is clear that generally the more obvious professionals (active in the anti-trafficking field or in dealing with refugees/migrants) are involved in early identification and screening of possible victims of trafficking. This concerns border police; immigration service; law enforcement; anti-trafficking NGO's; reception centres and the refugee council. To a far lesser extent general service and health providers are involved as well as field workers and migrant organizations that might be relevant parties for early identification too. Moreover, quite a high percentage of the respondents indicated that although all relevant parties are currently involved, there is still a lack of capacity and resources standing in the way of effective/comprehensive screening and early identification. This is a continued issue of concern and calls for continued training and awareness raising as well as for sufficient political will and prioritisation of the topic to allocate sufficient resources. In this context some respondents also raised the importance of a multi-stakeholder identification (including NGO's) of possible victims among migrants and refugees.

## 2.4 Accessibility of services for identified victims among migrants and refugees

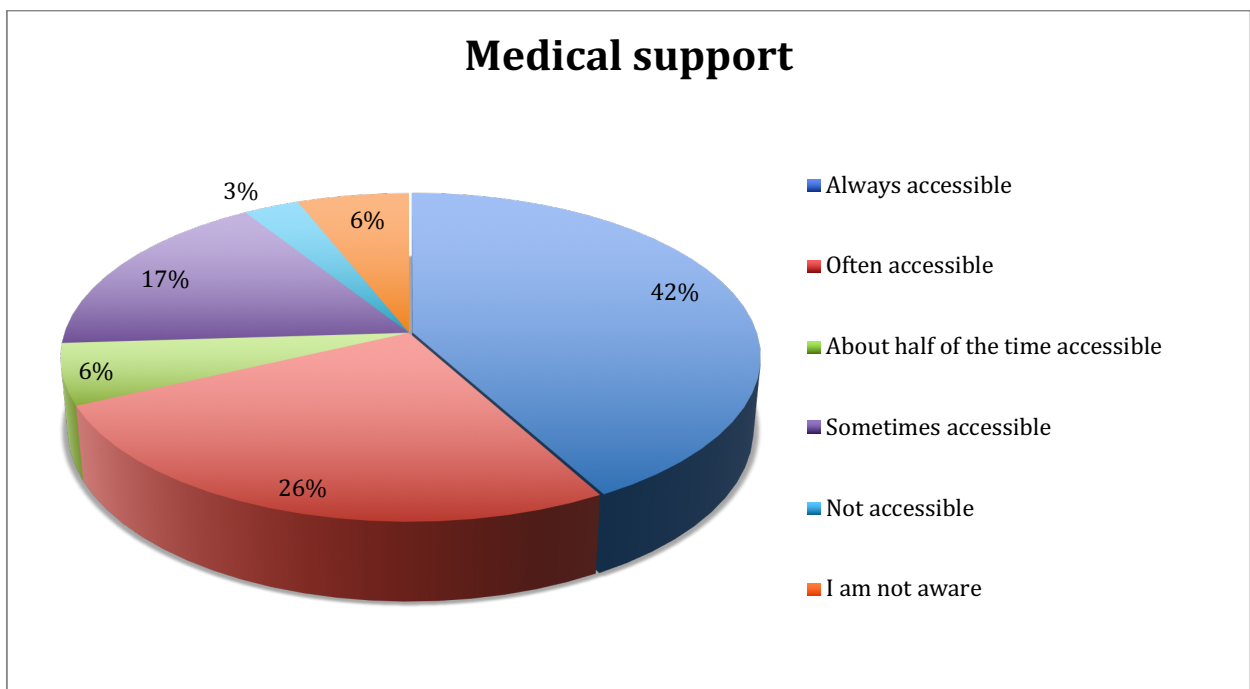
With regards to the question whether services are available for presumed and identified victims of trafficking among migrants and refugees entering the European Union, it should be noted that respondents who indicated that services were always accessible were mostly government representatives, while direct service providers were often (much) less positive about the accessibility of services.

This being said, it is possible to indicate some trends regarding availability of services for newly arrived migrants or refugees after their identification as possible trafficking victims. The respondents indicated which services are generally provided for those who are identified as victims of trafficking and which services are less easily accessible.

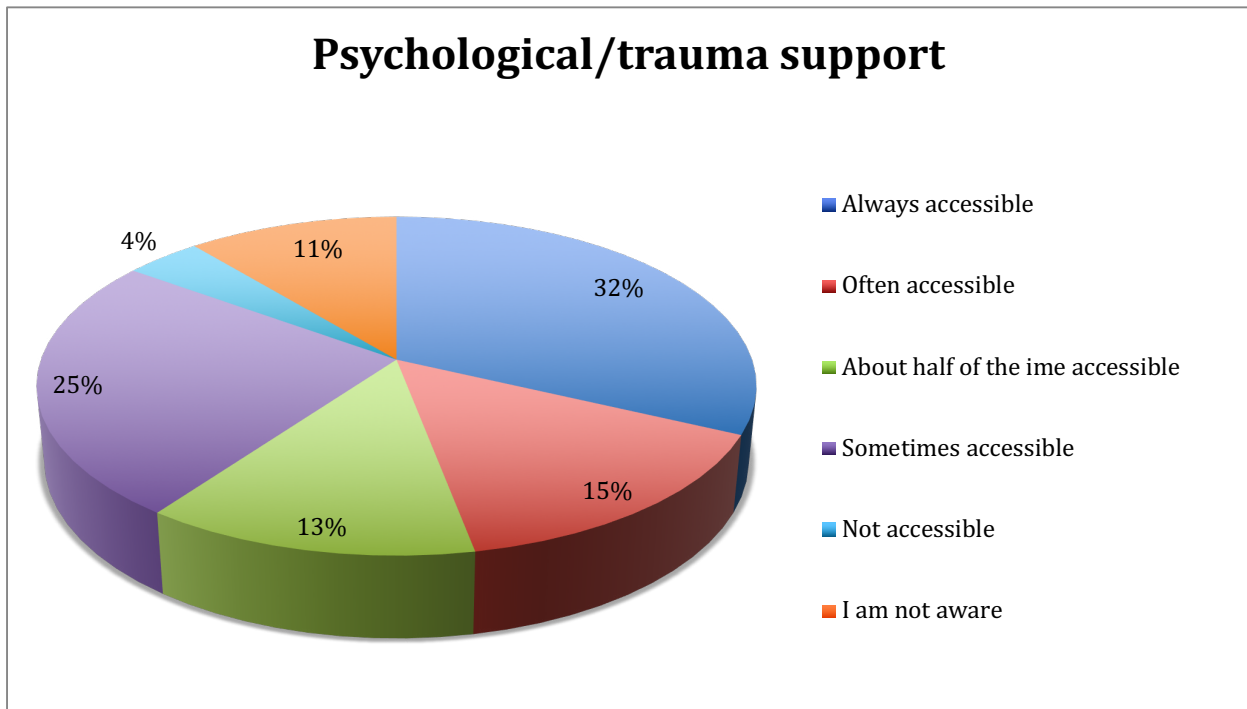




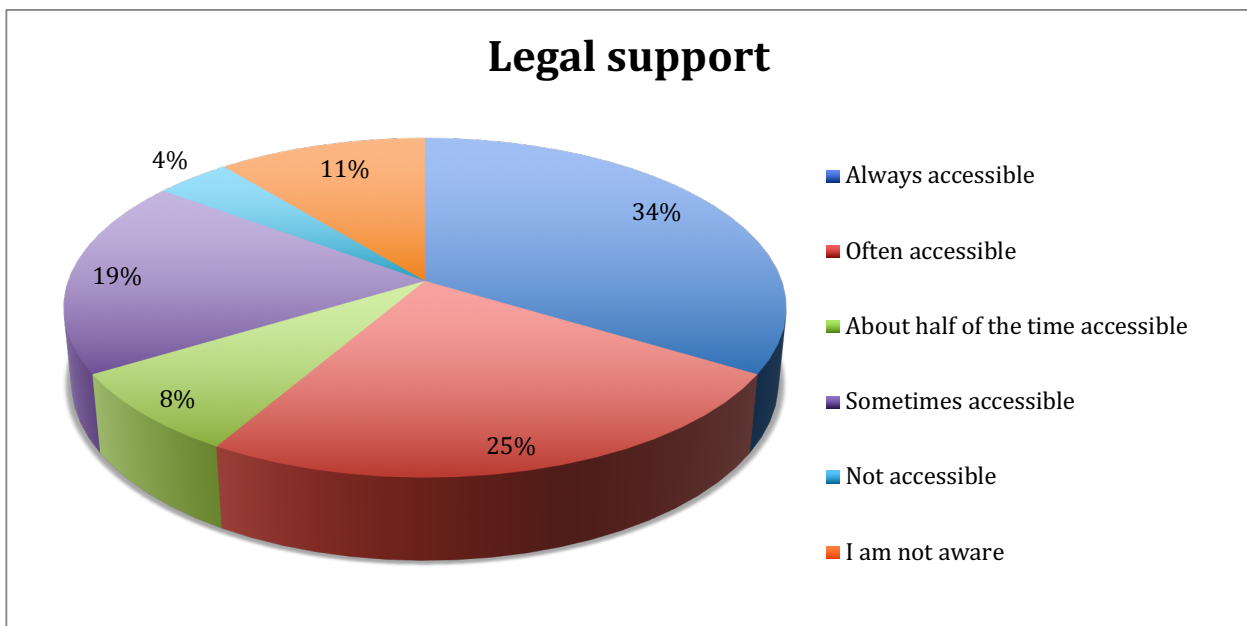
In 61% of the cases respondents indicated that information about rights and obligations is generally accessible (often/always). Also the accessibility of temporary shelters/housing seems well arranged (71% of the respondents indicated often/always).



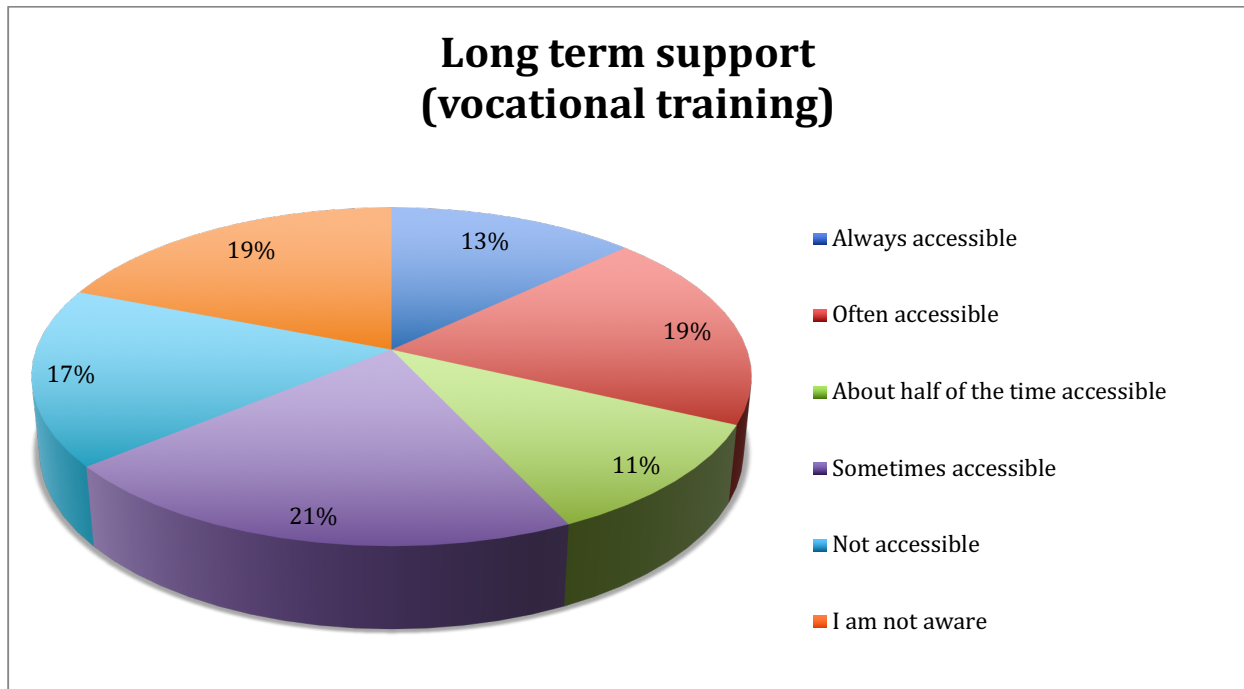




More attention should be paid to the availability of, in particular, psychological/trauma support, an issue, which also came up in the verification interviews as an important bottleneck. While immediate medical care seems overall accessible (68% of respondents indicated often/always), psychological and trauma support is far less accessible (46% of respondents indicated often/always). Yet it is particularly this type of support that is of essence for this group.



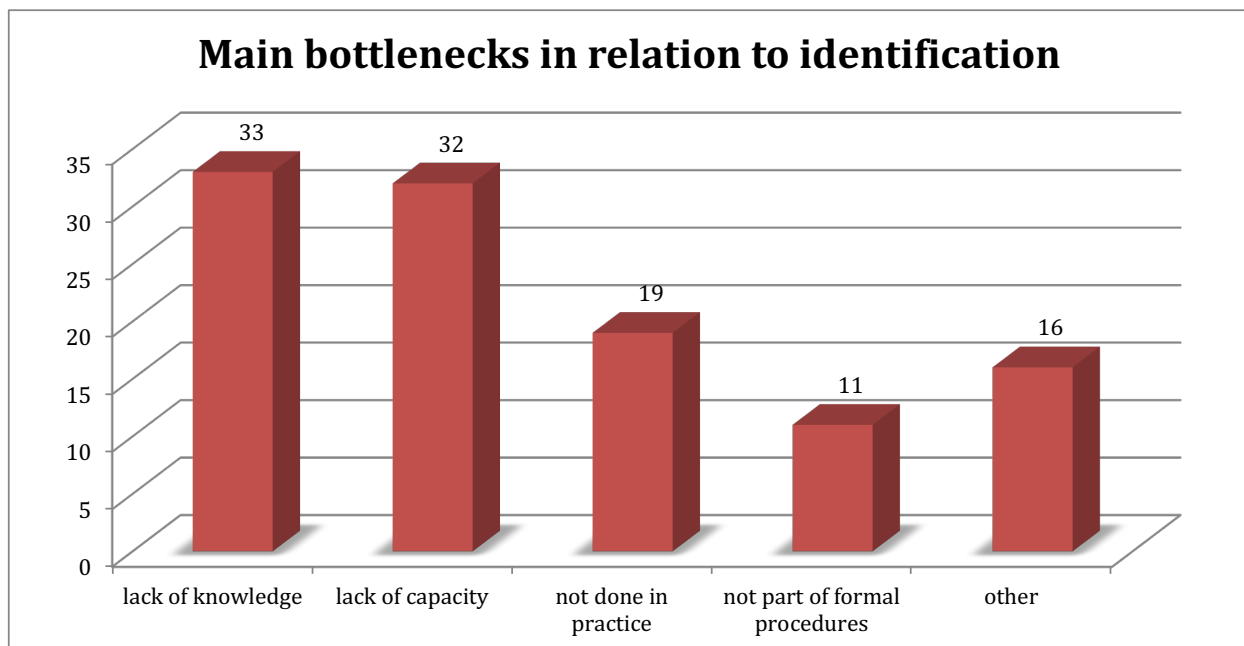
Legal support seems fairly accessible (59%) according to the respondents, although it is an international obligation to provide these services to trafficked persons and thus still considerable improvements can be made.



Most is still to be achieved with support that focuses on rebuilding lives after the situation of exploitation: long-term vocational training is still not accessible to many victims of trafficking (only 46% of respondents indicated that it was accessible often/always).

## 2.5 Bottlenecks in relation to early identification

By far the main bottlenecks mentioned by respondents are the lack of knowledge and the lack of capacity of relevant stakeholders. Whereas the lack of knowledge is likely to be addressed with the development and implementation of training, the lack of capacity is a more structural problem that needs addressing in another way. Also, without capacity it is difficult to upgrade the required knowledge, thus creating a vicious circle.



When grouped, the bottlenecks that were mentioned by respondents mainly related to:

### Perception of situation of victims

- Fear to testify, due to threats towards family members and themselves.
- Doubt about benefits of the victim status.
- General lack of trust in authorities, instructed not to reveal information.
- Lack of self-identification – often migrants do not consider themselves as a victim.

### Political commitment

- General political attitude towards third country nationals; hostile attitude of relevant stakeholders towards migrants and refugees.
- Lack of political will/Lack of making it a priority.
- The on-going debate about migration issues, for example about access to rights for undocumented migrants. The fact that undocumented migrants are sent back to their country of their origin without taking into account their specific situation as a leading principle of work with migrants in many governmental institutions.
- Last but not least, due to the current political climate in many European countries, even though the national referral mechanism might be functioning for domestic victims of trafficking and it is embedded in European and international law, the system in many cases has not yet been (fully) extended to include migrants and refugees.

### Legal situation

- The asylum seeking process and identification of victims of trafficking are separate procedures, which are performed by different authorities, with often no or little contact between them.
- Housing within refugee centres is only available to asylum seekers. Once victims of trafficking are identified within reception or asylum centres, they are not able to stay there any longer due to the fact they receive a temporary residence permit as presumed victims of trafficking, not as refugees.
- Uncertainty about the asylum process and risk of forced return to the country of first entry due to the Treaty of Dublin
- Lack of the term “trafficking victim” in some national legislations.
- Cases in which exploitation has not taken place within the borders of a country, or cases that fall out of the national legal scope or jurisdiction.

### Knowledge and capacity of stakeholders

- Stakeholders such as immigration case officers, health care providers, and non-specialised NGOs or international organizations have insufficient knowledge on how to identify victims and there is no training to identify victims.
- Lack of adequate communication between stakeholders. Low level of collaboration with the institutions at borders.
- Limited capacity of (border) police, immigration case officers and health care providers.
- The police often sees indicators of sexual assault and not of human trafficking. Or they identify trafficking for labour exploitation as labour violation. Also situations that happened en route from the country of origin to the destination country are often overlooked, as it is hard for the police to investigate these cases and they are therefore dismissed in advance.
- While specialized NGO’s and IO’s are actively engaged in the identification of (possible) victims and refer cases to the appropriate authorities, the authorities lack the capacity and cannot practically implement the activities envisaged in the SOPs.

*One Dutch respondent explained the different bottlenecks that might occur: ‘How to respond to cases of human trafficking, where the exploitation occurred outside the Netherlands, during the travel, with regards to Dutch jurisdiction. It is the question whether these cases will be dealt with by the Dutch prosecution. Capacity of investigation units is limited; risk of cherry picking. Immigration authorities are trained to recognise signals of trafficking. This is also the case for the military (border) police. But, potential victims are not always aware of their possible trafficking situation. Victims are sometimes instructed not to reveal certain details on their travelling/work perspective in the Netherlands. They have their own background with regards to authorities, which influences their level of trust in Dutch authorities. We do not have insight in how often identification actually takes place by the authorities’.*

## Data collection and information exchange

- (Lack of) data gathering, good cooperation and the exchange of information among different institutions and stakeholders.
- Data exchange is difficult while taking into account restrictive international legislation on data protection.

### 2.6 Bottlenecks in relation to protection of (identified) victims of trafficking

Several respondents mentioned that there have yet not been many cases of trafficking identified yet among newly arriving migrants and refugees in their country; consequently they do not have much experience with these new groups yet. Another respondent stated that *'there is very little public information or NGO access to migrant groups, very little news available about where they are located, what their needs are, and how services can be offered to them'*. One Bulgarian respondent indicated: *'to claim there are no victims of trafficking among migrant and refugee groups in Bulgaria, just because you do nothing to really identify them is unsubstantiated.'*

Respondents mentioned the following main obstacles with regards to protection of victims of trafficking once they are identified:

- There is no clarity on responsibilities and provision of care and support to victims who remain in the asylum procedure, especially after the victim has obtained refugee status.
- Residence permits are often withheld because of lack of pre-trial investigation or because the victim is not considered vulnerable enough to be granted a residence permit (and is thus often returned without taking into account the risk of re-trafficking).
- Lack of financial resources and services, e.g. psychosocial assistance<sup>12</sup>, lack of professional legal aid, shelters.
- Lack of experts (counsellors, medical personnel etc.) and/or trained staff<sup>13</sup>.
- Migrant communities and migrant self-organizations are not sufficiently informed about the issue of trafficking and can therefore not offer adequate support.
- Last but not least, several respondents indicated that protection of victims from third countries is not offered at all, as the National Referral Mechanism in practice in their country is not extended to migrants.

### 2.7 Bottlenecks in relation to safe return and reintegration

When asked for the main bottlenecks in relation to the safe return and reintegration of trafficked persons, the respondents indicated the following:

- Due to fast-track asylum procedures for individuals from so-called 'safe third countries', identification of victims of trafficking is very difficult. This may lead to a situation in which a person may not be recognised as a victim and is returned to the country of origin almost immediately, without having the chance to benefit from protection and/or a return programme.
- Identified victims of trafficking that applied for asylum might be forced to return to the first EU country they entered, on the basis of the Dublin Regulation<sup>14</sup> in which case protection might no longer be granted and a safe return and reintegration might be obstructed.

<sup>12</sup> Lack of psychological and trauma support is due mostly to waiting lists; vocational training and monitoring after return are not part of formal procedures and/or not provided in practice;

<sup>13</sup> NGOs and shelters indicated they often do not have the necessary staff to provide assistance to these persons in need (language barriers e.g.).

<sup>14</sup> The Dublin Regulation (Regulation No. 604/2013; sometimes the Dublin III Regulation; previously the Dublin II Regulation and Dublin Convention) is a European Union (EU) law that determines the EU Member State responsible for examining an application for asylum seekers seeking The Dublin Regulation aims to "determine rapidly the Member State responsible [for an asylum claim]" and provides for the transfer of an asylum seeker to that Member State. Usually, the responsible Member State will be the state through which the asylum seeker first entered the EU.

- The quality of return reintegration depends largely on the possibilities of partners and local support structure in place in the country of origin. If there is no such infrastructure, safe return and reintegration cannot be guaranteed.
- There is a lack of capacity and knowledge within organizations in the countries of destination with regards to safe return and reintegration. Social workers find it hard to estimate whether fears of clients to return are realistic or not and find it hard to discuss return with clients. Also, there is a lack of coordination between government agencies and international organizations working on the issue.
- Victims are not keen on returning, because they left their country of origin for economic reasons, e.g. to earn money for their family. The vast difference in welfare and safety between EU countries and victims' home countries continues to act as a strong pull factor for migrants to come to Europe and forms an obstacle for victims to return.
- Victims are not keen to be identified for many reasons. They fear possible conflict with and expulsion from their communities. Also, they are afraid that identification will delay or create other obstacles for their further travel to their desired country of destination. Last but not least belittlement and/or neglect of violence might happen due to cultural factors. Trafficked persons need time and psychological support to consider their next steps and/or organize safe return and reintegration, but often this support and/or time is not sufficient.
- Governments in countries of destination assume formal responsibility for care of the victim as long as the (s) he is in the country, but transfer this responsibility to the country of origin immediately after return of the victim. Consequently they do not accept responsibility for the sustainable reintegration of the victim after return.
- There are only few support programmes in place that offer financial support and the existing programmes are almost always project-based, not permanent. Also, generally financial support is limited in time and often not enough for sustainable reintegration.
- In many cases there is a considerable risk of re-victimisation, as the vulnerability of the person is not lifted. Also, victims may not always want (or need) assistance from the authorities when returning. Often they sever ties with support organizations and/or authorities shortly after return.
- Sometimes victims wish to return as soon as possible, making it difficult to implement a thorough risk assessment prior to departure. Also, in some cases they are advised to relocate in a different town in their home country and/or go to a shelter, but in practice the victim often disregards this counsel and wishes to return to their family and/or original hometown. Consequently, their safety and reintegration support cannot be guaranteed upon return.
- Last but not least, some respondents remarked: 'What is 'safe' return, when is return 'voluntary'? What options are there for victims whose cases have been dismissed at an early stage?'

To tackle the questions raised above, the destination country and the country of origin in ensuring safe return. In this context in particular the cooperation among NGOs (in the country of destination and that of origin) was mentioned for the direct support of victims, as well as cooperation between law enforcement agencies (in the country of destination and that of origin) in order to assess the security situation properly. Great importance was attached to having a contact list of relevant governmental organizations and NGO's in different countries to help with return and reintegration. This is where the social map that was developed in the Safe! project might contribute.

It was further mentioned that safe and adequate return needs a tailor-made approach and therefore every time other organizations may be involved depending on the situation at hand. Other organizations that should be included according to respondents mainly involved public institutions, such as the immigration and asylum offices, social welfare and protection services and vocational schools.

Moreover it was argued that the European Commission could assist in institutionalising the cooperation between the countries. Also, the importance of international organizations such as IOM and UNHCR was stressed in this context.

In conclusion it was indicated that it is important to have an official model of cooperation among states in place, to facilitate return and reintegration. Finally it was stressed several times that a successful return and reintegration of victims of trafficking is highly dependent on adequate resources, both in the country of destination and origin. In this context a major challenge remains that return programmes in the country of destination are always financed temporarily and with limited means whereas most of the countries of origin do not have adequate resources to support their returned citizens to rebuild their lives. Permanent return programmes with sufficient means should tackle this obstacle.

## **2.8 Final remarks**

Some final observations about early identification and safe return should be made. As many respondents indicated, these processes do not exist in a vacuum, but in a particular social and political environment. Several respondents argued that the present societal and political climate in some European countries, in which an increase of populist nationalism, anti-migrant propaganda and xenophobia can be observed, forms an obstacle towards early identification and safe return.

Moreover, general awareness and sensibility towards victims of trafficking is needed. Most people are not sensitized about the difficulties that the identification, assistance and reintegration of victims pose. Special attention should be given to the cases of minors.

Last but not least, in relation to early identification there is a need to remain critical that it serves the purpose of protecting vulnerable people. It is important to advocate for early assistance and not just for early identification, since identification does not necessarily implicate that the presumed victim is also offered protection. Once basic humanitarian needs of people are met, there is an opportunity to initiate a process of building trust. Within this process presumed victims should be empowered with information and support, eventually leading to formal identification of victims of trafficking or vulnerable people that might be at high risk.

## Chapter 3 Training programmes Early Identification and Safe Future, Safe Return

This chapter is a ‘hands-on’ manual on how to develop and implement your own Early Identification and/or Safe Future, Safe Return training programmes. It provides background info into this interactive training methodology, and then proceeds to give a detailed description on how to build your training programme and which exercises to use.

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### 3.1 Introduction

As indicated in the introductory chapter of this report, the training programme within the Safe! project was built on valuable existing instruments such as the *Euro TrafGuID Guidelines for the First Level Identification of Victims of Trafficking in Europe*<sup>15</sup> and the *Safe Future Methodology for Safe Return and Re-integration*<sup>16</sup>.

The European TrafGuID Guidelines were developed in 2012/2013 within the context of the project ‘Development of Common Guidelines and Procedures for the Identification of Victims of Trafficking’ by project partners in Bulgaria, Greece, Spain, Romania, France and the Netherlands and led by the French Ministry of Foreign Affairs. It provides clear definitions and a practical description of different forms of trafficking (sexual, labour and criminal exploitation), highlights professionals groups that may be involved in early identification and indicates signs that might pinpoint to a situation of trafficking.

The Safe Future Methodology equips professionals to systematically discuss the future, including the option of safe return and reintegration, with victims of trafficking and their children from the beginning of their stay in the shelter or ambulatory help. Through this early intervention, in most cases the client still has legal residency within the country and both the client and her/his social worker still have time to consider all options and their possible consequences. If a client decides to return to her/his home country, preparations can be made to ensure that it is safe and that reintegration

15 The EU TrafGuid can be found online (a/o) at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/ro\\_common\\_guidelines.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/ro_common_guidelines.pdf)

16 The Safe Future Methodology and other Safe Return project results can be found online at (a/o): [http://lastradainternational.org/lsidocs/3086-Safe\\_Future\\_Methodology.pdf](http://lastradainternational.org/lsidocs/3086-Safe_Future_Methodology.pdf) and <https://www.comensha.nl/artikel/detail/teeven-spreekt-waardering-uit-over-resultaten-safe-return>.

A specialized follow-up methodology regarding the position of children can be found (a/o) at: <https://www.comensha.nl/artikel/detail/engelse-versie-safe-future-methodiek-inzake-kindern>

will be sustainable. Clients that choose to return are also actively referred to support organizations in their country of origin. Multi-stakeholder cooperation and risks assessments are core elements. The Safe Future Methodology furthermore bridges the gap between shelter organizations and return organizations, both in the client's country of destination and origin.

The Safe Future Methodology was successfully developed and implemented in 2013/2014 in joint ownership between all project partners within the Safe Return project in the Netherlands, Bulgaria and Nigeria, counselling over 400 clients. It was considered a break-through as it provided a new perspective to victims of trafficking and enabled care workers to touch upon a very sensitive issue in a rights-based manner. Within the Netherlands it is also applied to other vulnerable groups such as victims of domestic violence without a residence permit, undocumented migrants and asylum seekers that have come to an end of their procedure.

In the above-mentioned earlier projects there was no provision for a training programme accompanying the Safe Future Methodology and the European TrafGuID Guidelines. The Safe! project has filled this omission, by developing professional training programmes for both invaluable instruments.

### 3.2 Training methodology

Both the training on early identification and the training on safe future, safe return have been developed and implemented by professionals working in the field, thus ensuring a hands-on approach. They have contributed their vast experience in daily encounters with victims of trafficking to the training programme. Also, the training modules have been adapted over time after being implemented at the National Platforms in the Netherlands, Bulgaria/North Macedonia and Hungary as well as the International Platform in Bulgaria. Safe! partner FairWork, who has a professional training academy, was the leading specialist in the development and implementation of the training modules. A trainers pool consisting of social workers and other professionals from HVO-Querido, Humanitas, IOM Netherlands and CoMensha supported them.

The results of the training development have been captured in this chapter, thereby allowing other professionals and organizations throughout Europe to make use of the training modules on the condition that reference is made to the Safe! project and its donors. Each new training programme should be tailor-made and adjusted to the particular needs of the participants and the circumstances in a particular country or organization. Nevertheless, there are some overall guidelines, exercises and suggestions that can be applied universally. These you will find in the description of the training programmes below. Each paragraph will start with a description of the training's goals, followed by an example training programme and description of the training exercises.

Apart from the trainers' specific expertise on human trafficking, the training programmes were also influenced by the training methodology of Karin de Galan, a leading developer of practical trainings in the Netherlands. Her practical approach to training for professionals was one of the inspirations for the training modules developed in the Safe! project. As a result the Safe! trainings were very interactive and motivating, including many practical exercises and working methods. More about Karin de Galan's training methods can be found on the website [www.schoolvoortraining.nl](http://www.schoolvoortraining.nl). There is also an English booklet available on these interactive training methods, which can be obtained by contacting the training institute via the website.

#### Set-up of the trainings

The set-up of the trainings was informal. No tables with participants sitting around them, but rather a circle of chairs with the trainers in the middle. The maximum amount of participants was limited to 20, but ideally should not be more than 15, in order to create an optimal learning environment and abundant opportunity to exchange experiences. Participants were stimulated to work in small groups rather than plenary sessions and to use their own daily practice as a basis for the training. This stimulated maximum active participation of all involved in the training. Instruments from the European TrafGuID and the Safe Future Methodology were clarified in the trainings and incorporated into practical exercises. The work methods varied widely, from stimulating discussions to implementing a quiz, video materials or work on developing 'road maps' and other practical tools that can be used in their daily practice right away.



At the start of each training, the trainers also clearly communicated what participants might expect during the training and which training elements would be included or not, to avoid any misunderstanding about the scope of the training. If participants indicated a need for additional training, it was explained why this could not be incorporated into this particular training, but also how this might be addressed in future training. Much attention was also paid to creating a safe atmosphere in which all participants could actively engage and achieve an optimal personal learning process. All trainings ended with a special certification ceremony, in which all participants received a training certificate.

### 3.3 Early Identification training programme

#### 3.3.1 Target group

The early identification training targets professionals from (I)GO's and NGO's that might get in touch with (possible) victims of trafficking among newly arrived refugees and migrants.

#### 3.3.2 Training goals

The goals for the training on early identification of victims of trafficking could be defined as follows:

By the end of the training, participants will know:

- What trafficking in human beings is
- The difference between trafficking and smuggling
- The difference between sexual, labour and criminal exploitation
- What the signals are for every form of exploitation
- That signals are often subtle and hard to recognize
- That depending on the participant's professional background different signals might be recognized

And they will be able to (with help of the roadmap):

- Ask specific follow-up questions based on first signals of trafficking
- Make an assessment: refer this person for further help or not; or take other appropriate action
- Refer adequately to support services

#### 3.3.3 Training programme example

A one-day training programme (09:30–16:30 hours) on early identification could be planned as follows:

Time	Training component	Training elaboration	Training attributes
09:30	Introduction	<ul style="list-style-type: none"> <li>-Start with a short case</li> <li>-Explain the goals for today's training</li> <li>-Explain the time schedule</li> <li>-Short introduction of trainer</li> <li>-Short exercise for getting acquainted</li> </ul>	<ul style="list-style-type: none"> <li>Flipchart sheet 1: Training goals</li> <li>Flipchart sheet 2: Training programme</li> <li>Hand-out: Handbook Early Identification (European Traff-GuID)</li> </ul>
09:45	Warming up exercise how to recognize a victim of trafficking: 'Who am I?'	Exercise 1. How to recognize a victim of trafficking and ask the right questions.	<ul style="list-style-type: none"> <li>12 plasticized cards with cases</li> <li>Flipchart sheet 3: Draw a funnel, thereby symbolizing it often works best to start with general questions followed by more specific questions</li> </ul>

Time	Training component	Training elaboration	Training attributes
10:00	What is trafficking? (definition, forms of exploitation and signals)?	Exercise 2. What is trafficking (definition, forms of exploitation and signals)? This exercise is followed-up by theory on THB.	A4 papers with three examples of possible trafficking cases Flipchart sheet 4: definition of THB incl. 3 main elements
10:30	Different forms of exploitation	Exercise 3. Labelling newspaper headlines according to sexual, labour or criminal exploitation	List of recent newspaper headlines re. trafficking cases 4 plasticized cards 3 wooden spoons
10:45	Coffee break		
11:00	Recognizing signals of trafficking	Exercise 4. Recognizing and labelling signals of trafficking	4 cardboards 4 A4 paper sheets with 7 signals per group. 4 scissors
11:30	Recognizing signals of trafficking	Exercise 5. Recognizing and labelling signals of trafficking for specific professional groups	4 cardboards
11:50 Optional	Recognizing signals of trafficking	(Alternative) Exercise 6. Recognizing and labelling signals of trafficking from a 'real live example'	Video, laptop, beamer with sound Pens, A4 paper
12:15	Lunch		
13:15	Energizer	Optional, depending on the energy in the group	
13:25	How to develop follow-up questions after picking up a signal of THB	Exercise 7. How to develop follow-up questions after picking up a signal of THB	Case study
13:45	How to develop follow-up questions after picking up a signal of THB	Theory. How to develop follow-up questions after picking up a signal of THB The trainer draws a funnel as a starting point: start with general questions that gain trust, and then continue to ask more specific questions focusing on the elements of THB: 1. Action; 2. Means; 3. Purpose. The trainer gives several examples	Info sheet: Do you suspect that someone is a victim of trafficking? Flipchart sheet 3: funnel
14:00	How to develop follow-up questions after picking up a signal of THB	Exercise 8. How to develop follow-up questions after picking up a signal of THB	Flipchart sheet
14:20 Optional	How to combine and interpret signals, followed by a decision whether or not to address the possible victim	Exercise 9. How to combine and interpret signals and how to address the possible victim	Case study
14:40	Coffee break		

Time	Training component	Training elaboration	Training attributes
15:00	How to open up the conversation with a possible victim of trafficking and gain his/her trust	Exercise 10. How to open up the conversation with a possible victim	List of recent newspaper headlines re. trafficking cases 4 plasticized cards 3 wooden spoons
15:10	How to open up the conversation with a possible victim of trafficking and gain his/her trust	Theory. How to open up the conversation with a possible victim of trafficking and gain his/her trust The trainer hands out a sheet with practical suggestions: 'Three ways to open the conversation with a possible victim of trafficking' and shortly clarifies the content of the sheet.	Paper sheet: 'Three ways to open the conversation with a possible victim of trafficking'
15:20	How to open up the conversation with a possible victim of trafficking and gain his/her trust	Exercise 11. How to open up the conversation with a possible victim of trafficking and gain his/her trust	Paper sheet: 'Three ways to open the conversation with a possible victim of trafficking'
15:30	Roadmap: how to refer a victim of trafficking	Theory. Roadmap: how to refer a victim of trafficking The trainer hands out a roadmap with suggestions for follow-up steps if participants suspect that they might be dealing with a victim of trafficking. The trainer clarifies each step that the interviewer should take in order to decide whether or not this is a case of trafficking and how they can offer help and refer (possible) victims.	Roadmap 'Do you suspect that someone is a victim of trafficking?'
15:45	Roadmap: how to obtain more information about a possible trafficking situation and refer a victim of trafficking	Exercise 12. Roadmap: how to obtain more information about a possible trafficking situation and refer a victim of trafficking	Roadmap 'Do you suspect that someone is a victim of trafficking?' Stepping stones (paper/cardboard) that indicate the five steps in the roadmap Flipchart sheet
16:15	Securing lessons learned/evaluation of the training Closure of the training	Evaluation To evaluate the training, the trainer asks the participants to fill in a large sheet on which all letters of the alphabet are written. Behind every letter of the alphabet a word has to be written down that mirrors what participants have learned during the training and/or how they evaluate the training. For example: A is for analysis, B is for better understanding, C is for complex, etc. The training ends with the certification ceremony	Flipchart sheet with A B C etc.

### 3.3.4 Description of the exercises

#### Exercise 1. How to recognize a victim of trafficking and ask the right questions

Duration of exercise	15 minutes
Aim	Participants will have a first impression regarding what questions to use in order to recognize a victim of trafficking
Training elaboration	<p>Participants work in duos. The trainer hands out a plasticized card to one of the two participants with a short description of a trafficking case. He/she is the trafficking victim. The other participant is the interviewer and has to ask questions in order to obtain information about the case. The questions may only be answered by 'yes' or 'no'. This participant has to find out the following:</p> <ul style="list-style-type: none"> <li>• From which country do you come originally?</li> <li>• In what way were you exploited (sexual, labour or criminal exploitation)?</li> <li>• Where do you live now (town or housing facilities, such as house, caravan, etc.)?</li> </ul> <p>The 'interviewer' may use two 'escapes' (extra info that the 'victim' will provide to make it easier to guess what's happened to him/her). When the interviewer has guessed right, participants switch sides. The trainer has put other plasticized cards on a table to choose from. When a case is guessed right, this card will be put back on the table, so that other participants may use it.</p> <p>At the end of this exercise, participants discuss, in the small groups or plenary, which questions worked best, meaning which questions created trust and/or led to the right answers.</p>
Training attributes	<p>12 plasticized cards with cases</p> <p>Flipchart sheet 3:</p> <p>Draw a funnel, thereby symbolizing it often works best to start with general questions followed by more specific questions</p>

#### Exercise 2. What is trafficking (definition, forms of exploitation and signals)?

Duration of exercise	30 minutes
Aim	Participants will be aware what trafficking is (and (optional) what the difference is between human trafficking and smuggling).
Training elaboration	<p>Participants work in duos. The trainer hands out three examples on paper that might be cases of trafficking. The participants have to decide whether this is trafficking or not and discuss this in pairs. They have to rate each example on a scale of 1 (no suspicions) till 10 (high suspicions). Participants have not yet received detailed info on the definition of THB, so this exercise is stimulating them to explore what they think trafficking is about.</p> <p>After the discussion in pairs, the trainer leads a plenary discussion in which (s)he asks the participants to clarify their decision whether the examples are trafficking or not. The trainer then explains the definition of THB, based on the law and how you can determine in practice whether this is a case of THB or not. This is done by a three steps determination containing the most important elements of trafficking:</p> <ol style="list-style-type: none"> <li>1. <b>Action:</b> recruitment; transportation; transfer; harbouring; receipt of persons</li> <li>1. <b>Means:</b> threat; force; other forms of coercion; abduction; fraud/deception; abuse of power or vulnerability; giving and receiving of payments</li> <li>1. <b>Purpose:</b> exploitation of prostitution and other forms of sexual exploitation; forced labour and services; slavery and similar practices; involuntary servitude; removal of organs</li> </ol> <p>In conclusion, one can say that THB consists of a person actively acting by means of threat, force, abuse of power, etc. with the purpose of exploitation</p>

	Option: in some groups it might also be necessary to shortly explain the difference between trafficking and smuggling. This will take an extra 10-15 minutes. For this, the following overview from the European TrafGuID may be used:		
		<b>Trafficking in Human Beings</b>	<b>Smuggling of migrants</b>
	<b>Purpose</b>	Exploitative	For financial or
	<b>Consent</b>	Invalid consent	Valid
	<b>Transnationality</b>	Not required	Required
	<b>Crime</b>	Against the person	Against the state
Training attributes	A4 papers with three examples of possible trafficking cases Flipchart sheet 4: definition of THB incl. 3 main elements See Appendix 3 for hand-out to be used during this exercise		

### Exercise 3. Labelling newspaper headlines according to sexual, labour or criminal exploitation

Duration of exercise	15 minutes
Aim	Participants will be able to recognize different forms of exploitation
Training elaboration	The trainer reads out loud different recent newspaper headlines that concern cases of trafficking. Plasticized cards are put in each corner of the room, indicating sexual, labour or criminal exploitation or a combination thereof. The participants discuss among each other and decide whether this is a case of sexual, labour or criminal exploitation or a combination and take position in one of the corners. If they want to ask a clarifying question to the trainer, they can pick up a wooden spoon that is placed in the middle of the room. In total there are three wooden spoons, so three possible questions for the group to ask.  After choosing sides, the trainer clarifies under which form of trafficking this particular case can be identified and why.
Training attributes	List of recent newspaper headlines re. trafficking cases 4 plasticized cards 3 wooden spoons

### Exercise 4. Recognizing and labelling signals of trafficking

Duration of exercise	30 minutes
Aim	Participants will be able to recognize and label signals of trafficking
Training elaboration	Participants split up in four groups. The trainer hands out paper sheets to every group, containing seven signals of trafficking, and a cardboard, divided in three sections: 1. <b>Action</b> ; 2. <b>Means</b> ; 3. <b>Purpose</b> .  The trainer then asks the participants in which section each signal should be placed. Participants are invited to use a scissor to cut out the different signals and place them on the cardboard.  After the work in small groups, there is a plenary discussion in which the trainer clarifies all the signals and also explains that sometimes signals can be placed in several sections. She also stimulates the group how to ask follow-up questions to determine how the signals should be interpreted.
Training attributes	4 cardboards 4 A4 paper sheets with 7 signals per group. 4 scissors See Appendix 3 for hand-out to be used during this exercise

### Exercise 5. Recognizing and labelling signals of trafficking for specific professional groups

Duration of exercise	20 minutes
Aim	Participants' awareness will be raised that specific professional groups might recognize different signals of trafficking and that it is important to connect different signals with each other between professional groups
Training elaboration	<p>Participants work in the same four groups, with the same seven signals and cardboard, but this time the cardboard is turned over. On the backside you will find four different professionals:</p> <ul style="list-style-type: none"> <li>• Front office employee of city hall where new residents have to register themselves</li> <li>• Medical doctor at first aid ward in hospital</li> <li>• Volunteer at a migrant's church</li> <li>• Front office employee at Chamber of Commerce</li> </ul> <p>The trainer now asks the participants which professional could have picked up the signals of trafficking? After the work in small groups there is a plenary session to discuss the outcomes and clarify that different professional groups might pick up different signals. It is also discussed what the consequences of this might be.</p>
Training attributes	<p>4 cardboards</p> <p>See Appendix 3 for hand-out to be used during this exercise</p>

### (Alternative) Exercise 6. Recognizing and labelling signals of trafficking from a 'real live example'

Duration of exercise	20 minutes
Aim	Participants will be able to recognize and label signals of trafficking
Training elaboration	<p>The trainers shows a video to the participants of a young woman, who leaves her boyfriend and home to go abroad for work. The video shows her discussing with her boyfriend how to stay in touch and saying goodbye, then stepping into a car in which several other young women are already waiting and handing over her identity papers to the driver. The video ends with her boyfriend trying in vain to get in touch and a last shot in which several mobile phones are shown left in a pile.</p> <p>The trainers asks the participants to watch carefully and note down the answers to the following questions:</p> <ul style="list-style-type: none"> <li>• Which signals of trafficking do you observe in the video?</li> <li>• What from of exploitation do you observe?</li> <li>• Why did this person not walk away from the situation?</li> <li>• Who (which professional group) could have picked up these signals?</li> <li>• In what way could you encounter this person in your line of work?</li> <li>• What could you do if you encountered this person?</li> </ul> <p>After the first round of watching the video, participants are asked to share their observations. The trainer then clarifies points missed and the video is showed again. This might be repeated a few times, depending on the group.</p>

	<p>Note: different videos may be used. Good examples can be found at:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.youtube.com/watch?v=0N1N-X10RpK">https://www.youtube.com/watch?v=0N1N-X10RpK</a></li> <li>• <a href="https://www.youtube.com/watch?v=RR3-epDmsks">https://www.youtube.com/watch?v=RR3-epDmsks</a></li> <li>• <a href="https://www.youtube.com/watch?v=yhxDDqbWCq4">https://www.youtube.com/watch?v=yhxDDqbWCq4</a></li> <li>• <a href="https://www.youtube.com/watch?v=q2Ug_kxPQ3E">https://www.youtube.com/watch?v=q2Ug_kxPQ3E</a></li> <li>• <a href="https://www.youtube.com/watch?v=a9S4coTgTeM">https://www.youtube.com/watch?v=a9S4coTgTeM</a></li> <li>• <a href="https://www.youtube.com/watch?v=Tk-KyD1sx-o">https://www.youtube.com/watch?v=Tk-KyD1sx-o</a></li> </ul> <p>These videos were developed within the “Open your eyes!” campaign, in the context of the MIRROR Project, funded by the EU Fund Prevention of and Fight against Crime and co-financed by the Spanish Ministry of Employment and Social Security. The videos aim to help the society to open the eyes to a reality which is closer than what we can imagine: trafficking with the purpose of labour exploitation. The Spanish NGO Accem launched the “Open your Eyes!” campaign, together with other European organizations: On the Road and Buon Pastore from Italy, Churches’ Commission for Migrants in Europe (CCME) from Belgium and Fundatia Floarea Ialomiteana from Romania.</p>
Training attributes	Video, laptop, beamer with sound

## Exercise 7. How to develop follow-up questions after picking up a signal of THB

Duration of exercise	20 minutes
Aim	Participants will know which follow-up questions they can ask after picking up a signal of THB.
Training elaboration	<p>The participants split up in four groups. The trainer gives every group a case study to analyse:</p> <p>Danita works as a sex worker. Her clients come to her boyfriend’s house in Sittard, a town in the south of the Netherlands on the border with Belgium and Germany. You are a professional and she comes to you with a practical question. She would like to send more money home to her family in Bulgaria and would like your advice on how to arrange this.</p> <p>When you ask her about the arrangement with her boyfriend, she tells you that she gives 50% of her earnings to her boyfriend in exchange of lodging and boarding. He arranges her clients and negotiates with them about the prices and the sexual services that Danita provides. Danita tells you: ‘I like it here and I enjoy my new life.’</p> <p>You have some doubts whether this could be trafficking. Which questions would you ask her to determine whether this is a trafficking case or not?</p> <p>One or two of the participants ask questions, the other(s) observe(s). The goal of this exercise is to determine the seriousness of Danita’s situation. Is she a sex worker worked of her own free will or is this a case of trafficking?</p> <p>After the work in small groups there is a plenary session in which participants clarify the questions that they asked, what worked well and what didn’t.</p>
Training attributes	Case study

## Exercise 8. How to develop follow-up questions after picking up a signal of THB

Duration of exercise	20 minutes
Aim	Participants will know which follow-up questions they can ask after picking up a signal of THB.
Training elaboration	<p>Participants split up in small groups of three. The trainer asks every group to think of additional questions they might ask if they suspect a case of trafficking. The participants note down these questions on the flipchart sheet. The questions should gain the trust of the possible victim, but should also lead to more information. Questions should be developed for all three elements of trafficking: 1. Action; 2. Means; 3. Purpose.</p> <p>After the work in small groups there is a plenary feedback in which every group mentions the additional questions they have come up with. The trainer writes down these questions on the flipchart sheet and asks for feedback from the other participants: is this a good follow-up question? Why so, or why not?</p>
Training attributes	Flipchart sheet

## (Optional) Exercise 9. How to combine and interpret signals and how to address the possible victim

Duration of exercise	20 minutes
Aim	Participants will become aware at which point they need to take follow-up action with the client if they suspect (s)he is a victim of trafficking.
Training elaboration	<p>The trainer asks the participants to stand up and form a row. The trainer reads a case out loud. With every sentence she adds a new signal. The trainer asks the participants to make a step forward if they think it is now time for them to discuss with the client whether she might be a victim of trafficking.</p> <p>This exercise trains participants to develop insight that a trafficking case often combines several signals. When just one signal is visible, it might not attract attention, but if several signals are combined, a red flag should go up.</p> <p>The following case is presented step by step:</p> <ol style="list-style-type: none"> <li>1. Mascha from Russia has come to see you because something is bothering her.</li> <li>2. Her boss makes sexually oriented jokes.</li> <li>3. She does not like this, but does not know what to do about it. She works as an au-pair with a farmer's family in the countryside.</li> <li>4. The family has three children and their motto is 'Work hard, don't mess around.'</li> <li>5. You ask for some more specifics and Mascha tells you that her boss keeps her passport in his safe 'for safekeeping.'</li> <li>6. Mascha works 14 hours per day, six days per week. She doesn't consider the work, she says.</li> <li>7. She receives lodging, boarding and some pocket money, but no salary.</li> <li>8. She says she would like to Snapchat with family and friends, but she is only allowed to do that in the weekends.</li> <li>9. In practice, often she is also not allowed contact with family and friends in the weekend.</li> </ol> <p>Optional follow-up exercise</p> <p>Participants split up in small groups of three people. The trainer asks each group to write out a scenario like the above in which more signals are added every time. The participants are asked to indicate at which point they think they have enough information to talk to the possible victim about his/her situation.</p>
Training attributes	None



### Exercise 10. How to open up the conversation with a possible victim

Duration of exercise	10 minutes
Aim	Participants will know how to open up a conversation with a possible victim while building up trust.
Training elaboration	Participants split up in duos. Both participants try out a way to open up a conversation with a possible victim of trafficking by asking questions. They take turns at playing the interviewer and the possible victim. The aim of this exercise is to share their worries with the possible victim and gain trust, but not (yet) go into detail about their suspicions that (s)he is a trafficking victim. Participants are encouraged to deliberately try out a ‘good way’ and a ‘wrong way’.  Participants discuss in the small groups what worked well and what didn’t.
Training attributes	Paper sheet: ‘Three ways to open the conversation with a possible victim of trafficking’

### Exercise 11. How to open up the conversation with a possible victim of trafficking and gain his/her trust

Duration of exercise	10 minutes
Aim	Participants will know how to open up a conversation with a possible victim while building up trust.
Training elaboration	The participants work in the same duos as in exercise 10. Both participants practice again how they can start a conversation with a possible victim, but this time they make use of the paper sheet with practical suggestions. They each try out two suggestions from the paper sheet.
Training attributes	Paper sheet: ‘Three ways to open the conversation with a possible victim of trafficking’ See Appendix 3 for hand-out to be used during this exercise

### Exercise 12. Roadmap: how to obtain more information about a possible trafficking situation and refer a victim of trafficking

Duration of exercise	30 minutes
Aim	Participants will know how to open up and continue a conversation with a possible victim while building up trust.
Training elaboration	The participants split up in groups of three. They interview a possible victim of trafficking according to the following case:  Janusz works six days per week for a horticulture company in the Netherlands. He earns 3,35 euro per hour. He sleeps in a caravan on the premises of the company he works for. He comes to you because he heard that he should earn more money than he actually receives.  After analysing the case, each small groups divides the following roles: <ul style="list-style-type: none"> <li>• Interviewer</li> <li>• Possible victim</li> <li>• Observer that checks whether the interviewer keeps to the road map</li> </ul> Five stepping stones (made of paper/cardboard) are placed on the floor. The interviewer and the possible victim each stand on one side of the first stepping stone. The interviewer starts asking questions. (S) he moves to the next stepping stone when (s)he reckons (s)he has asked all questions related to step 1, etc. etc. The possible victim also moves along, but only if (s)he feels that all the relevant questions have been asked and that (s)he can trust the interviewer enough to take the next step.  If there is enough time participants switch roles and/or discuss among each other what worked and what did not.  The trainer ends the exercise with a short plenary feedback asking participants how they experienced the exercise. She then summarises what they have learned.
Training attributes	Roadmap ‘Do you suspect that someone is a victim of trafficking?’ Stepping stones (paper/cardboard) that indicate the five steps in the roadmap Flipchart sheet See Appendix 3 for hand-out to be used during this exercise

### 3.4 Safe Future, Safe Return training programme

#### 3.4.1 Target group

The Safe Future, Safe Return training aims at social workers and other care professionals within (I)GO's/NGO's who work directly with victims of trafficking (or other vulnerable groups) from 3rd countries outside the EU.

#### 3.4.2. Training goals

The goals for the training on early identification of victims of trafficking could be defined as follows:

By the end of the training, participants will know:

- What the Safe Future Methodology entails
- Their own views on safe future and safe return and how this influences the contact with their clients

And they will be able to (with help of tools from the Safe Future Methodology):

- Formulate questions to start a conversation with victims of trafficking regarding their future
- Map the client's social network and other resources
- Develop a road map for referral, including the option of safe return and reintegration, using instruments from the Safe Future Methodology

#### 3.4.3 Training programme example

A one-day training programme (app. 09:30–16:30 hours) on safe future, safe return of victims of trafficking could be planned as follows:

Time	Training component	Training elaboration	Training attributes
09:30	Welcome	<ul style="list-style-type: none"> <li>-Introduce trainers</li> <li>-Introduce training programme (on flip-chart). Name the Safe! project as source!</li> <li>-Clarify: what will participants have learned at the end of the training (on flipchart)?</li> </ul>	Filled-in flipcharts
09:40	Getting acquainted	<p>Exercise 1. Getting acquainted</p> <p>Participants shortly introduce themselves by telling their name, organization and position.</p>	Name plates
10:10	'Taking position'	<p>Exercise 2. Taking position</p> <p>The trainers introduce various statements regarding safe return and safe future to the participants and then ask participants to take position.</p>	Plasticized A4 size cards with 'I agree', 'I disagree' and 'I don't know'
10:45	Coffee break		

Time	Training component	Training elaboration	Training attributes
11:00	Presentation Safe Future Methodology	Theory. Safe Future Methodology Participants get acquainted with the Safe Future Methodology and its two-track approach (step-by-step exploring the possibilities of staying in the country of destination or returning to country of origin of the victim). The methodology's steps are clarified by using a case study.	PowerPoint presentation Beamer, laptop
11:30	Instruments from the Safe Future Methodology 1	Exercise 3a, 3b, 3c and/or 3d. Instruments from the Safe Future Methodology Choosing an exercise from 3a, 3b, 3c, 3d Getting acquainted with instruments from the methodology by actively exercising with them.	Instruments from Safe Future Methodology book: Overview 1 Overview 2 Action Plan Ecogram Paper A4 Flipchart sheets, paper, markers, examples of ecogram
12:15	Lunch		
13:15	Instruments from the Safe Future Methodology 2	Exercise 3a, 3b, 3c and/or 3d. Instruments from the Safe Future Methodology (continued) Choosing an exercise from 3a, 3b, 3c, 3d	Idem
14:00	Social map	Exercise 4. Social map Getting acquainted with the social map re. Safe Return, knowing how to work with this and which organizations are available to organize safe return and reintegration	Information re. available organizations A4 paper Flipchart sheets, markers, laptops (minimal of 4)
14:40	Coffee break		
15:00	Support with safe reintegration in country of origin	Exercise 5. Exploring possibilities for safe reintegration in country of origin. How to use the client's social network	Flipchart sheets
15:30	Explain how you work with the Safe Future Methodology	Exercise 6: Elevator pitch: Explain the Safe Future Methodology in 1 minute	Stopwatch (mobile phone), preferably with alarm sound
16:00	Closure What will you take home from this training?	Closure Discuss with participants how they will share the content of the training with their colleagues.	
16:15	Closure/ evaluation	Evaluation • Evaluation: via evaluation form and/or exercise • What have you learned? • Closing exercise: ABC: 'in one word: what will you take home from this training?' • Certification ceremony	

### 3.4.4 Description of the exercises

#### Exercise 1. Training element: Getting acquainted

Duration of exercise	30 minutes
Aim	The participants get to know each other. The trainers will have a better understanding of the participants as well. Create a friendly and trusting atmosphere in which participants dare to share.
Training elaboration	<p>Option 1: participants tell their name, organization they work for and position that they have within the organization. This is followed by an exercise with standing up and sitting down according to questions asked by the trainers. The questions can vary and be adjusted to the group of participants that is being trained. They can also vary between ‘professional’ and more ‘personal/casual’ questions. It goes as follows:</p> <p>Stand up if you:</p> <ul style="list-style-type: none"> <li>• Work with migrants</li> <li>• Got up this morning before 7 o’clock</li> <li>• Work with victims of trafficking</li> <li>• Have already experience with the Safe Future</li> <li>• Work with victims of domestic violence</li> <li>• Work in residential care</li> <li>• Work in ambulatory care</li> <li>• Worry sometimes about a client’s residence status</li> <li>• Work too many hours behind a computer</li> <li>• Etc. etc.</li> </ul> <p><b>Option 2:</b> Discuss with your neighbour: have you ever had a case in which you talked to a client about returning to his or her country of origin and what this would mean for that client? Can you tell a bit more about this? Were there any dilemmas in the conversation that you had with your client? Were these the client’s dilemmas or you’re own, or both?</p>
Training attributes	None

#### Exercise 2. Training element: Taking position

Duration of exercise	30 minutes
Aim	Participants will become aware of their own attitude towards various options for the future that clients have. Participants will also become aware of how their own backgrounds and values influence how they interact with victims of trafficking.
Training elaboration	<p>Through the middle of training room an imaginary line is drawn with on one side the option ‘I agree’ (indicated by a plasticized card placed on the wall with this text) and on the other side the option ‘I disagree’. Somewhere near the middle there is the option ‘I don’t know’, also indicated by a card that is laid down on the floor.</p> <p>The trainer reads a statement out loud. The participants choose position in space by standing by the option that they agree upon. The closer to the wall, the more they agree or disagree.</p> <p>The trainer asks several participants to clarify why they have chosen this position and hereby stimulates the discussion among participants. The trainers also stimulate participants to try and convince other participants of their opinion and change positions. All participants are allowed to change from position if they are convinced by the other participants’ arguments.</p>

	<p>Statements (to choose from and/or to be varied according to local needs and interest):</p> <ul style="list-style-type: none"> <li>• A client always has control over his/her future</li> <li>• A social worker influences the decisions that a client takes with regards to staying in the country of destination or return to the country of origin.</li> <li>• I don't consider it necessary to talk with a client about the possibility of returning to his/her country of origin</li> <li>• For most victims of trafficking staying in the country of destination offers a better perspective than returning to their country of origin</li> <li>• If there is a war or armed conflict going on in the country of origin, a victim of trafficking cannot return</li> <li>• Victims of trafficking that remain in the country of destination as an undocumented ('illegal') migrant are taking irresponsible risks</li> <li>• Children should be present when the family's future is discussed, including the possibility that the family might return</li> <li>• It is useless to discuss the option of return with clients that strongly oppose this option</li> <li>• By discussing the option of return to the country of origin I am harming the relation with my client</li> <li>• If a client has a very strong legal case against a trafficker I do not need to discuss the option of return (in the NL, when a trafficker is convicted, the victims gets a permanent residence permit)</li> </ul>
Training attributes	<p>Plasticized cards with 'I agree', 'I disagree', 'I don't know', adhesive tape to adhere them to the walls or put on the floor</p> <p>Option: red thread to mark the dividing line</p> <p>Option: write the statements down on a flipchart sheet (esp. practical if the statements have to be translated)</p>

### Exercises 3a, 3b, 3c and 3d. Training element: Working with instruments from the Safe Future Methodology

#### Exercise 3a: Overview 1: Compare the situation in country of origin and situation in country of destination and explore the opportunities and obstacles for safe return and reintegration

Duration of exercise	40 minutes
Aim	The participants will know how to engage with their clients in a conversation about their future by asking effective questions and making use of the instrument. (By actively contemplating the questions that they could ask their clients, the participants also discover possible difficulties that might arise in the conversation and ways how to solve them.)
Training elaboration	<p>This instrument gives an overview of different factors that influence a client's decision on whether to return to the country of origin or wanting to stay in the country of destination. The instrument is divided in fields such as income, housing, safety, protection from violence, position of children, family and network, social status after return, health issues, etc.</p> <p>Participants receive a hand-out of Overview 1 from the Safe Future Methodology. Participants will work in small groups of 3-4 people.</p> <p>The trainer asks the participants to formulate questions that they might ask their clients if they work with this instrument. What are the right questions to start a conversation with and obtain trust with the client? Each group gets assigned one or two fields within the instrument they should focus on, e.g. one group will focus on questions relating to children and social position after return, another group will focus on questions related to security and income, etc. Participants are required to write down these questions on flipchart sheets (20 minutes in total).</p> <p>In addition to formulating the questions participants could pose to their clients, they are also required to contemplate what possible obstacles could arise if they would ask their clients these questions in practice and how they would deal with this.</p> <p>After the work in small groups the questions will be discussed in the plenary session, coached by the trainer. As the last part of this exercise the participants are asked to indicate which questions they think are the most effective to use. This can be done by 'voting by dots', i.e. asking the participants to mark their favourite questions</p>
Training attributes	<p>Copies of Overview 1 from the Safe Future Methodology, A4 paper, flipchart sheets, markers</p> <p>See Appendix 4 for hand-out to be used during this exercise</p>

### Exercise 3b. Overview 2. Factors that might still change

Duration of exercise	30 minutes
Aim	The participants will know how and when to engage in a conversation with their clients about factors in their decision about the future that are still likely to change, by asking the right questions and making use of the instrument.
Training elaboration	<p>After filling in Overview 1, the social worker discusses with the client which factors that influence a client's decision about his/her future are still likely to change. For example, if a client indicates (s)he cannot return home because (s)he has no social network in the country of origin it might occur after working with the client that there are still possibilities to reinstall a social network. Or there might be changes in the client's safety position, income and housing possibilities, etc.</p> <p>Participants receive a hand-out of Overview 2 from the Safe Future Methodology. Participants will work in small groups of 3-4 people.</p> <p>The trainer asks the participants to discuss when and how this instrument can be used. Which questions can be formulated that they might ask their clients if they work with this instrument? Participants are required to write down their ideas and possible questions on flipchart sheets (10 minutes in total).</p> <p>After the work in small groups the ideas and questions will be discussed in the plenary session, coached by the trainer.</p>
Training attributes	<p>Copies of Overview 2 from the Safe Future Methodology, A4 paper, flipchart sheets, markers</p> <p>See Appendix 4 for hand-out to be used during this exercise</p>

### Exercise 3c. Personal Action Plan for Return

Duration of exercise	40 minutes
Aim	The participants will know how to develop a Personal Action Plan for Return with their clients.
Training elaboration	<p>Participants receive a hand-out of the Personal Action Plan for Return from the Safe Future Methodology. Participants will work in small groups of 3-4 people.</p> <p>The trainer asks the participants to keep one of their clients in mind and choose some fields from the Personal Action Plan for Return that are most urgent for this particular client to enable him/her to return safely. This will be done individually (10 minutes). The fields are similar to the fields in Overview 1 and 2 and comprise elements such as income, security, care for children, (mental) health care, social network, social status after return, etc.</p> <p>The participants then discuss in the small groups why they have chosen these particular fields in the Personal Action Plan for Return for this specific client. Every participant will be heard. Participants ask each other questions to clarify their choices, indicate the first steps they would take to fill in the Personal Action Plan for Return and possible obstacles they expect while filling in the plan with their clients.</p> <p>There will be no plenary feedback at the end of this exercise. Trainers walk around to assist the sub-groups where needed.</p>
Training attributes	<p>Copies of Personal Action Plan for Return from the Safe Future Methodology, A4 paper, flipchart sheets, markers and pens</p> <p>Check the Safe Future Methodology for the complete Personal Action Plan for Return</p>

### Exercise 3d. Ecogram

Duration of exercise	50 minutes
Aim	The participants will know how to work with the ecogram. This will help them (and the client) to obtain more information about the client's social support network that (s)he can rely on.
Training elaboration	<p>The participants receive Annex 8: Ecogram from the Safe Future Methodology. They will work in small groups of two people.</p> <p>The trainer asks the participants to make an ecogram of each other. One person asks the questions, the other one responds based on her/his own personal situation. After the ecogram is completed, the duos will discuss the added value of making an ecogram with their clients. What was difficult for the participant that asked the questions and what was difficult for the one responding? Were some questions easier or more difficult to ask than others? What was the personal effect on both? Does the way you ask questions influence the response of the other? What could you adjust (30 minutes in total)?</p> <p>After the work in duos the group will come back to the plenary session and discuss how using this instrument could be of added value for clients and how it could help them prepare for their future (20 minutes).</p>
Training attributes	<p>Copies of Ecogram from the Safe Future Methodology, A4 paper, example of a filled-in ecogram</p> <p>See Appendix 4 for hand-out to be used during this exercise</p>

### Exercise 4. Social map with regards to safe return and reintegration

Duration of exercise	40 minutes
Aim	The participants are familiar with the use of a social map regarding safe return and reintegration, how to obtain relevant information and are able to inform their clients properly about the possibilities.
Training elaboration	<p>The participants split up in groups of three. Every group receives information/materials about organizations that are involved in safe return and reintegration (newsletters, websites, leaflets, etc.).</p> <p>The trainer asks the participants to delve into the information and prepare a short presentation for all participants (15 minutes) in which the following elements are highlighted:</p> <ul style="list-style-type: none"> <li>• What are the target groups that this organization aims at?</li> <li>• For which countries does this organization offer assistance with safe return and reintegration?</li> <li>• Does this organization focus on help for preparing safe return or on help for safe reintegration after return?</li> <li>• What does the help entail?</li> </ul> <p>After the work in small group there is a plenary session (25 minutes) in which each organization makes a presentation of 'their' organization.</p>
Training attributes	<p>Information in plastic files about the organizations involved in safe return and reintegration</p> <p>Flipchart sheets, markers, laptops (minimal 4, to be added to by mobile phones if necessary)</p>



## Exercise 5. Exploring possibilities for safe reintegration in country of origin. How to use the client's social network

Duration of exercise	30 minutes
Aim	The participants feel stimulated to explore, together with their clients, the possibilities for support in the country of origin. Also, as a result of the exchange with other participants, they have obtained new skills on how to build up the client's social network in the country of origin.
Training elaboration	<p>The participants will work in groups of three. The trainer asks them to visualize the situation that their client is preparing for return to their country of origin. The trainer then asks the participants to think of three ways how they could connect their clients with a useful social network (e.g. church, social support organization, family, medical support services, etc.). Use your creativity!</p> <p>Participants are then asked to answer the following questions within the small groups:</p> <ul style="list-style-type: none"> <li>• How can you determine sources of social support in the country of origin of your client? What possible starting points do you have? ...</li> <li>• How can your client (with your help) access this social network? ...</li> </ul> <p>The answers to these questions are filled in on flipchart sheets.</p> <p>After the group is done, they compare the different options and ideas. Ask each other questions: do you think this can actually happen in practice with your client? Would you be able and willing to work like this with your client?</p> <p>At the end of the exercise there is plenary feedback in which several participants are invited to share the favourite ideas in their groups.</p>
Training attributes	Flipchart sheets

## Exercise 6. Elevator pitch. Explain the Safe Future Methodology in 1 minute

Duration of exercise	30 minutes
Aim	The participants are able to explain the Safe Future Methodology to their clients or relevant others and pinpoint its importance. Also, the participants are able to verbalize what they have learned during the training.
Training elaboration	<p>The participants work in duos and explain the Safe Future Methodology to each other in mini-role playing. There are several rounds (in which some rounds may be repeated in order to improve the presentations), depending on available time and what the group needs.</p> <p>The trainer explains that an ‘elevator pitch’ will be used. Each participant has one minute to explain the Safe Future Methodology to the other (in the first round this may be two minutes, just to practice). After every round participants switch roles, one becomes the listener and the other does the elevator pitch. Also, in every round the listener becomes somebody else:</p> <p><b>Role play 1:</b> A is a colleague that did not participate in the training, B is the other participant. A allows B to complete his/her ‘elevator pitch’ and is only allowed to ask one clarifying question if need be.</p> <p><b>Round 1 :</b></p> <ul style="list-style-type: none"> <li>• Explain in one minute: What is the Safe Future Methodology?</li> </ul> <p><b>Round 2:</b></p> <ul style="list-style-type: none"> <li>• Explain in one minute: Why do you think it is important to discuss the future with clients?</li> </ul> <p><b>Role play 2:</b> Now A is a relatively new client for whom the future is still very uncertain. It is not clear whether (s)he will be allowed to stay the country of destination</p> <p><b>Round 3 :</b></p> <ul style="list-style-type: none"> <li>• Explain in one minute: What is the Safe Future Methodology?</li> </ul> <p><b>Round 4:</b></p> <ul style="list-style-type: none"> <li>• Explain in one minute: Why do you think it is important to discuss the future with clients?</li> </ul> <p><b>Role play 3:</b> Now A is an (asylum) lawyer who fights for a permanent residence permit for her client.</p> <p><b>Round 5 :</b></p> <ul style="list-style-type: none"> <li>• Explain in one minute: What is the Safe Future Methodology?</li> </ul> <p><b>Round 6:</b></p> <ul style="list-style-type: none"> <li>• Explain in one minute: Why do you think it is important to discuss the future with clients?</li> </ul> <p>Another possible role-play could be that A is a client with diminished intellectual abilities, but other options are also possible.</p> <p>In between rounds or at the end of this exercise a plenary feedback will be organized among the participants re. questions such as: What worked? What was difficult? What were the differences between the various target groups in your role-plays? Also, the possibility could be offered to retry a round if participants are not satisfied with their elevator pitch and have received feedback for improvement.</p>
Training attributes	Mobile phone with alarm, preferably stopwatch

### 3.5 Final remarks

Organizations that would like to develop and/or implement training themselves on the issue of early identification or safe future, safe return based on the the EU TrafGuID and the Safe Future Methodology are invited to make free use of the training modules that were developed within the Safe! project, under the condition that the source of the trainings modules are mentioned, as well as the financing of the Safe! project by AMIF and the Dutch Ministries.

The pool of trainers that were involved in the Safe! project is also available for future training requests. Feel free to approach either FairWork ([www.fairwork.nu](http://www.fairwork.nu)) or HVO-Querido ([www.hvoquerido.nl/acm/](http://www.hvoquerido.nl/acm/)). Both organizations can also be reached by e-mail: [info@fairwork.nu](mailto:info@fairwork.nu) or [acm@hvoquerido.nl](mailto:acm@hvoquerido.nl).

## Chapter 4      **Zooming in: National Platform in the Netherlands**

**This chapter addresses the situation of victims of trafficking from third countries in the Netherlands, as well as the main challenges and recommendations regarding their early identification and safe return and sustainable reintegration.**

### Chapter structure

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### 4.1      **Structure of the National Platform**

The structure of the National Platform in the Netherlands differed somewhat from the other partner countries. As it was the first National Platform to be implemented, preparation of the training programmes by Safe!’s partner organization FairWork and the forming of the trainers pool was still in full swing. Therefore it was decided to separate the training from the Expert Meeting itself. Consequently, two ‘try-out’ trainings were performed in the Netherlands at the end of October 2017 prior to the Expert Meeting on 4 December 2017. Also unlike the other National Platforms, those the participating in the Early Identification training came from different organizations than those attending the Safe Future, Safe Return training (with some exceptions). In follow-up to the National Platform, two trainings on Safe Future, Safe Return were organized for social workers at a so-called ‘Bed Bath Bread’ shelter for undocumented migrants in Amsterdam.

In total 115 participants attended the National Platform in the Netherlands. 17 participants attended the Early Identification training from NGO’s that come in close touch with migrants and refugees, such as ASKV; Barka; Zonder Pardon op Straat; IDHEM and Wereldhuis/Diaconie. Other participants came from women’s shelters, refugee organizations and hotlines/expertise centres on domestic violence. With regards to the Safe Future, Safe Return training, there were in total 21 participants, coming from (women’s) shelters, refugee organizations, NIDOS and Equator Foundation, supplemented by specialized social workers employed as ‘care coordinators’ for victims of trafficking. FairWork developed and implemented the training programme. The participants to both trainings also delivered important feedback on the try-outs, which was then incorporated into the training programmes for the other National Platforms and the International Platform. Last but certainly not least 17 social workers attended the Safe Future, Safe Return training in the ‘Bed Bath Bread’ shelter in Amsterdam.

HVO-Querido and CoMensha hosted the Expert Meeting on 4 December 2017, welcoming 60 professionals from a great diversity of organizations: IOM; Immigration Naturalization Service; Repatriation and Departure Service; Royal Military Police; National Police; Ministry of Justice and Security; Office of the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children; (women’s) shelters; NIDOS; Red Cross Netherlands; Spirit; Not for Sale; Sister Works; SHOP The Hague; Zonder Pardon op Straat; municipalities of Rotterdam, Amsterdam and Weert; refugee organizations and asylum seekers centres.

## 4.2 Short introduction to the situation in the Netherlands

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons is incorporated into Dutch law under article 273f of the Penal Code. The law applies to Dutch and foreign victims of trafficking. Victims from third countries are entitled to a three months reflection period during which they have to decide whether they will press charges against their perpetrators or not. Victims that press charges are entitled to a temporary humanitarian residence permit, which is valid for one year and may be extended for the duration of the criminal proceedings. Victims have the right to work while they hold this temporary residence permit. If the case goes to court, victims of trafficking will be granted a temporary residence permit for five years on humanitarian grounds.

The Netherlands has been a country of destination for victims of trafficking from third countries since the early '90s of the 20th century. More recently, there is a growing recognition that the Netherlands is also a country of origin for minors and young adults with the Dutch nationality that are forced into sexual exploitation by young male traffickers, so-called 'lover boys'. These latter cases were often hidden in the past, but nowadays form the largest group as also indicated below.

The National Rapporteur Trafficking in Human Beings and Sexual Violence against Children estimates that there are between 5,000 – 7,000 victims of trafficking in the Netherlands per year. Only 19% of the estimated figure is reported to CoMensha, the national Coordination Centre against Trafficking in Human Beings, which registered 5,433 victims between 2013 and 2017. Dutch victims of sexual exploitation form the largest group of victims of trafficking in the Netherlands: the estimated figure is 3,000 per year, of which 1,300 are minors. In comparison it is estimated that approximately 2,700 third country nationals are victims of trafficking in the Netherlands every year, 1,300 are victims of sexual exploitation and 1,400 are victims of other forms of trafficking, mostly being labour exploitation<sup>17</sup>.

### *Brigita (Slovakia)*

*Brigita grew up in a small village in Slovakia. Her father has a Roma background and enjoys a strong reputation within the community. In her youth Brigita completed primary school and then started training as a baker, but she couldn't finish due to lack of money. Brigita has a two-year old son from a previous relationship with a physical disability that needs surgery to prevent permanent invalidity.*

*Before she left for the Netherlands, Brigita worked in a factory. With the money she earned she tried to take care of her parents and her son, but her salary was not enough to make ends meet, especially with high hospital bills for her son. Together with her boyfriend, his nephew and uncle, she left for the Netherlands to look for work. She did not inform her parents.*

*In the Netherlands Brigita was offered a job in a club. She accepted this offer, but said she did not realize what kind of work she had to do. At the club someone offered her a drink after which she fainted. Brigita's behaviour alarmed the club's owner who then called the police. The police offered the reflection period to Brigita as it was suspected that she might be a victim of trafficking.*

*Brigita was admitted to HVO-Querido's specialized shelter for victims of trafficking. Her boyfriend, his cousin and his uncle were arrested by the police on suspicion of trafficking and placed in detention.*

*At admission to the shelter Brigita indicated that she wanted to return to her parents and son in Slovakia as soon as possible. The IOM was called in, they started a conversation with Brigita and the return process was set in motion. Brigita said she wanted to finish her bakery training and that her biggest wish was for her son to undergo surgery. IOM Slovakia established contact with her parents who were extremely worried and indicated that they would welcome their daughter back home.*

*Brigita did not want to file a report and did not believe that her boyfriend was involved in human trafficking. After a few weeks the police informed the shelter that her friend has been released, but was still suspect in the case.*

*Later, after her lawyer and shelter staff gained Brigita's trust, it became apparent that she was kidnapped by force from Slovakia and had not voluntarily left to earn money as she had previously declared. Her father also learned that Brigita was still under the influence of her traffickers and that her boyfriend and his accomplices would wait for her upon return at the airport in Slovakia. In consultation with the police, IOM and the shelter, it was decided not to give Brigita her mobile on departure from Schiphol to prevent her from renewing contact with her traffickers. On arrival in Slovakia she was met by IOM Slovakia, leaving the airport via a different exit.*

<sup>17</sup> Nationaal Rapporteur Mensenhandel en Seksueel Geweld tegen Kinderen. Slachtoffermonitor 2013-2017 (The Hague 2018), 125-126

In 2017 958 victims were reported to CoMensha, 339 with the Dutch nationality and 619 were third country nationals, divided among 70 nationalities in total. The ‘top 10’ consisted of victims from Poland (80), Romania (70), Nigeria (46), Uganda (34), Hungary (32), Guinea (30), Bulgaria (27), Philippines (20), China (20) and Sierra Leone (13)<sup>18</sup>.

The National Rapporteur analysed that the small percentage of victims identified over the period 2013 – 2017 is among others due to lack of capacity and setting of other priorities within the police force (especially in 2015 the focus was on the large influx of refugees and migrants and on human smuggling rather than on human trafficking). Another important factor is due to privacy reasons as victims have to give informed consent to be registered and in practice this is often difficult to obtain. A last important factor is that sexual exploitation shifts more and more to less visible parts of the sex industry in the Netherlands, such as escort services and sexual exploitation in private houses<sup>19</sup>.

### ‘Top of the iceberg’

A 2017 report<sup>20</sup> published by the Office of the Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence Against Children contains an estimate produced by experts in estimating the size of hidden populations of trafficked persons. According to the report, the estimated number of victims of human trafficking is five times as big as the number of identified victims and comes down to approximately 6,250 victims in the Netherlands each year. The report contains data concerning identified victims who have been registered by the Dutch Coordination Centre for Human Trafficking (CoMensha)/La Strada Netherlands. The figures on identified victims have been compared with the estimated figures to determine the number of victims who, according to the estimate, remain unidentified and thereby invisible. Concerns are raised about victims of domestic trafficking for sexual exploitation, especially minor victims, which seem more hidden than other trafficking victims: only one out of nine of these minor victims is identified.

## Convention on Action against Trafficking in Human Beings | GRETA Report 2018

On 3 May 2005, the Committee of Ministers of the Council of Europe adopted the Convention on Action against Trafficking in Human Beings<sup>21</sup>. The Convention entered into force on 1 February 2008. While building on existing international instruments, the Convention goes beyond the minimum standards agreed upon in them and strengthens the protection afforded to victims. The Convention has a comprehensive scope of application, encompassing all forms of trafficking (whether national or transnational, linked or not linked to organised crime) and taking in all persons who are victims of trafficking (women, men or children). The forms of exploitation covered by the Convention are, at a minimum, sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude and the removal of organs.

The main added value of the Convention is its human rights perspective and focus on victim protection. Its Preamble defines trafficking in human beings as a violation of human rights and an offence to the dignity and integrity of the human being. The Convention provides for a series of rights for victims of trafficking, in particular the right to be identified as a victim, to be protected and assisted, to be given a recovery and reflection period of at least 30 days, to be granted a renewable residence permit, and to receive compensation for the damages suffered.

Another important added value of the Convention is the monitoring system set up to supervise the implementation of the obligations contained in it, which consists of two pillars: the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the Committee of the Parties. GRETA carries out visits and draws up and publishes country reports evaluating legislative and other measures taken by Parties to give effect to the provisions of the Convention.

18 Idem, 143 – 146

19 Ibidem, 21, 125 – 126

20 Bureau Nationaal Rapporteur Mensenhandel (BNRM). Slachtoffermonitor mensenhandel 2012 – 2016 (Den Haag October 2017)

21 <https://www.coe.int/en/web/anti-human-trafficking/about-the-convention>

In November 2018, the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings adopted the GRETA recommendations for the Netherlands<sup>22</sup>. In these recommendations, the progress made by the Netherlands in addressing human trafficking was acknowledged whereby at the same time the following remarks were made with regards to third country nationals:

*'Dutch and EU victims, as well as third-country nationals with legal residence in the Netherlands, have access to all forms of support and assistance, regardless of whether they co-operate with the investigation and prosecution. For victims without legal residence, a residence permit can be granted for the period beyond the recovery and reflection period on condition that human trafficking is reported to the police and a criminal investigation against the perpetrator initiated. Thus the assistance to most third-country victims of THB beyond the recovery and reflection period remains linked to a criminal investigation being pursued. Civil society representatives told GRETA that the authorities do not always accept NGO assessments about victims of THB being too traumatised to participate in criminal proceedings. If third-country victims of THB who have been issued a temporary residence permit for the purpose of their co-operation in the investigation or criminal proceedings stop co-operating, the residence permit is withdrawn and as a consequence they lose access to assistance and support. According to the Dutch authorities, the support is not immediately withdrawn in practice. After the criminal proceedings end, third-country nationals can apply for a permanent residence permit on humanitarian grounds'*<sup>23</sup>

Also interesting, which confirms the international survey, is the following statement:

*'According to the Dutch authorities, the decrease in the number of presumed victims of THB identified over the years can be attributed to the far-reaching reorganisation of the police, which started in 2012 and resulted in a considerable staff turnover as well as the political decision on new priorities for law enforcement agencies as a result of the increased arrival of migrants and asylum seekers and the rise in terrorist threats.'*<sup>24</sup>

GRETA recommended that the Dutch authorities take more measures to address the following issues for immediate action identified in GRETA's report:

*'Ensure, in line with Article 12 (6) of the Convention, that assistance provided to foreign victims of THB is not linked to investigations or prosecutions being pursued; take additional steps [...] to ensure that, in compliance with the obligations under Articles 10, 12 and 13 of the Convention, all possible foreign victims of trafficking, including EU/EEA nationals, are consistently offered a recovery and reflection period, regardless of the competent authorities dealing with the case.'*<sup>25</sup>

## TIP Report 2018

The Trafficking in Persons Report, or TIP Report, is an annual report issued by the United States Department of State within its Office to Monitor and Combat Trafficking in Persons. At the basis of the TIP reports lies the Trafficking Victims Protection Act (TVPA) of 2000, which is American legislation that is used to rank governments worldwide based on their perceived efforts to acknowledge and combat human trafficking. The United States claim global leadership on the issue<sup>26</sup>, which is not without controversy, as some critics point out that "international rules that states (including the USA) have collectively developed and freely accepted," should be applied "rather than focusing on criteria drawn up solely by U.S. politicians."<sup>27</sup>

22 Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA). Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Netherlands (Second Evaluation Round. Adopted 13 July 2018. Published 19 October 2018)

23 Idem 26

24 Ibidem 8

25 Ibidem 25, 34

26 <https://www.state.gov/j/tip/rls/tiprpt/>

27 Gallagher, Anne T. "Improving the Effectiveness of the International Law of Human Trafficking: A Vision for the Future of the US Trafficking in Persons Reports". Human Rights Review. 12 (3): 381–400. doi:10.1007/s12142-010-0183-6. Retrieved July 30, 2014

This being said, the TIP reports are highly influential and are taken seriously by governments and civil society worldwide. The TIP reports rank governments on three tiers<sup>28</sup>:

- **Tier 1:** The governments of countries that fully meet the TVPA’s minimum standards for the elimination of trafficking. Note: this does not mean that trafficking does not occur in these countries, but that government ‘demonstrates serious and sustained efforts’ to combat and prevent it.
- **Tier 2:** The governments of countries that do not fully meet the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards.
- **Tier 2 Watch List:** The government of countries that do not fully meet the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards, and for which:
  - a. the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
  - b. there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
  - c. the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.
- **Tier 3:** Countries whose governments do not fully meet the minimum standards and are not making significant efforts to do so. Note: countries that have been placed in Tier 2 Watch List for two consecutive years will be automatically put in Tier 3 if no significant improvements have been made in the third year. The Secretary of State is authorized to waive this automatic downgrade based on credible evidence that a waiver is justified because the government has a written plan that, if implemented, would constitute making significant efforts to meet the TVPA’s minimum standards for the elimination of trafficking and is devoting sufficient resources to implement the plan. The Secretary can only issue this waiver for two consecutive years. After the third year, a country must either go up to Tier 2 or down to Tier 3.

In 2018, the Netherlands was ranked on Tier 1, like previous years, with the following comments<sup>29</sup>:

*‘The Government of the Netherlands [...] continued to demonstrate serious and sustained efforts during the reporting period; therefore the Netherlands remained on Tier 1. The government demonstrated serious and sustained efforts by investigating, prosecuting, and convicting a significant number of traffickers; increasing the number of convictions; and identifying a significant number of victims. The national rapporteur increased monitoring and evaluation of trafficking and law enforcement increased efforts to fight child sex tourism. Although the government meets the minimum standards, authorities identified fewer victims for the fourth consecutive year, did not uniformly offer the three-month reflection period to foreign victims, and the government did not report complete statistics for the reporting period.’*

The following recommendations were made for the Netherlands:

*‘Increase efforts to identify victims and provide all potential trafficking victims with care services, regardless of their ability to cooperate with an investigation; improve data collection on sentences and victim identification; increase efforts to investigate, prosecute, convict, and sentence traffickers to penalties proportionate to the seriousness of the crime; finalize the national action plan; continue outreach to potential victims in labour sectors and identify forced labour; fill all regional victim care coordinator posts; pursue more covenants with business sectors to reduce the risk of human trafficking in supply chains; and improve mentoring of officials in Bonaire, St. Eustatius, and Saba to increase identification of victims and prosecution of traffickers.’*

Also a ‘trafficking profile’ on the Netherlands was published in the 2018 TIP report:

*‘As reported over the past five years, the Netherlands is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labour. The largest group of identified victims are Dutch girls enticed by young male traffickers, known as “lover boys,” who coerce vulnerable girls into sexual exploitation, often through a sham romantic relationship. Women and child refugees and asylum-seekers are vulnerable to sex trafficking. Men and women from Eastern Europe, Africa, and South and East Asia are subjected to labour trafficking in industries such as inland shipping, agriculture, horticulture, hospitality, domestic servitude, and forced criminal activity. Criminal groups force Romani children into pickpocketing and shoplifting rings, and refugees and asylum-seekers, including unaccompanied children, are vulnerable to labour trafficking. The Netherlands is a source country for child sex tourists.’*

28 Department of State, United States of America, Office to Monitor and Combat Trafficking in Persons. Trafficking in Persons Report (June 2018), 40 – 41

29 Department of State, United States of America, Office to Monitor and Combat Trafficking in Persons. Trafficking in Persons Report (June 2018), 320 – 322

### 4.3 Main outcomes of the Expert Meeting: Dilemmas and ways forward

The Expert Meeting in the Netherlands was a mix of plenary presentations and hands-on exchange in small groups between professionals working with victims of trafficking and/or migrants and refugees. After the Safe! project and the first outcomes of the international research into trends and challenges regarding early identification and safe return were presented, participants split up in small groups to discuss the challenges they faced in their daily work with (possible) victims of trafficking.

#### Early identification and protection

The following main dilemmas were specified with regards to early identification and protection of victims of trafficking from third countries:

- There is a lack of capacity of staff to identify victims of trafficking at an early stage among various professional groups, such as the police, immigration officers, employees in refugee centres, youth services, labour inspectorate, but also in shelters and within migrant organizations. This concerns both the early identification of Dutch victims as victims from third countries.
- Apart from specialists especially trained on the issue, many professionals do not recognize signals of trafficking and even if they do, they do not know where to obtain further information and how to refer the (possible) victim.
- There is also a lack of knowledge about existing agreements and referral systems with regards to trafficking. Moreover, there is insufficient cooperation between actors working on trafficking and other professionals working on related issues, like migration.
- Many migrant communities lack awareness on the issue of trafficking or it is too big a taboo to tackle. Also, even if a possible victim is identified, they lack a 'road map' for referral.
- Privacy laws often prohibit professionals to report suspicions of trafficking to authorities and CoMensha, especially since the new European data protection law. Certain professionals, such as the police, are obliged by law to report to CoMensha as soon as they intercept signals of trafficking.
- Victims of trafficking are afraid to share their experiences, especially in formal contacts with the police and immigration officers.
- Many victims of trafficking do not self-identify as victims; sometimes out of fear, lack of knowledge or because they feel pressing charges will not improve their situation. Also, sometimes they do not feel exploited because, despite bad circumstances, they earn more in the Netherlands than they would have in the country of origin. Consequently they do not ask for help even if they get in touch with support services and they do not press charges.

#### Safe return and reintegration

The participants mentioned the following dilemmas regarding safe future, safe return of victims of trafficking from third countries:

- The political climate in the Netherlands has hardened; there is less tolerance towards refugees and migrants and consequently also towards victims of trafficking.
- After victims are formally identified, their lives often are 'on hold'. Victims that press charges obtain a one-year residence permit during criminal proceedings, but their future is totally uncertain and it is very unlikely that they will be granted permanent residence in the Netherlands. As a result many victims become passive and it is very hard for support services to reach them.



- Many trafficking cases are dismissed before they even go to court. Hence the victim's residence permit is revoked and (s)he has to leave the country on short notice, resulting in very little time to prepare a safe return and reintegration of the victim.
- Many victims are very afraid for retaliation from the trafficker and/or violence towards their families in their country of origin. They do not have any confidence in the authorities back home and their willingness and ability to protect them from harm. Also, the reason they migrated in the first place often has not changed; for example low income and/or education in their country of origin. Victims often already belonged to vulnerable groups in their country of origin prior to becoming victims of trafficking. The trafficking experience has further increased this vulnerability. Hence they do not want to consider the option of return.
- Often clients do not speak openly about the social network and other options they might have for reintegration in the country of origin, for fear that this will negatively influence their case.
- Victims, but also the organizations supporting them, often do not have insight in the existing possibilities for return and reintegration. Besides, talking about return is not a common practice for many professionals working with victims of trafficking. Hence the option of return is often not discussed at all.
- Victims of trafficking from third countries only have a very small chance to obtain a permanent residence permit for the Netherlands, but they still hold on to this chance and do not want to consider the option of return until the very last moment, which makes it nearly impossible to arrange a safe return. Lawyers sometimes reinforce this, or victims change lawyers if their lawyer tells them there are no options left except return.
- Many victims do not see any perspectives for rebuilding their lives in the country of origin and block any conversation leading to this subject. Victims also often do not trust the support services that try to help them.
- For many victims, there is a very realistic security risk when they return back home, as (the networks of) the traffickers are often still active in the country of origin and/or threaten the victim with repercussions. In addition, risk assessments prior to return are not always carried out, leaving a big question mark about the actual risks.
- There is a lack of reliable support organizations in many countries of origin of victims of trafficking, making it very difficult for victims to return home safely and rebuild their lives.

*After the work in small groups the participants to the Expert Meeting were asked to summarize the workshop in one word or a short sentence. Hereby some of the comments :*

- |  |  |
|--|--|
| - 'Awareness'  | - 'Good for networking!'   |
| - 'Enter into a conversation with an open mind'                | - 'Be well-prepared when you talk to your client about the future and don't start with the 'heavy' questions!' |
| - 'Good workshop. Enjoyed to work together!'                   | - 'I learned how important it is to ask the right questions!'  |
| - 'Feeling safe, feeling at home, being welcome = Safe Future' | - 'Learned a lot, especially to views things from a different perspective'                                     |
| - 'Good exchange of ideas and energy'                          |  |
| - 'Learned a lot!'   |  |

#### 4.4 What can the Netherlands do?

To stimulate early identification of victims of trafficking, the following suggestions were made:

##### Early identification and protection

- There is an on-going need for political lobby and advocacy to keep the issue of trafficking high on the political agenda, both with regards to early identification as well as safe return and reintegration. Support organizations can provide case studies to fortify lobby and advocacy.
- Privacy legislation should be clarified and improved, so that more professional groups will be able and willing to identify and register (possible) victims of trafficking to the authorities and CoMensha.

- There should be more capacity among police, immigration officers and other relevant stakeholders to enable early identification of victims of trafficking. Partly, this is also a matter of political will to prioritize the issue.
- Professional groups should actively seek cooperation for a multi-stakeholders approach to combat trafficking. The appointment of 'care coordinators' for victims of trafficking is key to this. Care coordinators are highly specialized social workers, working in shelters or other organizations, that link all parties involved in protection of the victim and prosecution of the perpetrators. This network of care coordinators must encompass the whole of the Netherlands, which unfortunately is not yet the case.
- Procedures for asylum and trafficking should be aligned and the cooperation between actors from both fields should be strengthened.
- There is a need for public campaigns on how to recognize trafficking. Moreover, many more professionals need to be trained on early identification of victims of trafficking. In addition, prevention materials are needed, for example information about legal rights, labour laws and risk of trafficking for migrants coming to the Netherlands. Materials should be distributed among migrant organizations and migrant churches. Also, peer educators need to be involved, as they have easier access to (possible) victims than Dutch institutions. Last but not least, with an eye to prevention public information campaigns should also be targeted at countries of origin.
- Migrant organizations and former victims of trafficking should be involved in awareness raising campaigns among (possible) new victims.
- Protection of the victim should be at the core of all interventions, not prosecution of the perpetrators.

### Safe return and reintegration

With regards to the safe return and reintegration of victims of trafficking from third countries the following recommendations were made:

- It is vital to provide realistic and honest information for victims, so that they can make an informed decision about their future. Creating a safe climate for conversations about their future and building a trustful relationship with clients is an essential factor as well.
- Future options should be discussed with the victim as soon as possible, in order to have enough time to prepare a safe return and reintegration. Training for professionals on how to embark on such conversations is very important. The Safe Future Methodology is a very useful tool for this.
- The process of discussing return as an option needs time. Victims should be given this time, also to ensure that return is safe and reintegration is sustainable. Contact with support organizations in the country of origin and IOM in both countries should be established as soon as possible.
- Risk assessments should be made prior to departure and appropriate measures, including further investigation and suspension of departure, should be possible if the security situation requires this.
- As with early identification, a multi-stakeholders approach is paramount with regards to a safe return and reintegration. This multi-stakeholders approach should consist of support organizations (shelters, etc.), migration officers, the police, specialized lawyers and return organizations.
- It is essential to have an updated social map of reliable support organizations in the country of origin as well as in-depth knowledge and cultural sensitivity about the local situation with regards to safety risks, chances to build a new livelihood, etc. etc.
- There is need of more specialized lawyers who on one hand advocate the victim's best interests but on the other hand give realistic scenario's and do not prolong a helpless case endlessly, as this will only make it more difficult for the victim to consider other options.

#### 4.5 From expertise to practice: highlights from the Early Identification and Safe Future, Safe Return trainings

In total 38 professionals from migrant and refugee organizations, women shelters and other stakeholders attended the trainings on early identification and safe future, safe return. Some of them already had experience with victims of trafficking; others were totally new to the issue. They gave the following feedback:

*‘The training provided me with more in-depth information. I went home with a well-filled backpack full of new information and skills. It is now much clearer to me how to recognize signals of trafficking among my clients.’*

- Social worker at women’s shelter

*‘I did not have a lot of knowledge on the issue prior to the training and I now realize that I have missed signals in the past. I am now much more alert and the training helped me to develop a more critical analysis of the situation of my clients.’*

- Social worker at organization providing services to undocumented migrants

*‘It was very useful to meet with colleagues from other organizations in the same position and exchange experiences with each other on how to work with this difficult target group.’*

- Psychologist at organization providing specialist psychological support to victims of trafficking

*‘I have learned to look in a more methodological way at the return process. Also I really enjoyed the exchange of experiences with colleagues. It is now clear to me what steps have to be followed if a client returns to her home country. I hope to give this training to my team as well.’*

- Manager at homeless shelter working with migrants

*‘I got more insight into the importance of discussing the future in an early stage with the client and I have received tools to do so. This field of work is new to me, so I don’t have much experience yet, but the training was very useful to get to know colleagues and hear how they do things. All in all it helped me to lower the threshold to enter into a conversation with my clients about the possibility of return. In the end it’s the client’s decision what to do, but it is my task to provide her with adequate information.’*

- Social worker at women’s shelter

*‘I had very limited knowledge about trafficking prior to the training. In our shelter that provides services to undocumented victims of domestic violence or trafficking, talking about the future is a very sensitive and difficult issue. The focus mostly lies on the here and present when we talk with our clients, but we intend to use the Safe Future Methodology in the nearby future, as it is important to discuss all the options with clients.’*

- Social worker at women’s shelter for undocumented migrants

The participants also provided the trainers with invaluable input on how to improve and fine-tune the training programme. On the basis of these ‘try-out’ trainings the training programme for the National Platforms and International Platform was adjusted and improved. Safe!’s partner organization FairWork used these try-outs also as the basis for the training of the trainers pool that took place in November 2018. The trainers pool consisted of highly experienced social workers from HVO-Querido and Humanitas, supplemented with a migration officer from IOM Netherlands and a trainer from CoMensha. FairWork and the trainers pool implemented the training programme at the (inter)national platforms, fortified by the expertise of the local partners in Bulgaria, North Macedonia and Hungary.

#### 4.6 Final remarks

The Expert Meeting in the Netherlands provided many clear steps forward, based on the practical experience of professionals working in the field. The training programme formed the upbeat to the National Platform in Bulgaria, North Macedonia and Hungary. The call for a multi-disciplinary and multi-stakeholders approach was one of the most important recommendations, as well as the early involvement of migrant organizations and peer educators.



## Chapter 5 Zooming in: National Platform in Bulgaria

**This chapter portrays the situation of victims of trafficking from third countries in Bulgaria, as well as the main challenges and recommendations regarding their early identification and safe return and sustainable reintegration.**

### Chapter structure

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### 5.1 Structure of the National Platform

During Bulgaria's EU presidency in the first half of 2018, there was a one-day International Conference 'Safe Future for Women – Safe Future for all' on the 16th of March 2018 under the patronage of EU Commissioner for Digital Economy and Society Ms. Maria Gabriel. Ms. Myria Vassiliadou, the EU Anti-Trafficking Coordinator, welcomed participants in a video message that was especially recorded for the occasion. The conference focused not only on early identification and safe return and reintegration of victims of trafficking, but also on the issue of domestic violence and in particular on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). The 70 participants came from a wide range of organizations, varying from Bulgarian Ministries and NGO's to international organizations represented in Bulgaria. In the afternoon 19 experts participated in a workshop especially dedicated to early identification and sustainable reintegration of victims of trafficking. Animus Association organized the Expert Meeting in Bulgaria in close cooperation with the National Commission for Combating Trafficking in Human Beings and IOM Bulgaria.

For practical reasons the training part of the National Platform in Bulgaria was organized together with the partners in North Macedonia. For more information, see the next chapter.

### 5.2 Short introduction to the situation in Bulgaria

The main relevant Bulgarian law with regards to domestic victims of trafficking is the Combating Trafficking in Human Beings Act as well as the Criminal Code (Art. 16 & 159) and the Child Protection Act. The Combating Trafficking in Human Beings Act in theory also applies to (possible) victims of trafficking from third countries, together with the Asylum and Refugees Act.

The National Commission for Combating Trafficking in Human Beings indicates that, according to data from Bulgaria's Prosecutor's Office, a total of 508 domestic victims of trafficking were formally identified in 2017, up from 447 a year earlier. However, it should be noted these figures are cumulative (i.e. they comprise numbers from on-going proceedings which were opened in the previous years). Separately, the National Commission receives around 100 signals per year involving 130-140 potential (informally identified) victims. So far, there has been no formal identification of trafficking victims among third country nationals, although one case is pending (see case study of Ada below). However, given the increased migration flows through Bulgaria since 2013, there exists a heightened risk for trafficking among this group.

## GRETA Report 2016 (last report on Bulgaria)

In January 2016 the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) published a report on the situation of trafficking in Bulgaria<sup>30</sup>. In this the following remarks were made with regards to third country victims of trafficking:

*'Since 2013, as a result of the humanitarian crisis triggered by the conflict in Syria, there has been a sharp increase in the number of people seeking asylum in Bulgaria as an external border of the European Union (7 144 in 2013; 11 091 in 2014). Many of them are unaccompanied children. At the same time, here have been no victims of trafficking identified among asylum seekers.'*<sup>31</sup>

With regards to the above GRETA urged the Bulgarian authorities 'to take further steps to improve the timely identification of victims of trafficking, and in particular to':

*'pay increased attention to detecting victims of trafficking among foreign workers, asylum seekers and persons placed in immigration detention centres. In this context, training on the identification of victims of THB and their rights should be provided to staff of the State Agency for Refugees and the Migration Directorate.'*<sup>32</sup>

As mentioned above and also highlighted in the case study below, until now all formally identified trafficking victims are Bulgarian nationals. Of them, around 80% are victims of trafficking for sexual exploitation, around 15% for labour exploitation and the remainder for forced begging and sham/forced marriages.

All specialised services (a total of three shelters for temporary accommodation of victims, crisis centre for children and a long-term reintegration shelter) are open to domestic and foreign victims alike. The National Commission finances and supervises these specialised services for victims of human trafficking to domestic and foreign victims alike. Apart from the National Commission, Animus Association operates a specialized transit centre for victims of trafficking as well, based in Sofia. Most clients in Animus' centre were domestic victims returning from abroad, but over the past few years a small number of victims of trafficking from third countries have been sheltered there as well, although the Bulgarian authorities did not formally identify them as such and they were referred to the centre for other reasons.

With regards to the safe return and reintegration of third country victims of trafficking there is cooperation between Bulgaria's state institutions, international organizations such as the IOM and local non-governmental organizations for the safe return of migrants. Given the fact that so far there has not been a formal identification of third country victims of trafficking, cooperation for safe return and reintegration often takes place on other grounds, mainly repatriation of migrants in general.

## TIP Report 2018

Apart from the GRETA report, there was also a TIP report on Bulgaria, published in 2018.<sup>33</sup> Bulgaria was placed on Tier 2 in 2018: countries that do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards. This was an upgrade compared to the three previous years, when Bulgaria was placed on Tier 2 Watch List.

The following comments were made:

*'The government demonstrated significant efforts compared to the previous reporting period; therefore Bulgaria was upgraded to Tier 2. The government demonstrated increasing efforts by allocating more funding for victim services and opening two new facilities in Sofia for trafficking victims, including a crisis centre for child victims. Authorities identified more victims—more than doubling the number of labour trafficking victims it identified in 2016—and convicted more traffickers. The government also approved a five-year national anti-trafficking strategy for 2017-2021. However, the government did not meet the minimum*

30 Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA). Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bulgaria. Second evaluation round (28 January 2016)

31 Idem 7

32 Ibidem 27

33 Department of State, United States of America, Office to Monitor and Combat Trafficking in Persons. Trafficking in Persons Report (June 2018), 112 - 114

*standards in several key areas. Judges and prosecutors continued to lack training on working with trafficking victims and cases, which had negative effects on witness protection, victim compensation, and sentencing for perpetrators. Courts continued to issue suspended sentences for most convicted traffickers. Officials' lack of knowledge of trafficking indicators hindered effective victim identification, especially among foreign nationals and women exploited in prostitution. Corruption in law enforcement and the judiciary continued to hinder progress and investigations into complicit officials rarely led to criminal punishment.'*

The following recommendations were added:

*'Hold convicted traffickers accountable with prison terms; enhance efforts to investigate and prosecute sex and labour trafficking cases; vigorously investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms; proactively identify potential trafficking victims, especially among women exploited in prostitution; enhance efforts to train law enforcement officials, prosecutors, and judges to understand the severity of sex and labour trafficking crimes and its impact on victims; increase financial support for anti-trafficking activities, including for implementing objectives in the national strategy and national program, and training officials on victim identification; provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions; provide specialized services to child victims, including unaccompanied minors; and streamline the victim compensation process and increase the number of victims receiving compensation.'*

With regards to the occurrence of trafficking in Bulgaria, the following profile was given:

*'As reported over the past five years, Bulgaria is a source and, to a lesser extent, transit and destination country for men, women, and children subjected to sex trafficking and forced labour. Bulgaria remains one of the primary source countries of human trafficking in the EU. The government and NGOs report a significant increase in the number of Bulgarian and Roma victims subjected to forced servitude, particularly in Poland, Spain, and the United Kingdom. Bulgarians of Turkish ethnicity and Romani women and girls, some as young as 13 years old, account for most of the sex trafficking victims identified in Bulgaria, particularly in the capital, resort areas, and border towns. Bulgarian women and children are subjected to sex trafficking throughout Europe. Victims are increasingly exploited through a combination of sexual and labour exploitation, including domestic servitude. Traffickers subject Bulgarian men and boys to forced labour across Europe, predominantly in agriculture, construction, and the service sector. Bulgarian children and adults with disabilities are forced into street begging and petty theft within Bulgaria and abroad. Romani children are also vulnerable to forced labour, particularly begging and pickpocketing. Bulgaria is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Africa and Southeast Asia. Government corruption in law enforcement and the judiciary continues to enable some trafficking crimes, and officials have been investigated for suspected involvement in trafficking.'*

#### *Ada (Africa)*

*Her family forced Ada into marriage in 2004. The marriage was traditionally performed according to the local rituals and without a legal certificate. During her marriage her husband emotionally, and physically abused her on an almost daily basis. After yet another incident of drastic violence against her, Ada tried to escape from her husband and look for help from her parents. Due to their traditional beliefs, they refused to support her and forced her to go back to her husband. With the help of friends, she then managed to find a job in a family of diplomats where she could stay caring for their two children.*

*Initially Ada was very happy with her new employer, but problems started to occur after the family moved to Bulgaria and took Ada with them. In Bulgaria, she was held as a slave in the household. She did not have access to her papers, her movement was restricted, medical help was refused when she was ill and she was kept in isolation. Also, on several occasions she was deprived of food when her employer was not happy with her. The payment she received for her services was not proportional to her duties and heavy workload. Moreover, the family subjected her to emotional abuse and threatened to have her deported back to her husband if she did not comply with their demands. As Ada did not speak any Bulgarian nor did she know where she was precisely, she was extremely vulnerable and totally dependent on her employers. In the end Ada managed to escape the household and seek help.*

*Ada's case is the first "official" case of an identified potential third-country national victim of trafficking in Bulgaria. Her case is coordinated between several organizations and institutions. Lawyers from the Foundation for Access to Rights (FAR) identified her as a victim of trafficking for the purposes of labour exploitation. Before being identified as a victim of trafficking, Ada applied for humanitarian status/international protection. She had been accommodated in a Reception Centre in Sofia. After her initial identification as a victim of trafficking, the National Commission for Combating Trafficking in Human Beings, IOM, and Animus Association Foundation got involved and Ada was accommodated in a specialized Crisis centre for victims of trafficking. The*

team began working with her with the goal of conducting a comprehensive assessment of her psycho-emotional state. The work was also aimed at preparing an expert report to research and establish markers related to criminal activities towards the person and to confirm the initial informal identification. At the same time, NCCTHB signalled the Directorate General for Combating Organized Crime and the case was opened. After they carried out an inspection, they forwarded the case to the Sofia Prosecutor's Office, which however refused to begin pre-trial proceedings, indicating there was lack of proof. Also, the diplomatic status of the family that abused her posed a problem in possible prosecution.

After several months of extensive research of the human trafficking hypothesis and work on the case, Animus Association prepared a report stating that all necessary markers are present that Ada is indeed a victim of human trafficking for the purposes of labour exploitation. Following the report introducing the new circumstances, the Supreme Cassation Prosecutor's Office was addressed and the case was reopened, ordering an inspection into the case work performed by the Directorate General for Combating Organized Crime and Sofia Prosecutor's Office refusal to initiate pre-trial proceedings.

Currently, the victim has initiated a procedure to get international protection. She left the Crisis Centre following her six-month stay and was able to become part of Bulgarian society – she is working several jobs and is learning Bulgarian. The chances of receiving international support will be minimal if she will not be formally identified as a victim of human trafficking and is not involved in criminal proceedings. On the other hand, legally speaking, this will contribute to her identification by the State Agency for Refugees as a person with specific vulnerability and respectively specific rights (including application of several EU legal instruments such as Directive 2004/81/EC).

### 5.3 Main outcomes of the Expert Meeting: Dilemmas and ways forward



The participants of the Bulgarian Expert Meeting mentioned the following main dilemmas with regards to early identification and safe and sustainable return of victims of trafficking among migrants and refugees:

- Identification needs time and is based on a trust relationship with the presumed victim. A great challenge is the mobility of migrants who stay on the territory of Bulgaria for a very short time and move (often escape) forward to Western Europe.



- Very few trafficking cases are identified and those who are are often identified by chance. Trafficking often takes place within the migrant community, so migrants might not perceive themselves as victims or do not know how and where to look for help.
- Besides, due to language barriers, cultural and religious differences it is more difficult for service providers to recognize signals of trafficking among migrants and refugees. There is a lack of proper identification criteria and victim profiles and in general data collection is a huge challenge.
- Several participants also observe that there is a lack of political will to recognize victims of trafficking from third countries and offer them protection.
- Moreover, very often victims do not want to be identified out of shame, fear and their wish to migrate onwards to Western Europe. By giving evidence in Bulgaria they are afraid that they will be forced to stay in Bulgaria.
- A member of the Bulgarian parliament mentioned that one of the biggest problems when it comes to dealing with trafficking is that traffickers who get prosecuted only receive a suspended sentence in 95% of the cases. This is especially worrisome given the small amount of prosecutions to begin with. He added that local commissions for combating trafficking are not properly structured and thus often ineffective. There are serious shortcomings in the legislative framework, which prioritizes criminal repression instead of victim's protection. Some participants pointed out that it appears that the state's understanding is very different from the understanding of practitioners when it comes to challenges of early identification.
- A challenge to safe integration is the profile of the group – often these are people with no education, professional skills or other resources/capacities that will help them to continue their lives autonomously. Also 40% of the asylum seekers are people in extreme vulnerability like women and unaccompanied children
- The state has low administrative and financial capacity for long-term integration of migrants (as the best way to prevent exploitation) including for those with residential status.

#### 5.4 What can Bulgaria do?

The participants to the Expert Meeting in Bulgaria marked six different spheres of recommendations and comments:

- Existing legislation is very restrictive and only connects forced labour to physical violence. Consequently it is necessary to expand the definitions of trafficking for labour exploitation in order to include other forms of exploitation as well.
- Working under dire and exploitative circumstances is often the only source of income for migrants – both undocumented as well as former citizens of the Soviet Union – as they do not have legal access to the Bulgarian labour market. Thus it was recommended by several participants to grant all migrants fast access to the labour market rather than to keep them into the grey sector and put them in risk of being exploited.
- The involvement of labour unions and the business sector into the identification process is very important, as they are often the first to encounter cases of labour exploitation.
- There is a huge need to work with cultural mediators, in the best-case scenario women. Women from migrant communities need to be educated and trained to be able to identify possible cases of trafficking, refer them to assistance and offer initial psychological support to victims.
- Animus and the organization A21 run hotlines in Bulgarian, but in addition to this there is a need for telephone hotlines where consultants speak foreign languages. For this more research into the main countries victims originate from, as well as what languages they speak, is necessary.

- 
- There is a need to increase the sensitivity of professionals working in state administration and security services to timely identify (possible) victims of trafficking from third countries. This applies in particular to those professionals who are practically involved in the work of reception centres and transit centres as well as the sensitivity of the State Agency for Refugees interviewers and of the DG “National Security”.
  - IOM offers a best practice through its three multidisciplinary mobile teams to identify vulnerable migrants and refugees, among whom also possible victims of trafficking. In these mobile teams they also work with cultural mediators and legal, social and psychological help is offered. IOM also operates a regional project to protect unaccompanied minors at the Turkish border.
  - Last but certainly not least, society needs to be involved – parents, the education system and the family environment must be informed of the danger so that they can protect their children from becoming victims. This mainly concerns domestic victims but can apply to migrant and refugee communities as well. Furthermore, the debate must be taken out of conferences and other forums and be taken to Parliament and into the society. The NGO sector plays a major role in achieving these desired results.

## 5.5 Final remarks

As a EU border country Bulgaria is responsible not only to stop the vicious circle of violence and exploitation in the lives of migrants, refugees and asylum seekers, but also to prevent the spread of exploitation and trafficking into Europe. Although until now there has not been any formal identification of victims of trafficking from third countries in Bulgaria, it is promising that there is a growing awareness among Bulgarian authorities and NGO’s that migrants are vulnerable for exploitation and abuse and that more is to be done to identify exploitative practices in different labour sectors. The Expert Meeting that was held in March 2018 was a high-level event and the vocal point on human rights during Bulgaria’s EU presidency in the first half of 2018. Also, there is a growing multi-stakeholders cooperation between organizations in Bulgaria as shown in the case study of Ada.

## Chapter 6      **Zooming in: National Platform in the Republic of North Macedonia**

**This chapter describes the situation of victims of trafficking from third countries in the Republic of North Macedonia, as well as the main challenges regarding their early identification and safe return and sustainable reintegration. The chapter ends with recommended steps forward and some observations from the implemented trainings for professionals.**

### Chapter structure

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### 6.1      **Structure of the National Platform**

The National Platform in North Macedonia started on the 27th of March 2018 with a one-day Expert Meeting, followed by two days of training for professionals, both on early identification and safe return and reintegration of victims of trafficking from third countries. In total 49 participants attended the National Platform in North Macedonia.

The Expert Meeting was attended by 19 representatives from the North Macedonian Ministry of Interior; the North Macedonian Association of Young Lawyers; Red Cross; OSCE; IOM; the Delegation of the EU in North Macedonia; UNICEF; UNHCR; OSCE; ICMPD; the Migration, Asylum, Refugees Regional Initiative and a variety of North Macedonian NGOs active in the anti-trafficking field. Open Gate|La Strada North Macedonia hosted the meeting and international Safe! partners from the Netherlands, Hungary and Bulgaria participated as well to share their experiences.

For practical reasons the training part of the National Platform in North Macedonia was organized together with the partners in Bulgaria. A very diverse group of 30 participants from Bulgarian and North Macedonian origin attended the two-days training programme: the Red Cross and IOM in both countries; North Macedonian Association of Young Lawyers; North Macedonian border police; Ministry of Interior in both countries, delegating (border) police officials; Ministry of Labour and Social Policy in North Macedonia; Centre for Social Labour in North Macedonia; Bulgarian State Agency for Refugees; Danish Refugee Council in North Macedonia; Council of Women Refugees in Bulgaria; Center for Social Labour in North Macedonia and the North Macedonian NGO Legis. They were joined by social workers from Animus Association and Open Gate as well as international project partners such as IOM Hungary and Bulgaria and the Hungarian National Police. The trainings were given by the trainers pool from the Netherlands, consisting of FairWork, HVO-Querido, Humanitas Rotterdam and IOM Netherlands.

## 6.2 Short introduction to the situation in North Macedonia

The main relevant North Macedonian law with regards to domestic victims of trafficking is the Criminal Code (Article 418), distinguishing between different categories:

- “Trafficking in human beings (Article 418-a);
- “Smuggling of Migrants” (Article 418-b)
- “Organizing a group and encouraging the execution of acts of trafficking in human beings, smuggling of migrants and trafficking in children” (Article 418-c) and
- “Trafficking with children” (Article 418-d).

For foreign victims of trafficking the Law on Foreigners is applied in relation to the residence permit and regulation of their status.

Only few victims of trafficking have been formally identified in North Macedonia, both domestic and third country nationals. In 2017 there were only two domestic cases, in 2016 five and in 2015 three, as well as 11 possible cases that were not officially recognized.

With regards to third country nationals, in 2017 there were 97 potential victims identified among migrants and refugees. In 2016 one victim was officially identified (from Serbia), together with 86 potential victims and in 2015 there were 105 foreign victims identified among migrants and refugees. The majority of (potential) victims came from Afghanistan, Syria, Iran, Iraq, Somalia, Pakistan, Nigeria, Kenya and Congo.

The majority of cases, both domestic and foreign, are related to sexual exploitation. There were also a few cases of labour exploitation registered, as well as forced marriages and forced criminal activities.

Social assistance programmes and services are in theory available for all potential and/or identified victims of trafficking. Apart from domestic victims of trafficking, third country nationals with regulated stay in North Macedonia (issued a temporary residence permit) can make use of the services as well. In practice, as most victims are not identified, access to services is limited. The programme itself includes a variety of services created specifically to help and support trafficked persons, being:

- Providing safe housing
- Providing humanitarian aid
- Medical aid
- Specialized psycho-social counselling
- Legal advice and representation in court
- Education and additional professional qualification
- Enhancing skills for searching a job
- Coordination and cooperation with relevant organizations and institutions.

With regards to the safe return and reintegration, the Standard Operating Procedures (SOP) and the Transnational Referral Mechanism (TRM) should apply. The SOP and TRM refer to agreements between nations and organize the safe and secure transfer of the victim from North Macedonia to the country of origin. Recommendations or guidelines for the continuation of the reintegration are prepared 15 days before returning to the country of origin, and are sent to the

*Emily (Cameroon)*

*Emily is in her seventh month of pregnancy, and this is her seventh pregnancy. In Cameroon she has six children aged from six to 21 years. The children are staying with her departed husband's family. Emily's problems started with her husband's death; because of the traditions in her country she was supposed to marry her husband's brother and since she did not want to go through with that tradition she decided to leave the country. She left the country one year ago and during her travel to Europe she faced all sorts of problems, among other attempted rape. When she arrived in Greece she became aware that Africans were moving around some area named "The African Park" and that they would offer to help her. But when she contacted them they asked her to give sexual services for a free overnight stay. Emily obliged and became pregnant. She did not want to discuss whether or not she had been abused and sold to other people as well, but at one point she ended up in North Macedonia. She is also extremely worried about her friend, whom she was traveling with and who was also pregnant and working under the same circumstances.*

*Emily still has no idea what she is going to do in the future; at one point she says that she wants to give birth in North Macedonia and then go back to Cameroon, and at another point she considers her options to stay in North Macedonia.*

*We informed her that it is possible for her to give birth here in North Macedonia. We have also referred her to the Young Lawyers Association so that she and her baby will receive the proper documentation to go back to Cameroon. She was also offered a job in the Center for Asylum seekers, and she said that she would think about it and inform us.*

contact person from the TRM or the partner organization in the country of origin with which the contact has been established. In practice, as so little third country nationals are identified as victims of trafficking, there is little experience with applying the SOP and TRM.

Open Gate has been a strategic partner of the North Macedonian government for many years. It has presence in shelters and in the asylum seekers centres in Skopje and Tabanovce where it helps to identify victims of trafficking. It closely collaborates with the Ministry of Labour, Interior and Health, international organizations and non-governmental organizations.

## GRETA Report 2017 (last report published)

In its 2017 report for North Macedonia<sup>34</sup>, GRETA welcomes the progress made since the first round of evaluation including the following areas:

*‘The further development of the legal and institutional framework for combating trafficking in human beings, including the enlargement of the composition of the National Commission for Combating Trafficking in Human Beings by adding representatives of the Employment Agency and the State Labour Inspectorate; the increase in the number of local commissions for combating human trafficking; the steps taken to provide training on human trafficking to relevant professionals and the development of indicators for the identification of victims of trafficking in mixed migration flows and Standard Operating Procedures for dealing with unaccompanied and separated children, and the training provided to relevant professionals to promote the identification of possible victims of trafficking among asylum seekers.’*

GRETA recommends North Macedonia among others<sup>35</sup>:

*‘To ensure that all victims of trafficking are identified as such and can benefit from the assistance and protection measures contained in the Convention, in particular by: promoting a multi-agency involvement in victim identification by formalising the role and input of specialised NGOs; providing necessary human and financial resources to enable law enforcement officials, social workers, NGOs and other relevant actors to adopt a more proactive approach and increase their outreach work to identify victims of human trafficking.’*

*‘To increase efforts to proactively identify victims of trafficking for the purpose of labour exploitation by reinforcing the role and training of labour inspectors, and providing the Labour Inspectorate with the tools and resources required to effectively prevent and combat trafficking in human beings; paying increased attention to detecting potential victims of trafficking among migrants and asylum seekers and securing access to interpretation to facilitate the process.’*

*‘To take steps to improve the assistance for victims of trafficking, and in particular to: ensure that there are adequate financial and human resources for the assistance of presumed and formally identified victims of trafficking, including by specialised NGOs mandated to provide assistance; provide adequate assistance measures, including accommodation, to presumed and formally identified male victims of trafficking.’*

*‘To strengthen support for the reintegration of victims of trafficking into society, by offering vocational training, assistance to find jobs and providing adequate resources to services assisting victims in their integration; ensure that presumed foreign victims of trafficking are moved to the State shelter for victims of trafficking as soon as there are reasonable grounds to believe that they are victims of trafficking; take further steps to improve the identification of, and assistance to, child victims of trafficking, and in particular to: ensure that relevant actors take a proactive approach and increase their outreach work to identify child victims of trafficking, by paying particular attention to children in street situations, Roma children and unaccompanied children.’*

34 Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings. Recommendation CP(2018)8 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by “the former Yugoslav Republic of North Macedonia” (Adopted at the 22nd meeting of the Committee of the Parties on 9 February 2018) 1-2

35 Idem 2

## TIP Report 2018

North Macedonia<sup>36</sup> was, as in 2016 and 2017, placed on Tier 2 (in 2015 it was still placed on Tier 1): countries that do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards. The following comments were made:

*'The government demonstrated increasing efforts by training first responders on victim identification and working with local authorities to establish local anti-trafficking action plans. The government established an anti-trafficking Task Force, re-established mobile identification teams in four regions, and dispatched social workers to conduct proactive victim identification at border crossings and migrant and refugee camps. However, the government did not meet the minimum standards in several key areas. The government identified six victims and convicted one trafficker, judges continued to issue weak sentences that were below the government's own minimum penalty, and law enforcement lacked staff to conduct adequate proactive investigations. The government decreased overall funding for victim protection and did not award grants to anti-trafficking NGOs, despite NGOs identifying and serving the vast majority of potential victims identified during the year. Corruption and official complicity in trafficking crimes remained significant concerns; while the government charged a civil servant with complicity in 2017, it has not prosecuted a government official for complicity in several investigations it has initiated in recent years.'*

The following recommendations were made:

*'Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences; increase efforts to proactively identify trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations; allocate sufficient resources for victim protection efforts; provide accommodation to foreign potential trafficking victims in safe and appropriately rehabilitative settings and allow victims to leave shelters at will; allocate sufficient resources and personnel to the police anti-trafficking unit to proactively investigate trafficking; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; improve compensation mechanisms for victims and inform them of their right to seek restitution; and make public government anti-trafficking efforts.'*

The following trafficking profile was offered for North Macedonia:

*'As reported over the past five years, North Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labour. Women and girls in North Macedonia are subjected to sex trafficking and forced labour within the country in restaurants, bars, and nightclubs. Foreign victims subjected to sex trafficking in North Macedonia typically originate from Eastern Europe, particularly Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Citizens of North Macedonia and foreign victims transiting North Macedonia are subjected to sex trafficking and forced labour in construction and agricultural sectors in Southern, Central, and Western Europe. Children, primarily Roma, are subjected to forced begging and sex trafficking through forced marriages. Migrants and refugees traveling or being smuggled through North Macedonia are vulnerable to trafficking, particularly women and unaccompanied minors. Traffickers frequently bribe police and labour inspectors. Police have been investigated and convicted for complicity in human trafficking.'*

### 6.3 Main outcomes of the Expert Meeting: Dilemmas and ways forward

The participants commonly agreed that the refugee crisis in 2015 was a major challenge for North Macedonia, when more than 1,000,000 people crossed the EU borders, often travelling through North Macedonia as their first entry point. Open Gate indicated that in the period 2015 – 2017 they assisted approximately 130,000 vulnerable migrants together with other partners; around 250 people showed indicators of human trafficking. Moreover, the refugee crisis coincided with a period of political crisis in North Macedonia, a situation that one speaker described as *'an economically deprived country that received a human tsunami'*.

The participants mentioned the following main challenges with regards to third country victims of trafficking:

- First and foremost, early identification has shown to be extremely difficult, as during the peak of the migration flows there was hardly any time to talk to the persons travelling through North Macedonia onwards to Western Europe. This is also reflected in the very small numbers of officially identified victims.

- Even though the great influx of migrants and refugees has come to a halt since 2015, there are still people crossing the borders and hiding in North Macedonian mountains on the border with Serbia with the intention to travel onwards to Western Europe. It is very difficult to approach them and win their trust.
- Language and cultural barriers form other obstacles, making it more difficult to interpret signals of trafficking. Moreover, there is a lack of gender perspective in identification of victims of trafficking. Another complicating factor is that often victims have been exploited on the road to North Macedonia. As the trafficking has then occurred in another country it is even harder to prove it and provide access to services.
- Children that travel alone or in the company of adults that are not family members form a special concern. Especially in the hectic period of 2015 it was often impossible to check documents whether children and the adults they travelled with really belonged to the same family. It was stressed that early identification of children travelling alone or in the companies of strangers is the best way to prevent minors from becoming victims of trafficking.
- There has been a growing amount of people trying to profit from migrants, under the cover of trying to help them. Corruption among police officers is part of this problem. Moreover, traffickers use new modus operandi by urging victims to claim asylum, promising them that this will increase their chances of staying in the EU. On the other hand they threaten victims that they will be immediately expelled if they come forward as victims of trafficking. Consequently, even fewer migrants and refugees report that they have become victims of trafficking.
- In theory, the National Referral Mechanism is also open for third country nationals, offering them a temporary protection status, but in practice the NRM are hardly applied to migrants and refugees and stakeholders are not sure whether they can apply the NRM at all.
- ICMPD indicated that, although North Macedonia has developed Standard Operating Procedures (SOP) to implement the NRM, among others to identify and refer victims of trafficking, in practice the SOP's are not abided. The lack of adequate training of professionals, but also lack of political will, plays a huge part in this according to several participants to the Expert Meeting.
- There is a lack of coordination among stakeholders to offer services. Moreover, many initiatives are project based and disappear once funding ends. As a result much expertise gets lost in the process.

#### 6.4 What can North Macedonia do?

The participants of the North Macedonian Expert Meeting mentioned several good practices already undertaken and new initiatives that might improve the early identification and safe return of third country victims of trafficking:

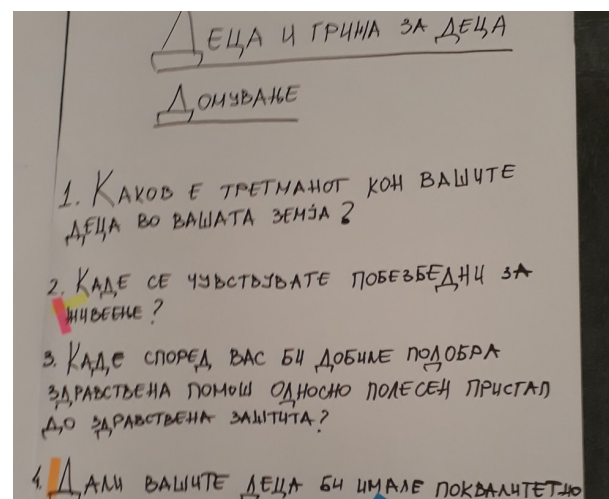
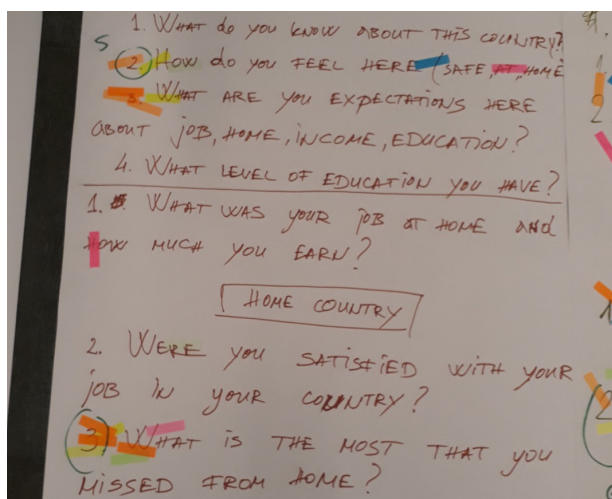
- Open Gate stipulated that, for the future, the focus should be on prevention, lobbying and advocacy to protect the human rights of migrants, as well as on the direct assistance of victims, both domestic and third country nationals.
- It is important to draw up profiles of possible victims of trafficking among migrants and refugees travelling through North Macedonia with special emphasis on gender: what is different, what is the same when compared to national victims? Professionals should be trained to recognize this new group of vulnerable persons.
- It is stressed that many victims of trafficking are minors for which special care needs to be arranged, such as the option of foster care implemented in family law.
- The North Macedonian government has introduced 'Plan 369', a specialized taskforce for data gathering, intelligence and mobile teams, in cooperation with Serbia among others. A changed penal code and compensation fund for victims of trafficking were also introduced. Open Gate added that timely identification leads to protection. Consequently, the law on the non-punishment of victims and the compensation fund are important legal changes.
- There is a EU funded project (2017-2019) in partnership with the Ministries of Justice, Social Affairs and the Interior. As part of this project there are multi-partner mobile teams active in four North Macedonian towns with transit centres. Apart from police officers, also social workers, IOM and NGO's are also part of these mobile teams. They actively approach migrants and refugees hiding in the mountain villages and try

to inform them about their rights and the possibilities for protection. They focus on identifying vulnerable migrants, including victims of trafficking, and aim to provide adequate referrals and assistance. Also, there is an emergency fund for direct assistance. Within this new programme, three potential victims of trafficking have been assisted so far and there is room for another fifteen during the project period. Participants agree that the new mobile teams form a very important step forward, but it is essential that the funding becomes institutionalized for this.

- The cooperation within the National Referral Mechanism and Transnational Referral Mechanism should be improved, especially with neighbouring countries and international organizations. The mechanisms should not only apply to third country victims in theory, but also in practice. A risk assessment should be standard procedure and there is a need for a social map in order to identify reliable partner organizations in the country of origin. Also, the NRM should be evaluated to include third country nationals more specifically.
- Open Gate added that the best practice is to implement a multi-stakeholder approach, involving the police, IOM, state social workers, labour inspectors, health workers, NGO's and other relevant stakeholders. Especially with regards to labour exploitation, proper labour inspection procedures are a key factor towards identification.
- Capacity building and training should be an on-going and institutionalized process, not depending on (international) funds. Knowledge and skills on trafficking should be standardized in social worker's education as well as at police academies.
- Last but certainly not least, more focus should be put on the safe and sustainable return of victims of trafficking. Close cooperation with IOM is very important in this matter.
- The Expert Meeting concluded with the observation that, despite all challenges, it is a hopeful sign that all Ministries present acknowledge the importance of the issue and that small steps forward are being taken, with small successes as a result.

## 6.5 From expertise to practice: highlights from the Early Identification and Safe Future, Safe Return trainings for North Macedonia and Bulgaria

The two-days training at the North Macedonian National Platform concentrated both on the issue of early identification as well as on the safe return and reintegration of victims of trafficking from third countries. For most participants, professionals that work at the border, in shelters, in refugee reception centres, these were relatively new topics. Like the participants to the Expert Meeting, having very little time to interact with the (potential) victims was mentioned as one of the biggest challenges in order to identify victims of trafficking. Participants also found it difficult to build trust with the potential victims and to recognize signals of trafficking among these new groups of (potential) victims. The training focused very much on providing practical skills on how to recognize a potential situation of trafficking, how to engage in a conversation and how to make an assessment of the situation and refer the victim for further help. The Safe Future, Safe Return training on the second day addressed how to discuss their future with clients as soon as possible and how to refer them in a safe and sustainable way. In general, the interaction between the various professional groups and nationalities worked very well and was considered a bonus by the participants.





A selection of participants' evaluation to the trainings provided:

*'I got new knowledge about human trafficking and the training helped me to learn new techniques for identification of human trafficking victims. I liked it that the training was organized as a discussion between participants, that was very interesting for us!'*

- Participant from Bulgarian State Agency for Refugees

*'The training helped me to learn a lot of new stuff on the topics. It also provided a lot of useful and practical tools. And it was great for networking with colleagues from other organizations! Keep up with the good work!'*

- Participant from North Macedonian border police

*'Even though I am familiar with the topics I still found the training very helpful and refreshing, because I saw a lot of things from different perspectives/professions. I especially liked the practical approach in this training rather than the theoretical trainings I am used to. I have enriched my 'bag of tools' regarding this practical approach. Keep on rocking!'*

- Participant from North Macedonian shelter

*'I had a lot of benefits from this training since I work in the field and could exchange my experiences here with colleagues from other organizations. For next time I would like to have even more practical exercises on how to identify possible victims.'*

- Participant from North Macedonian NGO



*'I am very satisfied with this training, as I gained a high level of knowledge on trafficked persons from third countries. I learned how to tackle the challenges and gained much information that I can share with my colleagues and apply in my work.'*

- Participant from Council of Women Refugees in Bulgaria

*'For me it became very clear that it is necessary to make a more detailed risk assessment prior to departure of the victim to her home country. The ecogram tool is a very good assistant when you make this risk assessment. It was also great to see the good practices in other countries.'*

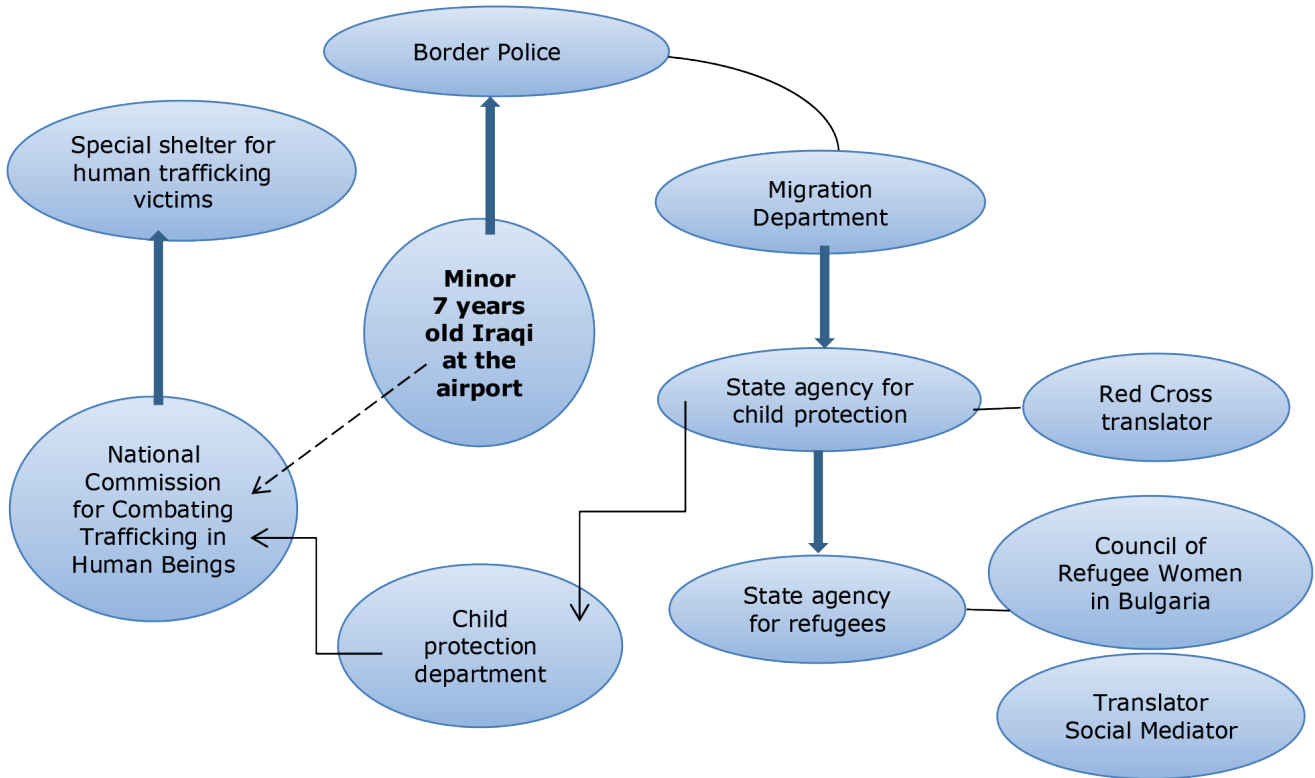
- Participant from Bulgarian shelter

*'For me the training has added much to the overall picture of the cooperation between NGO's and institutions when we are talking about trafficked persons. Now for me it is clear that the support of NGO's is necessary and that we need to cooperate more. It was very good to include all different organizations in this training.'*

- Participant from North Macedonian Ministry

Moreover, participants designed ‘road maps’ for referral, which differed in detail of course for Bulgaria and North Macedonia, but they also found that there were many similarities.

To give an example, in the case of a young Iraqi refugee the Bulgarian participants developed the following ‘road map’ for referral:



## 6.6 Final remarks

North Macedonia has been in the spotlight of migrants and refugees trying to enter the European Union for several years now. There have been many lessons learned and the new multi-stakeholders mobile teams are a promising step forward. The main challenge remains how to ensure sustainable help for victims of trafficking other than by project funding and how to embed existing knowledge into institutional structures.

## Chapter 7 Zooming in: National Platform in Hungary

**This chapter addresses the situation of victims of trafficking from third countries in Hungary, as well as the main challenges and recommendations regarding their early identification and safe return and sustainable reintegration. It also describes the main outcomes of the trainings implemented for professionals from the border police, labour inspectors and staff working in the transit zones.**

### Chapter structure

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### 7.1 Structure of the National Platform

The National Platform in Hungary took place from the 28th of May up until the 30th of May 2018, starting with the Expert Meeting on the 28th of May, followed by two days of training on the 29th and 30th of May. In total 53 participants joined the National Platform in Hungary. The Expert Meeting was attended by 23 participants from the Ministry of Interior; Ministry of Finance; Ministry of Justice; Ministry of Human Capacities; the Border Enforcement Department (part of the police force); the Criminal Department; the Trafficking in Human Beings Unit and the Illegal Immigration Unit of the National Bureau of Investigation; the Prosecution Office; the Immigration and Asylum Office; the National Crisis Telephone Information Service; the Dutch Embassy; UNHCR Hungary; European Commission representation in Hungary and several Hungarian NGO's: Menedék Hungarian Association for Migrants, Hungarian Baptist Aid and Chance for Families 2005 Foundation.

The Hungarian National Police hosted the Expert Meeting together with IOM Hungary. International Safe! partners from the Netherlands and Bulgaria participated as well to share their experience.

The training programme focused especially on early identification, as the participants saw this as the biggest challenge. Half a day was devoted to training on the Safe Future Methodology. 30 Participants attended the training, ranging from labour inspectors from the Department of Labour Inspection of the Ministry of Finance in Budapest to border police officials from Bács-Kiskun and Csongrád counties as well as immigration officers and social workers working in the transit zones. Like in North Macedonia, the trainings were given by the Dutch trainers pool, supplemented by the field expertise of their colleagues from Animus Association and IOM Bulgaria.

## 7.2 Short introduction to the situation in Hungary

Apart from international and European legislation on trafficking in human beings to which Hungary is a party<sup>37</sup>, several national laws address the position of Hungarian victims of trafficking:

- Act XIX of 1998 on Criminal Proceedings. The new Criminal Procedure Act entered into force on 1 July 2018. There is a victim's risk assessment according to the law. The victim may be granted special treatment based on the personal characteristics of the victim (e.g. age, health condition) and the nature of the committed crime against him/her. If the victim has this special status her/his privacy and personal data are highly protected and the legal procedure has different rules with regards to the interrogation and confrontation of the victim.
- Act CXXXV of 2005 on Crime Victim Support and State Compensation (Act 2005/135). The Act specifies the right to shelter, health care, legal, social, financial and psychological assistance for national and foreign victims of human trafficking and introduced new victim protection services, such as psychological and emotional support in courtrooms; the requirement to provide victims with more information during criminal proceedings; and the possibility of closed hearings. Also there is a right to compensation. Foreign victims have the right to a reflection period of one month, during which they are entitled to a certificate of temporary stay. If the victim is willing to cooperate with the authorities, (s)he is entitled to a residence permit for the period of this cooperation.
- Act C of 2012 of the Criminal Code. The new Criminal Code entered into force on 1 July 2013. Under Section 192 of the Criminal Code, there is a legal definition of trafficking in human beings, which maintains the provisions formerly in force and at the same time complements them, by including the purpose of exploitation as a new element. While the specific features of the phenomenon of trafficking in persons is still considered, the exploitative nature of the criminal act is now given sufficient emphasis in addition to its transactional nature. The central conceptual element of exploitation is the attempt to benefit from misusing the position of a victim brought into or kept in a vulnerable position. The Act C of 2012, the Criminal Code of Hungary includes a division between crimes against freedom (Chapter XVIII) and crimes against human dignity and certain fundamental rights (Chapter XXI). Trafficking in human beings can be found under Violation of Personal Freedom (in Chapter XVIII).
- Government Decree No. 354/2012. (XII.13) on the identification of victims of trafficking in persons. The Decree entered into force on the 1st of January 2013, has a general scope and is obligatory for all responsible authorities. It lays down the system of cooperation of the concerned authorities/organizations in the referral of victims of trafficking in human beings and regulates the identification process. It defines the institutions and authorities taking part in the identification and the bodies which participate on a voluntarily basis. Annex 1 of the Decree is an identification form listing the special signs of human trafficking and questions to be asked during the identification process of a potential victim.
- Order No. 13/2014. (V. 16.) of the National Police Headquarters regarding police duties concerning the treatment of offences related to prostitution and human trafficking. This order primarily provides for uniformed police action against prostitution and defines the victim protection tasks for police organs.

As indicated above Act CXXXV of 2005 on Crime Victim Support and State Compensation also applies to victims from third countries. The same counts for the Government Decree No. 354/2012 on identification of victims of trafficking. Furthermore EU Act II of 2007 on the Entry and Stay of Third-Country Nationals is incorporated into Hungarian law, providing for a temporary residence permit on humanitarian grounds under certain conditions to victims of trafficking from third countries.

In practice, Hungary has experience with domestic victims, but hardly with victims from third countries. With regards to Hungarian victims, yearly there are approximately seven cases of sexual exploitation and eight cases of labour exploitation investigated. Also yearly, approximately 200 cases of prostitution are investigated. The Hungarian Criminal Code distinguishes between labour exploitation, sexual exploitation, prostitution and sexual crimes as shown in the graphic on the next page:

37 Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime (2000); Convention of the Council of Europe against Trafficking in Human Beings (2005); Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.

## CHAPTER XX OFFENCES AGAINST CHILDREN AND AGAINST FAMILY LAW

Section 209 Child Labour

## CHAPTER XXXIV CRIMINAL OFFENCES RELATED ADMINISTRATIVE PROCEDURES

Section 356 Unlawful Employment of Third-Country Nationals

# Hungarian Criminal Code (Act C 2012)

## Chapter XVIII OFFENCES AGAINST PERSONAL FREEDOM

- Section 192 Trafficking of Human Beings
- Section 193 Forced Labour
- Section 194 Violation of Personal Freedom
- Section 195 Duress

## CHAPTER XIX SEXUAL FREEDOM AND SEXUAL OFFENCES

- Section 196 – Sexual Exploitation
- Section 197 – Sexual Violence
- Section 198 – Sexual Abuse
- Section 200 – Pandering
- Section 201 – Procuring for Prostitution or Sexual Act
- Section 202 Living on Earnings of Prostitution
- Section 203 Exploitation of Child Prostitution
- Section 204 Child Pornography

### **Nyala** (Ethiopia)

*When I arrived in Hungary I was placed at the Debrecen refugee reception centre where I underwent medical examinations. I got food and a roof over my head. I talked to a psychologist, a social worker, a doctor, and then started settling my paperwork. When I was in Debrecen, I did not admit that I had been bullied sexually several times during my flight from Ethiopia. I was afraid that if I told it I would not get my papers.*

*After receiving the settlement papers, my Ethiopian friends invited me to come to Budapest to be able to provide me with accommodation and work. In Budapest I could rent a room at the place of two elderly people. Very soon after I moved in, they became sexually abusive towards me. Later, they also forced me to go to work. In the end I was able to run away and a girl in the street who spoke English helped me. She accompanied me to the Menedék Hungarian Association for Migrants that helped me to get out of this abusive situation. The people there were good for me. It was difficult to talk directly with them due to language difficulties, but I felt from their body language that they wanted to help. In such camps as Debrecen, it would have been good to have information in my mother tongue. Then perhaps I would already have told them about the sexual abuse during my flight. Now it was too big of a taboo.*

### ***Illegal Chinese brothel in Budapest***

*The Trafficking in Human Beings Unit at the National Bureau of Investigation Intelligence indicated a case of Chinese women that arrived in Budapest on student visa and worked under very bad circumstances in illegal brothels. The women catered for 95% to the Chinese community and for 5% to Hungarian nationals. Different police units cooperated closely on this case and talked to the women, but it was extremely hard to win their trust. None of the women asked for shelter or other protection and none pressed charges. Most women left Hungary and continued to work in Austrian brothels. The Hungarian police then contacted the Austrian police to alert them to this case.*

### ***Taiwanese group***

*35 Taiwanese people – women and men - were found in a flat in Budapest. Apparently, the neighbour heard someone asking for help and called the police. At the beginning, the news was about sex workers kept as slaves. Based on the circumstances, IOM Hungary made enquiries with the Immigration and Asylum Office (IAO), the Police and the National Bureau of Investigation, but the competent authorities did not hear about the case. Eventually, the IAO communicated that the 35 Taiwanese people were all interrogated, but the Office did not find indicators of trafficking. Supposedly it was a case of illegal gambling and information was given that the Taiwanese citizens all had residence permits and valid return tickets. Taking into account that their residence permits were about to expire, the Office took expulsion orders against the Taiwanese and their removal from the territory of the country became a priority. Charges were filed against a Taiwanese citizen who was engaged in illegal gambling and the Prosecutor's Office mentioned a violation of personal freedom in terms of the 35 seized people. A closer examination of the situation might have led to different conclusions, namely that these persons could perhaps be victims of trafficking as exploitation most probably took place (a violation of freedom is already a massive indicator of trafficking).*

So far, no victims of trafficking from third countries have been formally identified in Hungary, neither at the border, nor in other parts of Hungary. For third country nationals it is very hard to enter Hungary over land. There is a fence on the Hungarian-Serbian border and there are only two entry points into Hungary. Foreign nationals that wish to enter Hungary from Serbia have to stay on the border and only a very limited number of people per day are allowed to enter Hungary at the Serbian border. After first interview, that focuses on asylum, the asylum seekers are accommodated at the so-called 'transit zones' to await further procedures. At the transit zones, identification of possible victims of trafficking is part of the protocol, but in practice this has not led to any formal identifications.

## **GRETA Report 2018**

Hungary has received two critical reports in 2018 regarding its efforts to combat trafficking in human beings. First of all, in April 2018 the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA)<sup>38</sup> especially expressed its concerns regarding the lack of identification of victims of trafficking among asylum seekers in the so-called 'transit zones', with a special emphasis on children, as well as the return of asylum seekers to Serbia. GRETA has urged the Hungarian authorities to adopt such measures, which are necessary to identify victims of trafficking among asylum seekers. These measures include<sup>39</sup>:

- setting up clear procedures on the identification of victims of trafficking and their referral to specialized assistance;
- providing systematic training to officials of the Immigration and Asylum Office, police officers, doctors, nurses, social workers and other staff working in the transit zones, on the identification of victims of trafficking and the procedures to be followed, including by providing operational indicators to enable staff to proactively identify victims of trafficking;
- enabling specialized NGOs with experience in identifying and assisting victims of trafficking to have regular access to transit zones and to all accommodation centres for victims of trafficking;

<sup>38</sup> Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA). Report on Hungary under Rule 7 of the Rules of Procedure for evaluating implementation of the Council of Europe Convention on Action against Trafficking in Human Beings (27 April 2018)

<sup>39</sup> Idem, 14 - 16

- taking proactive measures to raise the awareness of victims of trafficking by systematically informing all asylum seekers, orally and in written in a language they can understand, about their rights in the framework of the asylum procedure, and the legal rights and the services available to victims of trafficking. Such steps should include distribution of information materials that specifically address the trafficking risks faced by men, women and children;
- ensuring that there are appropriate facilities in transit zones where asylum seekers can meet in privacy with persons of trust, including lawyers, employees of specialized NGOs, officials of international organizations and social workers.

Furthermore, GRETA recommended the Hungarian authorities to ensure that<sup>40</sup>:

- victims of trafficking seeking asylum or subsidiary protection are not deprived of their liberty and are provided with specialized assistance and protection outside the transit zones, in accordance with Article 12 of the Convention;
- whenever there are reasonable grounds to believe that an asylum-seeking person placed in a transit zone is a victim of trafficking, he/she is granted a recovery and reflection period, during which expulsion orders cannot be enforced, and is promptly referred to specialized assistance outside the transit zone;
- victims of trafficking are provided with support and assistance outside the transit zones and in accordance with Article 12 of the Convention.

Moreover the GRETA report urged the Hungarian authorities to:

- [...] conduct individual risk assessments prior to the return of trafficked persons, in co-operation with the country of return, international organizations and NGOs [...].
- ensure that pre-removal risk assessments prior to all forced removals from Hungary fully assess risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement.

The Ministry of Interior, Department of European Cooperation, provided GRETA in April 2018 among others with the following comments on the report<sup>41</sup>:

- ‘[...] The transit zone is free to leave in the direction of Serbia for any asylum seekers at any time, without withdrawing their applications. For this reason we do not agree with the conclusion [...], which states that the transit zone “is effectively a place of deprivation of liberty”.’

The government also stressed that there is a ‘professional brochure’ on the phenomenon of trafficking available to professionals working in the transit zone, including a list of indicators, as well as a leaflet on trafficking in different languages for asylum seekers. Also, the government stated that there is a continuous training of employees on the issue of trafficking and various specialized NGO’s (Hungarian Baptist Aid Foundation was explicitly named) as well as IOM Hungary are given access to the transit zones.

In addition to this IOM Hungary clarified that its services in the transit zones focus on outreach for the Assisted Voluntary Return programme, training for professionals and previously also on data collection. In 2018 a counter-trafficking training was delivered for the social workers working in Tompa transit zone. The Hungarian Baptist Aid as part of the Charity Council previously delivered programmes for children, charity goods and training on identification for the staff of the transit zone, but are not active in the transit zone at present.

40 Ibidem, 14 - 16

41 Ibidem, 19 - 21

## TIP report 2018

Apart from the GRETA report, the 2018 Trafficking in Persons Report from the U.S. Department of State<sup>42</sup> put Hungary for the second year in a row on the Tier 2 Watch List. Like countries placed in Tier 2, countries in Tier 2 Watch List do not fully meet the Trafficking Victims Protection Act (TVPA) minimum standards for the elimination of trafficking, but are making significant efforts to bring themselves into compliance with those standards.

As also touched upon in chapter 3, countries that have been placed in Tier 2 Watch List for two consecutive years will be automatically put in Tier 3 if no significant improvements have been made in the third year. The US Secretary of State is authorized to waive this automatic downgrade based on credible evidence that a waiver is justified because the government has a written plan that, if implemented, would constitute making significant efforts to meet the TVPA's minimum standards for the elimination of trafficking and is devoting sufficient resources to implement the plan. The Secretary can only issue this waiver for two consecutive years. After the third year, a country must either go up to Tier 2 or down to Tier 3. If Hungary would be placed in Tier 3, this might have serious repercussions for funding relations with the United States, but also have impact on international relations, for example with the International Monetary Fund.<sup>43</sup>

The TIP report made the following comments regarding Hungary's ranking on Tier 2 Watch List:

*'The government demonstrated significant efforts during the reporting period by funding two NGOs to provide victim services and piloting a new EU-funded digital platform to collect statistical information on trafficking victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Investigations and the number of victims identified continued to decrease from the previous reporting period. Government officials did not screen for trafficking indicators among vulnerable populations and law enforcement did not identify a single victim in the country. Only one of the three individuals convicted under a trafficking statute served jail time. Services for victims remained scarce, uncoordinated, and inadequate, especially for children and foreigners. Law enforcement arrested and prosecuted children exploited in sex trafficking as misdemeanour offenders, including sentencing five children to imprisonment based on their exploitation in sex trafficking. Therefore Hungary remained on Tier 2 Watch List for the second consecutive year.'*

The TIP report continued with the following recommendations for Hungary:

*'Screen all individuals in prostitution for trafficking indicators and protect adults and children from punishment for crimes committed as a result of trafficking, including prostitution; significantly increase quality and frequency of specialized victim services for adults and children and provide sufficient funding to NGOs to offer victim care; proactively identify potential victims, especially among vulnerable populations, such as migrants and asylum-seekers, children in state-run homes and orphanages, and individuals in prostitution, including by enhancing training for law enforcement and social workers on recognizing indicators of exploitation; increase law enforcement and judiciary efforts to investigate, prosecute, and convict traffickers under the trafficking statute and punish them with imprisonment; adopt and implement a non-punishment provision to ensure trafficking victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being subjected to trafficking; amend anti-trafficking provisions of the penal code to explicitly address the irrelevance of victim consent relating to trafficking offenses and train law enforcement on its implementation; take steps to prevent trafficking of vulnerable children residing in state-run child care institutions and individuals who leave these institutions; increase victim-centred training of law enforcement, prosecutors, and social workers; bolster protection for victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve reintegration; enhance the collection and reporting of reliable law enforcement and victim protection data; and bring the anti-trafficking law in line with international law by more precisely defining exploitation and requiring fraud, force, or coercion as elements of the core offense of adult trafficking.'*

Last but certainly not least, the following Hungarian 'trafficking profile' was provided by the TIP report:

*'As reported over the past five years, Hungary is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labour and sex trafficking. Vulnerable groups include Hungarians in extreme poverty, under-educated young adults, Roma, single mothers, asylum-seekers and unaccompanied minors, and homeless men. Hungarian women and children are subjected to sex trafficking within the country and abroad, mostly within Europe, with particularly*

<sup>42</sup> Department of State, United States of America. Trafficking in Persons Report (June 2018), 217-219

<sup>43</sup> Idem, 41



*high numbers in Germany, the Netherlands, and France. Hungarian men and women are subjected to forced labour domestically and abroad, particularly in Germany, the United Kingdom, and the Netherlands. NGOs have reported a phenomenon of selling disabled victims for sex trafficking. Hungarians, particularly Romani women and girls and those from state care institutions, are exploited in sex trafficking in large numbers in Austria by Hungarians of Roma and non-Roma origin. A large number of Hungarian child sex trafficking victims exploited within the country and abroad come from state-provided childcare institutions and correctional facilities, and traffickers recruit them when they leave these institutes. Hungarian women lured into sham marriages to third-country nationals within Europe are reportedly subjected to forced prostitution. Hungarian men are subjected to labour trafficking in agriculture, construction, and factories in Western Europe. Trafficking victims from Eastern European countries transit Hungary en route to Western Europe. Hungary is a transit country for asylum-seekers and illegal migrants, some of whom may be or may become trafficking victims. Within the country, Romani children are exploited in forced begging, child sex trafficking involving both girls and boys, and forced petty crime.'*

### 7.3 Main outcomes of the Expert Meeting: Dilemmas and ways forward

In the Expert Meeting's opening speech, *Mr. Gábor Tóthi*, the head of Department of European Cooperation at the Ministry of the Interior, described trafficking as an increasingly serious topic for Hungary. There is a link to organized crime and an international approach is necessary, both within the EU and with countries outside the EU. Also, the Ministry indicated the importance of cooperation between governmental and non-governmental organizations to combat trafficking. Referral was made to previous projects of good cooperation between partners, such as the RAVOT-EUR project in which the Netherlands, Hungary and Belgium closely cooperated to develop a transnational referral mechanism on trafficking in human beings. This project has meanwhile been extended to Austria and Switzerland. Also, the Ministry indicated UNHCR and IOM as important partners in the combating of human trafficking.



In addition, *Mr. Tóthi* stipulated that Hungary is at present mainly a transit country and a country of origin for victims of trafficking. However, the focus on Hungary as a country of destination is growing and it is important to build more expertise on this within the Immigration and Asylum Office for early identification of victims of trafficking. Good international cooperation such as within the Safe! project is an essential part of this, he concluded.

*Mr. Áron Tési* from the Ministry of the Interior described how Hungary is one of the largest countries of origin of victims of trafficking within Europe and how the Hungarian authorities have addressed the issue since the National Anti-Trafficking Coordinator was appointed in 2008. Moreover the Ministry has identified and supported several new projects since early 2018, such as the development of regional coordination mechanisms in the most affected counties in Hungary, training of 600 police professionals and funding for support services for victims in Budapest and two other cities. Also, an online data system, EKAT, has recently been developed to store data on trafficking victims more efficiently.

With regards to victims of trafficking from third countries the Ministry of Interior indicated that they are legally entitled to the 30 days reflection period upon identification and, if they press charges, a temporary residence permit can be provided for six months with the possibility of extension. However, despite these legal possibilities, the Ministry continued that no third country victims have formally been identified in Hungary so far. Mr. Tési also shortly referred to the TIP and GRETA reports, indicating that the recommendations will be seriously considered and that the Ministry is open for international cooperation and exchange of best practices. In conclusion, he announced that a new National Strategy will be developed shortly to replace the 2013 – 2016 National Strategy to Combat Trafficking in Human Beings.

In the ensuing discussion after the plenary presentations participants to the Hungarian Expert Meeting indicated the following challenges with regards to early identification and protection of victims of trafficking from third countries:

- Hungary is mainly a transit country for victims of trafficking from third countries, which makes them reluctant to press charges in Hungary. Moreover, the general public attitude towards migration is not favourable.
- There is a huge lack of data, which makes it impossible to give accurate numbers of victims of trafficking and how many perpetrators are arrested. Also in some cases GO and NGO data contradict each other. The new EKAT digital system should improve this. Victims do not have to press charges in order to be incorporated into EKAT, but they have to give their consent and sign the identification data sheet to be incorporated. If such consent is absent, they cannot be included. Hungarian Baptist Aid for example indicated that they have assisted 15 third country victims so far, but that none of them have pressed formal charges and were therefore not included in EKAT.
- Trafficking cases that are known mostly refer to sexual exploitation. Labour exploitation and criminal exploitation are much less visible.
- It is important to also pay attention to possible victims of trafficking that come through other routes than overland via Serbia. Migrants come to work in the sex industry, in agriculture, building companies and catering; some arrive on international students visa or through family reunification.
- Within the transit zones, but also in other professional fields, there is a lack of expertise on the issue, both with regards to Hungarian and foreign victims. There are guidelines and some staff has been trained, but in practice this is not sufficient as demonstrated by the deficiency of formal identification of victims. This lack of identification is reinforced by the reluctance of victims to speak out for fear of repercussions from their traffickers.
- The existing infrastructure for identification and protection of victims of trafficking is aimed at Hungarian victims only. There is a limited capacity of specialized shelters for victims of human trafficking in Hungary. There are a few small-scale shelters managed by NGO's such as the Hungarian Baptist Aid, Chance for Families 2005 Foundation and Anonymous Ways Foundation. Although in theory and according to the National Referral Mechanism these shelters should also be accessible for third country victims, in practice admittance is almost totally restricted to Hungarian victims returning from abroad and for shelter staff it is not always clear whether they are allowed to admit foreign victims.
- Apart from a lack of shelter for foreign victims, there is also a shortage of interpreters to communicate with these new groups of victims. Moreover, long-term accommodation and services proves to be a major problem, not only for foreign victims, but for Hungarian victims as well. As foreign victims do not speak Hungarian finding a job is extremely difficult. Moreover, there is a need for legal assistance, psychological help, cultural mediators and specialized services for children.
- There is no adequate referral system for victims of trafficking from third countries. Consequently, even if a victim would be identified, professionals would not know how to and where to refer them.

With regards to the safe return and reintegration of victims of trafficking from third countries, the participants named the following challenges:

- It is very difficult to establish good cooperation with countries of origin as very often these countries lack knowledge on the issue of trafficking as well as an appropriate infrastructure to support returning victims. Consequently, it is often not clear whether a returning victim will be supported on return.
- There is a lack of knowledge about the security risks that a returning victim faces. No risk assessments are made before returning a victim. IOM in Hungary and the country of origin can offer a few services to this regard, for example by checking families and support organizations in the country of origin, but means are limited.

#### 7.4 What can Hungary do?

Participants to the Expert Meeting recognized that they are bound by the legislation and migration policies of the Hungarian government, which will ultimately decide how the issue of third country victims of trafficking will be addressed. This being said, after thorough discussion the expert participants suggested the following steps forward to identify and protect victims of trafficking from third countries, as well as ensuring their safe return and reintegration:

- As the Ministry of the Interior has already announced, a new National Strategy to combat trafficking in human beings is needed for Hungary, incorporating new developments and best practices, both for Hungarian victims and victims from third countries. Prevention activities should be an important part of the new strategy and the cooperation between Hungarian authorities and NGO's should be paramount.
- The first step is recognition that there are third country nationals in Hungary that have become victims of trafficking. In 2017 there have been three criminal investigations into trafficking cases with third country nationals in which Chinese victims were involved and there are many more signals from the field that trafficking with third country nationals is happening within Hungary. There has already been some training for border officials to recognize signals of trafficking, but more is needed. To this extent, the training programme within the Safe! Project is very well timed.
- There is already expertise among Hungarian authorities and NGO's to address Hungarian victims. This existing expertise should also be applied to victims from third countries. The Immigration and Asylum Office should have a central role in this, not only in the identification of victims, but also in follow-up.
- The existing Hungarian legislation in principle also applies to third country nationals. Hungary needs to prepare itself to extend the services embedded in this legislation to victims of trafficking from third countries, especially if the phenomenon will grow and become more visible. Cooperation between government institutions and NGO's is paramount in this.
- The EKAT database needs to be extended in order to get a more complete overview of all trafficking cases. It should be highlighted that for inclusion in the database informed consent is necessary; therefore inclusion cannot be forced if victims refuse to be incorporated.
- There should be more joint police investigation teams to prosecute perpetrators, both regarding cases involving Hungarian and foreign victims. International cooperation should also be part of this, as trafficking is a transnational crime. Also, it is essential to establish good working relations between (specialized) police investigation teams and the Immigration and Asylum Office to be alert on trafficking cases.
- Much more training is needed for a variety of professional groups, such as the (border) police, immigration officers and social workers within the transit zones, health care staff and labour inspectors. Training should focus on identification, intercultural expertise and appropriate follow-up procedures after identification.

- Prior/simultaneously to training it is essential to work on the National Referral Mechanism so that it will be clear how and where to refer victims of trafficking from third countries. Also, indicators for identification of victims of trafficking from third countries need to be sharpened in order to use them for training. Other countries already make use of such indicators, for example in the Netherlands, and Hungary could apply these to its own situation.
- Unaccompanied minors should in principle be treated as vulnerable groups and be placed in special protection while investigating whether they are victims of trafficking.
- More international cooperation is needed, as there are many best practices abroad that Hungary can learn from and add to from its own experience.
- More structural financing is needed to combat trafficking to ensure sustainability of project-based and temporarily financed initiatives.

## 7.5 From expertise to practice: highlights from the Early Identification and Safe Future, Safe Return trainings

On the second and third day of the Hungarian National Platform training was provided for border police officials, labour inspectors, as well as immigration officers and social workers employed in the transit zones. They brought with them well-established grassroots expertise, although initially many of the participants indicated they did not come across victims of trafficking on a regular basis. However, as the training progressed more and more ‘voices from the field’ testified to the contrary. Armed with new knowledge and skills, most participants realized that they had witnessed possible or actual trafficking situations in their work more than once. At the end of the two-days training programme, all participants awarded it with high marks, expressing feedback such as the following:

*‘I got a lot of information concerning trafficking. It significantly widened and extended my knowledge about early identification of victims of trafficking.’*

- Participant from State Labour Inspectorate Budapest

*‘I have learned a lot. I got a lot of information that I didn’t have before and I can use during my daily job. Everything was new to me and I now realize what the signals are and what I have to do, how I can deal with the victims.’*

- Police officer from Bács county

*‘The training opened up my eyes to identify better the victims. It helped me to focus and manage my resources better and to work together with other departments.’*

- Social worker at Rösztke transit zone

*‘I think now I can recognize more the victims than before, because I know what I should ask, see, etc. It was very satisfying; I enjoyed this interactive form of education. I learned about the exact form of trafficking, how to separate trafficking from smuggling and how to ask questions. There should be more training like this!’*

- Police officer from Csongrád county

*‘I am glad to know more about your methods from Holland. For me it is very important to enlarge my knowledge, take place in trainings, and then use them at my every day work. Thank you for that! I really loved the practical exercises, because most of the trainings I attended were just lectures with very few exercises. Within this training I studied many practical methods to identify the victims. With the help of the many exercises, it will be much easier to find the way to help the victims of trafficking and also to use the theories in real life. With the help of the training I can set up the future plan of the identified victims easier. I can show them not to give up; there are many ways for the future. The ecogram will be especially useful in my future work. The other thing I learned at the training is to never regret to spend as much time with my clients as possible, talk with them and try to help them. Thank you for your efforts!’*

- Immigration officer at Rösztke transit zone

*'I learned the definition of human trafficking and learned a lot about the different view points how to deal with this. The examples were very useful as well as the information on the legal aspects of human trafficking. I was relieved to learn that there is an international social map for assisting returning victims and that there are organizations who help with reintegration. I think I could detect a victim from now on!'*

- Social worker at transit zone

*'The training was efficient and useful. I've already had knowledge regarding the topic, but the amount of information given at the training was enormous. As a social worker it will help me to be able to spot the possible signals. Keep up the good work!'*

- Social worker at transit zone

*'I learned a lot about trafficking, about its signals and from the partner organizations that were present at the training. I had some information about trafficking, almost all from the media, so I'm happy that I'm now standing closer to this theme. I now have a different opinion about trafficking than before. I think I might recognize the signals of trafficking now, when I meet with possible victims'*

- Participant from State Labour Inspectorate Budapest

*'Although we don't meet very often this kind of problem, it is very important to recognize the signals of trafficking and it is good to meet the partner authorities. The training provided a lot of practical information and made me think what a big problem this is for the authorities to identify and solve this societal problem.'*

- Participant from State Labour Inspectorate Budapest

*'I became more open-minded because I've now looked at several different aspects of this issue. I have got useful tips for my everyday work. You helped me to clarify the important differences between trafficking and smuggling. I am eagerly waiting for your toolkit to prepare myself for my daily work! Do not change your way how to manage the training, I do prefer this 'active flow' way!'*

- Immigration officer at transit zone

*'The training greatly benefited me; I've learnt a lot that I can use in my job. I can now also see the differences between smuggling and trafficking. After this training we can identify the victims of trafficking from third countries more effective. And if we can realize the problem earlier, we can do more against it.'*

- Police officer from Bács county



Those participants that already had some experience with the identification process of victims of trafficking from third countries shared their knowledge and best practices with the other participants:

*'We are at the frontline, but not directly at the border. When our colleagues at the border check the papers of foreigners crossing the border and suspect something might be wrong, the first thing they do is to separate the possible victim from the perpetrator. We then talk to them individually. The person is brought to a room behind the borderlines. During this first interview there is much apprehension on the part of the possible victim. We try to take away this fear a bit by talking to them not wearing uniforms, as we know from experience that people then sometimes are less intimidated and more willing to talk. We also try to arrange for an interpreter from the country of origin and to get more information on that particular country. What we know*

*from experience is that people pay huge sums to come to Hungary and that usually they pay the last bit just before crossing the border. They then apply for asylum, as this is the only way to get into the transit zone. Almost nobody talks about that they have been exploited on the way here in order to pay for the travel.'*

- Participant from border police

A colleague from the Immigration and Asylum Office within the transit zone continued:

*'People often stay in the transit zone for quite a long time and it's an intensive period for them. First impressions are really important for us to pick up a gut feeling that something is wrong. For example if they say they are family, but we get a clear impression that they are not. Or if they change their story all the time. For us, having some cultural knowledge is necessary as well as the presence of interpreters in the transit zone so that we can communicate with them. The interpreter is not always there from the first moment, which complicates matters. But all in all we have time to observe our clients and also we have close connection with our colleagues who work as social workers in the transit zone. Together we see a lot.'*

A social worker from one of the transit zones added:

*'We do have guidelines from the Immigration and Asylum Office to recognize trafficking, but it's difficult in practice. What we primarily do is to explore the status of the client with regards to physical, psychological and mental health. We use professional psychological tools to assess this and we can refer them to a psychiatrist, psychologist or other health care if necessary. We closely work together with our colleagues from the Immigration and Asylum Office to draw conclusions whether a person is a victim of trafficking.'*

The labour inspectors from Budapest remarked:

*'If we have a suspicion of trafficking, we try to get the possible victim in a more secure environment for a specific interview. We also try to assure them of our empathy and that we will try to help them. At the same time we also have to inform them that we will need to notify the authorities, be it the police or the Immigration and Asylum Office and that we are also in contact with IOM and health care. In practice, this has never led to an actual legal case yet, as possible victims do not dare to speak out or if they do, they never press charges against their perpetrators. We had a few examples in the construction industry with some young male Africans that alarmed us, but unfortunately nothing came out of it. '*

One of the practical exercises that were implemented during the training concerned the 'road map' or in other words, the referral system after identification. Participants were asked to describe the current situation when a trafficking case is suspected and what should be done in the ideal situation. This resulted in the following appealing examples, which might be relevant for the other project countries as well.:

## Border police

Current situation	Ideal situation
Separation of possible victims and traffickers	Separation of possible victims and traffickers
Notification of the police and the Immigration and Asylum Office	Notification of the police and the Immigration and Asylum Office
	Specialized police services available at the border to take action against the perpetrators and interview the possible victims

## Social workers and immigration officers at transit zones

Current situation	Ideal situation
(Possible) victims only have limited knowledge about trafficking and their rights to access help	More (possible) victims are aware of the risks of trafficking and their rights to access help
Limited capacity of shelters to refer (possible) victims of trafficking	Enough shelter capacity to refer victims to
Offering of psychological, social and health services	Continuation of psychological, social and health services in shelters
Limited amount of professionals that can be trained on the issue of trafficking; consequently low identification levels	All professionals trained and aware of trafficking, so that identification can be increased

## Social workers and immigration officers at transit zones

Current situation	Ideal situation
Labour Inspectorate can only act against employers that exploit employees and stop people to work for them	Labour Inspectorate act against employers that exploit employees and stop people to work for them
Notify police and Immigration and Asylum Office when minors are identified as employees	Notify police and Immigration and Asylum Office when minors are identified as employees
	Mobile assistance units to talk to (possible) victims and win their trust. The units should have a multidisciplinary approach, involving social workers and health care workers along with labour inspectors and police, as possible victims are often too afraid to talk to the police at first
	Monitoring system to check how victims integrate into Hungarian society after they receive a residence status; what happens to them if they travel onwards to other countries; or how the reintegration process develops if they return to their country of origin

After the training, the participants also followed up with their colleagues by making short presentations of the main lessons learned, thereby further transmitting their newly acquired knowledge and skills.

## **7.6 Final remarks**

Although the political situation in Hungary is complicated with regards to combatting trafficking in human beings of victims from third countries and much remains to be done, as also expressed in the TIP and GRETA reports, it has become clear at the Expert Meeting and during the training programme that there is a lot of expertise in Hungary that can be called upon to make positive steps forward. Both the participants to the Expert Meeting and the training showed serious willingness to make these steps and engage in better identification and protection of victims of trafficking from third countries, as well as ensuring their safe and sustainable reintegration.



## Chapter 8 Zooming in: The International Platform

This chapter goes into detail about the outcomes of the International Platform that took place in Sofia, Bulgaria, in October 2018. At the International Platform 105 experts from 26 European countries discussed the main challenges and ways forward with regards to the early identification and the safe and sustainable return of victims of trafficking from third countries. Also professionals from all over Europe were trained to work with the Safe Future Methodology.

### Chapter structure

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### 8.1 Structure of the International Platform

The International Platform that took place on the 2nd and 3rd of October 2018 in Sofia, Bulgaria, consisted of four main events, attended by 105 participants from 26 countries in total:

Date	Event	Target group
Tuesday 2 October 2018	Expert Meeting: “A New Challenge for Europe” to discuss dilemmas and possible strategies on early identification, protection and safe future, safe return of (possible) victims of human trafficking among newly arrived migrants and refugees from outside the EU	Experts from anti-trafficking NGOs, GO and IGO experts working in the anti-trafficking and/or migration and asylum field
Wednesday 3 October 2018	La Strada NGO Platform in addition to participation in the Expert Meeting	Members of the La Strada European Network
Wednesday 3 October 2018	Training on Safe Future, Safe Return for Victims of Trafficking	Social workers and other care professionals from European NGO’s that come into close contact with (possible) victims of trafficking from third countries
Tuesday 2 and Wednesday 3 October 2018	Training of Trainers	Experienced anti-trafficking trainers who would like to sharpen their general training skills and learn more about interactive ways to train

Apart from the content of the different events, a key element of the International Platform was bringing together anti-trafficking experts with their counterparts working on asylum and migration, thus creating the opportunity for participants to exchange experiences, discover different perspectives and actively engage in networking. In total 88 Participants attended the Expert Meeting on the 2nd of October 2018, coming from 26 countries, 19 of which were EU Member States. From almost all countries, a GO and an NGO expert were present. With regards to IGO’s, IOM, the Red Cross<sup>44</sup> and UNHCR were well represented and the UN Special Rapporteur on Trafficking in Persons, especially Women and Children, gave the keynote speech. Apart from the Expert Meeting, 20 participants from 14 countries joined the Safe Future, Safe Return training on the 3rd of October. Ten of them had also attended the Expert Meeting. Moreover, 23 members of the wider La Strada network that had also joined the Expert Meeting prolonged their discus-

44 The British Red Cross is part of the International Red Cross and Red Crescent Movement. It is a neutral humanitarian auxiliary to the British public authorities.

sion on the 3rd of October in an especially convened La Strada NGO Platform. Last but certainly not least, seven trainers participated in the Training the Trainers on the 2nd and 3rd of October, bringing the total number of participants to the International Platform up to 105 partakers.

Animus Association, the National Commission for Combating Trafficking in Human Beings and IOM Bulgaria hosted the International Platform in close cooperation with La Strada International and HVO-Querido.

## 8.2 Main outcomes of the Expert Meeting: Dilemmas and ways forward

The representatives from Animus Association, the National Commission and IOM Bulgaria stressed in their opening speeches that Bulgaria lies at the crossroads of three continents, Europe, Asia and Africa, which results in a very dynamic migration situation. Like other Central and Eastern European countries, Bulgaria historically was a country of origin, but increasingly it is becoming a country of transit and destination for victims of trafficking from third countries. The speakers pointed out that first and foremost the focus should be on protecting the vulnerable groups among migrants and refugees as well as identifying victims of trafficking among them as early as possible. More prevention activities are needed, as well as an adequate system for support and a multi-stakeholders approach, the speakers added.

### Keynote speech by *Maria Grazia Giammarinaro*, UN Special Rapporteur on Trafficking in Human Beings, especially Women and Children

In her keynote speech *Maria Grazia Giammarinaro*, UN Special Rapporteur on Trafficking in Persons, especially Women and Children, reflected on the recent report she presented to the UN Human Rights Council that focused largely on the issue of early identification of victims of trafficking in the context of the current migration flows into Europe. In the report she analysed '[...] challenges in the identification, referral and protection of victims and potential victims' and offered 'recommendations to States, international organizations and civil society organizations [on how to] adapt their responses to ensure the effective protection of victims and (potential) victims.'<sup>45</sup> In her speech, *Ms. Giammarinaro* indicated the following main concerns with regards to early identification of victims of trafficking and a safe and sustainable return to the country of origin:



45 A/HRC/38/45. United Nations Human Rights Council, Thirty-eight session. Report of the Special Rapporteur on trafficking in persons, especially women and children (14 May 2018)

- At present the public discourse is going into the wrong direction, with a focus on stopping and criminalizing migration by taking measures that are highly restrictive, violating human rights and sometimes even racist in nature instead of offering protection to vulnerable groups.
- ‘Hotspots’ at European borders that receive many migrants and refugees, presently do not have formal procedures to identify (potential) victims of trafficking. Only repressive measures such as forced finger printing are being taken. (Potential) victims of trafficking and other vulnerable groups can only enter the asylum procedure, without any specific referral or protection on grounds of trafficking.
- In countries of transit and destination migrants and refugees are subject to systematic exploitation due to their extremely vulnerable situation. Often families that have paid for the travel to Europe were only able to pay for the first part of the trip; subsequently sexual and labour exploitation takes place en route to pay the remaining sum.
- In the majority of countries, identification of victims of trafficking takes place within the law enforcement model; victims that do not want or dare to testify consequently are excluded from receiving adequate protection. However, in places of first arrival of mixed migration flows, it is very difficult to achieve evidence of exploitation migrants have been subjected to in transit countries; moreover, especially in the case of highly traumatized victims the law enforcement model is too narrow as testifying remains a big challenge and especially this most vulnerable group consequently often lacks the protection they so urgently need.
- Therefore an innovative model is needed, aimed at identifying – regardless of whether criminal proceedings have started or not – signals of migrants’ vulnerabilities to trafficking through confidential interviews carried out for protective purposes by qualified staff, preferably social workers with an NGO background.
- The final decision about whether victims of trafficking have to return to their country of origin lies with the national authorities, but in many cases risk assessments or assessment of particular vulnerability do not duly take place.

*Ms. Giammarinaro* then advocated for the following steps forward:

- There should be a full integration of the identification process of victims of trafficking with the asylum system, so that victims of trafficking will be identified as early as possible. Staff working at borders and within refugee centres should be trained to recognize signals of trafficking among persons that apply for asylum and once victims are identified they should immediately be referred to specialized services.
- The agency, or the self-determination of victims should be at the core of all interventions. Victims should not be forced to self-identify and testify, but receive adequate information to make an informed decision. They should be entitled to protection and support regardless of whether they press charges or not. The focus should be on their vulnerability and how to recover from their traumatic experiences.
- A multi-agency approach, consisting of close cooperation between law enforcement, NGOs and other stakeholders, is needed to combat trafficking and protect the victims.

## **Enrico Ragaglia, ICMPD. Trafficking along migration routes to Europe (TRAM) project. Bridging the gap between migration, asylum and anti-trafficking**

ICMPD project manager *Enrico Ragaglia* pointed out to the following challenges with regards to early identification and protection of victims of trafficking from third countries:

- Identification of victims of trafficking along the Western Balkan route is very low: in general, the countries covered by the TRAM assessment continue to mainly identify EU citizens, who are victims of sexual and labour exploitation, and sub-Saharan Africans, particularly women, as trafficked persons. Very limited numbers of people who have used the Balkan route have been officially identified as victims of trafficking in human beings.
- It has proven to be very difficult in practice to connect authorities working on anti-trafficking with those involved in asylum and migration, as these are often separate fields, creating a disconnect. A complicating factor is that it is sometimes difficult to distinguish between smuggling and trafficking, also because smuggling often leads to exploitation en route and/or in trafficking situations.
- If trafficking happens en route this is normally hard to prove once migrants reach the country of destination. The fact is that once they arrive in the country of destination, there is insufficient evidence available in order to determine whether a case constitutes trafficking in human beings or not. Furthermore, victims do not want to press charges for fear of being held in the transit country and traffickers easily slip through the net.
- In certain countries, the perception by migrants and authorities alike is that the country in question is only “a country of transit” and therefore it does not make sense for migrants to seek, or stakeholders to provide, support services (transit country paradigm). A complicating factor is that (potential) victims are hardly aware of their rights. Women and children travelling alone form a particular vulnerable group to exploitation.
- There is a lack of new indicators to early identify (potential) victims of trafficking in the present large migration flows within Europe. Also authorities are reluctant to take new indicators into consideration as they still rely on the current ones, which were developed in long-term cooperation with stakeholders. In some cases, it seems that during the “migration crisis” (2015–2016) authorities have closed their eyes to signals of trafficking and let people pass on their way to Western Europe.
- Also, a lot of emphasis was put on smuggling and security issues, rather than trafficking. In some cases victims have been criminalised for crimes related to their exploitation by traffickers. Restrictive migration policies constitute a risk factor in terms of increased border controls and the restriction of legal channels for transiting, entering and residing in the countries covered by the TRAM assessment, and in terms of restrictions on the basic services provided to migrants.
- At the individual level victims fear and mistrust the authorities in the countries they pass through on their way to Western Europe and they do not identify themselves as victims of trafficking, both due to lack of awareness of the exploitative situation they find themselves in as out of fear for repercussions. Also they tend to rely on information from other people in the same circumstances as themselves, especially if these belong to the same nationality or ethnic group, rather than on information provided by authorities, IGO’s and NGO’s.
- With an eye to long-term integration of victims into the society of countries of destination there is a shortage of services available to them, as well as a lack of staff and resources to meet their needs.
- With regards to residence status, the options for victims of trafficking are too narrowly interpreted, mainly focusing on the asylum status or on the willingness to press charges.

*Mr. Ragaglia* made the following recommendations:

- Improve the understanding of trafficking in human beings among authorities and other stakeholders, recognize migrants’ rights and acknowledge the special status of children within the context of the Convention on the Rights of the Child.

- Mitigate risk factors and provide access to basic services, access to legal aid and grant the possibility to work.
- Reconcile trafficking in human beings, asylum and migration procedures in order to early identify victims of trafficking and offer them adequate protection.
- Improve access to residence permits for victims of trafficking regardless of their willingness to participate in criminal proceedings against the perpetrator(s).

### **Emma Foley, British Red Cross United Kingdom. Sustainable integration of Trafficked human beings through proactive identification and Enhanced Protection (STEP)**

*Emma Foley* from the Red Cross in the United Kingdom highlighted innovative initiatives in the UK through the STEP project, on how to encourage the long-term integration of victims of trafficking in countries of destination. In these initiatives the British Red Cross and two partner organizations (Hestia and Ashiana) are each piloting complimentary models of integration support, through which they have assisted more than 40 survivors of trafficking in a period of six months. The three initiatives have different criteria and approaches, including trauma-informed and psychosocial support, and community-led recovery. They are working to the same outcomes framework, developed by partners in order to be able to share collective learning from the pilot and inform statutory support provision. One initiative offered trauma-related therapy and other psychosocial support, whereas another initiative focused on community-led recovery, combining professional caseworkers with a network of volunteers that assisted victims in their reintegration into local society.

*Ms. Foley* alerted to the following challenges in the integration support of victims of trafficking:

- There is a lack of transparency around the connection between asylum procedures and the national referral mechanism for victims of trafficking. This can impact survivors of trafficking both in terms of parallel support systems, and longer-term protection outcomes.
- Crisis-intervention needs are high at point of referral, even for recognised survivors; current timeframes do not allow for sufficient move-on support to be put in place.
- In the UK system, a conclusive decision as a Victim of Trafficking does not carry an automatic grant of status. The victims' unsettled legal status acts as a barrier to integration.
- Access to all kinds of support is limited, such as access to Legal Aid and appeal mechanisms; childcare; interpreting services and specialized (psychosocial) support. In general there is a lack of gender-specific support services. Also, many victims associate stigma with specialised support.
- Employability of victims of trafficking in the country of destination is a huge problem and consequently obstructs long-term integration.

Subsequently she delivered the following recommendations with regards to long-term integration of victims of trafficking from third countries:

- Service delivery and care pathways should be provided by qualified professionals equipped to provide high-quality advice. Among others this means that staff should be trained to deal with trauma; should be able to offer support in a 1:1 confidential setting; and should receive adequate supervision.
- The design of services delivering support should acknowledge the reality that needs change over time, with more intensive casework support likely to be needed around key transition points. There should be adequate (financial) means for casework with victims that is responsive to the level of need.

- The support provided to people leaving the NRM needs to be based on individual need, including matching to link victims with the most appropriate support and case transfer systems to provide continuity of care.
- Vulnerabilities should be identified as soon as possible through support assessment. A person-centred response and multi-agency approach should be at the core of all interventions, including care pathways that identify any vulnerabilities for those leaving the NRM following a negative conclusive grounds decision, with access to any necessary support.

## Voices from the field

Just like at the Expert Meeting in the Netherlands, after the plenary presentations and ensuing group discussion, the participants broke up in five small groups to discuss challenges and recommendations with regards to three main issues: early identification; protection; and safe future, safe return. Each group was asked to pinpoint the main dilemmas and thereafter discuss what should be done to tackle these dilemmas.



## Early identification of victims of trafficking from third countries

There were three small groups discussing the issue of early identification of victims of trafficking from third countries. The following main dilemmas were stipulated:

- There is a disconnection between asylum, migration and anti-trafficking procedures and personnel.
- There is a lack of knowledge, lack of awareness, lack of competence and sometimes also lack of political will to adequately identify victims of trafficking from third countries. Also, the existing frameworks are inconsistent and lack proper indicators of trafficking. Moreover, identification is at present mainly in the domain of law enforcement.
- There is a deficiency of capacity and willingness to identify trafficking cases in different sectors (e.g. labour exploitation in agriculture, forced criminal activities, etc.).
- There is a huge lack of trust and self-identification among (potential) victims of trafficking and it is difficult to reach them. Also, (potential) victims often are not aware of their rights and the possibility to access services. Identification of victims is an on-going process and winning the trust of (potential) victims is of the utmost importance.
- There is a shortage of services for victims of trafficking, especially for exceptionally vulnerable groups.

Remedies offered to tackle these dilemmas were:

- Relevant policies and legislations should be changed in order to address the disconnection between asylum, migration and trafficking procedures. Also, inter-sectorial trainings should be provided and cooperation should be actively promoted. At the same time it is important to keep the necessary firewalls between the various service providers and the authorities, meaning that for example if the victim goes to see the doctor the police should not be notified unless the victim consents. Otherwise victims will not use the services they need because they fear that their case would be reported to the authorities.
- With regards to increase the capacity and willingness to identify trafficking cases in different sectors, such as forced labour and forced criminality, it is important to increase the political commitment to do this, but also to promote legal channels to access the European labour market. Moreover, specialist training of professionals is needed in order to recognize these forms of trafficking.
- The authority in charge of the decision-making to identify victims of human trafficking should not be solely confined to legal enforcement and the criminal justice system, but rather encompass a multi-disciplinary group consisting of different stakeholders such as migration authorities, police, medical and psychologist services as well as NGO's providing shelter. It is crucial to have a common aim within this multi-agency group, namely the protection of victims and good communication skills and a sincere will for cooperation are vital to its success, as well as a clear description of roles and mandates.
- To raise awareness (potential) victims should receive information en route with indicators of trafficking, the risks that they are exposed to and the possibilities for support services, including contact details of different support organizations in different countries en route. Moreover, there should be more focus on pre-immigration orientation of potential victims of trafficking, using among others easy-to-access social media and the deployment of peer educators.
- A 'designated space' should be reserved for especially vulnerable groups such as children and women travelling alone, in which they can be taken apart from the rest of the group and receive information on a low-key basis in a trustful environment. Staff should be especially trained for this and they should not wear uniforms during interviews. Also, if possible peer educators should be deployed in these special services and enough time should be made available for each individual interview.
- To ensure appropriate access to services, additional financial and human resources should be allocated. This calls for an increase in relevant political commitment, but also for the provision of relevant training to professionals engaged with the target group. Moreover, there should be a strengthening of research and data collection in order to improve the quality of services. Last but not least there should be an improvement of knowledge management and information sharing so that best practices can be widely distributed.

## Protection and integration of victims of trafficking from third countries

One small group of experts dedicated themselves to the issue of protection and integration of victims of trafficking from third countries. Many dilemmas were specified:

- A victim's legal status is dependent on the willingness to cooperate with the police and other law enforcement agencies. Victims who do not press charges are not entitled to services and victims who do file a case will only get a temporary residence permit until the end of the criminal proceedings. All in all this makes the victim's situation very vulnerable and many victims lack perspective for their future; their whole life is on hold during the criminal proceedings.
- Many victims fear retaliation from their traffickers if they cooperate with the authorities and press charges. They often feel that their families cannot be protected sufficiently due to corruption, absence of a working legal system in their home country and lack of cooperation between law enforcement in the country of destination and origin.

- Most victims do not speak the language of the country of destination, thereby minimizing their chances for long-term integration and employability. Also, at the start of the counselling process there is often a shortage of interpreters, or victims do not want to communicate with the available male interpreters.
- There is insufficient accommodation for victims of trafficking, both in the crisis phase when they still rely on shelters as well as later on, when they are looking for a regular place to stay. In addition, there are also not enough specialized shelters for unaccompanied minors.
- If victims have been exploited in the country of origin or in the country of transit it is almost impossible to access services in the country of destination. Even if they press charges there, the case will be dismissed for lack of proof and because it did not take place in the country of destination.
- The lack of legal possibilities to migrate and work in Europe lure many victims into the hands of traffickers because of lack of other options.

When asked to name the Top 3 priorities of dilemmas, the group chose the following:

- The impact of the temporary residence status;
- Insufficient availability of specialized services;
- Inadequate possibilities for safe return and reintegration.

To tackle the above mentioned dilemmas the following strategies were highlighted:

- The formal identification process must be fast (within a few days/weeks – not months or years). A temporary residence permit should be granted to victims that press charges, in compliance with existing European legislation. Last but certainly not least the temporary residence permit should also encompass the right to work as soon as the victim is formally identified (in some countries this is already the case).
- There should be minimum standards for specialized services that are human rights based and victim centred. There should be sustainable funding from governments for service providers.
- With regards to safe return and reintegration, coalitions should be built with service providers in the countries of origin; governments should be pushed to invest more in development cooperation in countries of origin; and the implementation of risk assessments (and appropriate follow-up measures if necessary) are essential prior to the return process.



## Safe future, safe return and sustainable reintegration of victims of trafficking from third countries



The last small group of experts focused on safe future, including the option of safe return and reintegration to the country of origin of victims of trafficking from third countries. This group of experts came up with the following main dilemmas:

- There is a huge risk of re-trafficking after victims return to their home countries. Also, in many cases authorities and their social network alike stigmatize returning victims.
- There is a shortage of reliable support organizations in the countries of origin that can provide services to returning victims.
- Financial sustainability, ensuring enough income to cover accommodation, health care, education for children, etc. is a major problem for most returning victims.

To tackle these dilemmas the following steps forward were suggested:

- Risk assessments prior to departure (and adequate follow-up measures such as suspension of departure) should be implemented on an individual and tailor-made basis. To minimize stigmatization, victims should be enrolled in empowerment programmes while they are still in the country of destination.
- A database of reliable support organizations in the countries of origins should be built and extended, fuelled by existing successful cooperation between partners here and there. Also, support organizations in countries of destination should increase the cultural sensitivity and expertise of their staff, making it easier to establish contacts with organization in countries of origin.
- In order to contribute to financial sustainability of returning victims, microloans should be made available prior to departure. For this a EU fund should be established. Also tax payers should be given the option, as is already the case in some EU countries, to spend 1% of their taxes on charities, adding the sustainable reintegration of victims of trafficking as one of the good causes.

### 8.3 From expertise to practice: highlights from the Safe Future, Safe Return training and Training of Trainers

After the Expert Meeting, a specialized training on safe future, safe return, based on the Safe Future Methodology was given to 20 social workers from NGO's in 14 European countries. Some participants already had much experience with third country victims, for others it was a relatively new phenomenon. All participants indicated that it was very challenging to talk about the future with their clients, including the possibility of return, as the majority of victims did not want to consider this option at all. The Safe Future methodology provided them with practical tools how to open a conversation on the future as early in the counselling process as possible. Participants also learned how to develop 'road maps' for referral of clients for return and reintegration and how to include clients' social networks in the process in a positive way.

The participants provided the following feedback on the training:

*'I learned a lot about the 'system' in other countries, which is important, especially as I work a lot with mobile migrants. Moreover, the training made the whole 'return concept' more 'human centred' for me, more fitting to the social work agenda. It offered me a fresh approach to issues and skills in my daily work.'*

- Social worker from Finland

*'Great to get to know different professionals in the area of trafficking. We work in a similar way, supporting and helping people that have become victims of trafficking. The shared experience was beautiful. I learned how to ask the right questions and the ecogram was a very important tool for me.'*

- Social worker from Bulgaria

*'It helps me to think about the whole process of planning, preparing and discussing with the victims about their future. The training gave me tools in hand to discuss with my clients about their future.'*

- Social worker, country not specified

*'The training was mind provocative; we were active all the time, which is for me the best. It has totally met my expectations! I received new tools to use in contacts with clients, thinking from other perspectives and using some different resources.'*

- Social worker, country not specified

*'It is important to discuss about the future with the clients, but sometimes it is not easy to talk about return. The training programme taught me how to manage this nonetheless. I would have loved to learn more about the Safe Future Methodology. Maybe next time combine a bit more theory with practice?'*

- Social worker from Spain

*'I now know much more interesting practices and information. My knowledge really improved, especially because of the practical exercises. The level was very high, the ideal programme for me!'*

- Social worker from Ukraine

*'I learned a lot about different policies with regards to trafficking and I got to know new useful international contacts! I now realize that I can share my experience with others and also that I could use IOM more often in my work with clients.'*

- Social worker, country not specified

*'The training gave me ideas on how to map out options for people returning home and practical tools to improve a good return process. Some of these I didn't have yet, such as the ecogram, which can be helpful when talking about these difficult things with clients. In addition to the training provided, I would also have wanted to learn more about specific real cases, where a victim of trafficking has returned successfully.'*

- Social worker from Sweden

*'The training was so useful and effective and helped me to convert my knowledge from theory into practice. I also learned that you have to start with building trust and the ecogram can be a useful tool for this. I would love to participate again and learn more about how other countries do this!'*

- Migration officer from IOM Bulgaria

*‘It spotlighted the topic of safe return to me, the importance to bring it into the cooperation with the client at an early stage, not only when it becomes a reality because the legal investigation ends and a client has to take a decision.’*

- Social worker from the Czech Republic

*‘I’ve learned many useful methods about safe return and met nice people in the process! The training helped me to see the bigger picture of this issue. Keep up the good work!’*

- Social worker from Bosnia-Herzegovina

*‘It helped me to organize and ‘cement’ my knowledge on the matter. I will certainly use the Safe Future Methodology in my work with clients!’*

- Social worker from Bulgaria

*‘Always good to meet colleagues from different countries. I think the ‘mapping the network’ idea is something I can use with my clients whether they consider return or not. The discussions during the training were eye-openers for me, there is always a possibility to learn more!’*

- Social worker from Finland

*‘The training has been really helpful; it has equipped me with new ways to frame and discuss future planning and the difficult topic of return. The training had a really useful holistic approach which helps identify the gaps and vulnerabilities for victims of trafficking, both in the country of origin and destination.’*

- Programme officer British Red Cross

*‘I realize clearly (step by step as mentioned in the Safe Future Methodology!) what I’m doing in my everyday work and what else could be done. I learned, because of the exercises and exchange with colleagues from other countries, about different procedures and realities concerning work with institutions and victims. This knowledge was something new for me. I was a little surprised that the training was so practically oriented. It was circulating around the sharing of experiences whereas usually the trainings that I attend are more theoretical. Congratulations!’*

- Migration officer from IOM Bulgaria

## Train the Trainers

Apart from the Safe Future training, seven trainers were part of the two-days ‘Training of Trainers’ implemented by FairWork, in which they learned to improve their training skills. The participants came from different backgrounds and levels of experience. For example, there was a lawyer who mainly trained police officers and other law enforcement, but also social workers on the legal aspects of trafficking. Another participant was a police official who implemented many workshops on prevention of trafficking and early identification of victims together with her counterpart from IOM (who was also present at the training). Yet another participant often focused on training for youth. They all shared an eager enthusiasm and willingness to improve their training skills, as some were totally self-taught in training until now. A few of the comments made:

*‘The training was very beneficial for me because I had never had an official training before how to do trainings. I have learned new techniques and skills. It was especially useful that I received a tool set and a framework how to develop my trainings. Since I have done many trainings I was able to reflect on that with the new set of skills and knowledge that I gained during the training. This will certainly help me in my future trainings!’*

- Participant from Hungary

*‘I will use these new skills in my future trainings, reminding myself of the structure that we should keep in mind during the training. I especially loved the exercise how to lure your participants into learning!’*

- Participant from North Macedonia

*‘I acquired new tools and a model how to build a training, as well as good ideas how to make the people in my trainings more active. I learned a lot!! It will help to create new trainings and gives me inspiration to think about new ways how to do it.’*

- Participant from France

#### **8.4 Final remarks**

The International Platform can be considered a huge success as it was one of few possibilities for representatives from NGO's, GO's and IGO's from a great variety of European countries and a diverse number of professional fields to come together and actively work on new strategies and solutions to combat trafficking in human beings. The very positive feedback that was bestowed on the organizers was exemplary for this. The common agreement among the experts was that early identification and protection of victims of trafficking from third countries is of an essential nature in order to safeguard their human rights. Last, but certainly not least, many participants called for governments to act upon this.

## Chapter 9 Conclusions and Recommendations

**This chapter contains the main conclusions and recommendations of the Safe! project, aiming at providing guidelines for future steps to ensure the early identification and the safe return and sustainable reintegration of victims of trafficking from third countries.**

### Chapter structure

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### 9.1 Main conclusions

Although obviously there are many differences between (European) countries in relation to early identification, protection and safe return of victims of trafficking from third countries, the similarities are much more striking. Participants to the Expert Meetings at the National Platforms in the Netherlands, Bulgaria, North Macedonia and Hungary, at the International Platform and in the international inventory very often mentioned the same challenges that they face and also offered similar steps forward. Consequently, this last chapter emphasizes the common ground, including the main conclusions and recommendations that can be made.

#### General conclusions

To start with, it can be concluded that the topic of victims of trafficking from third countries is a relatively new phenomenon for many countries in Central and Eastern Europe. Historically, they were mainly countries of origin, but increasingly they have become transit countries and countries of destination. Although National Referral Mechanisms (NRM) and/or Standard Operational Procedures (SOP) are in place, they are often not yet adapted to the new situation. Many participants to the Expert Meetings and the international survey indicated that the NRM and/or SOP in their countries apply on paper to third country nationals, but not (yet) in practice, often leading to uncertainty among stakeholders what services they can and cannot offer to these new groups.

It can also be concluded that in many countries there is still a general lack of knowledge, awareness and skills on how to deal with victims of trafficking from third countries. Even in countries in Western Europe that have dealt with third country nationals for a long time, awareness of the issue is very often confined to specialists and many general professionals and the general public have little knowledge and awareness.

Another general conclusion that can be drawn from the Expert Meetings and the international research is that in many countries in Europe, not merely confined to Central and Eastern Europe, there is a lack of capacity among stakeholders to deal with the issue of trafficking as well as a shortage of available services. This applies to (border) police specialist investigation police teams that deal with early identification of (potential) victims, but also about shelter staff and other professionals offering protection and professionals engaged in the safe return of victims. The lack of capacity also extends to services and/or financial resources available to victims of trafficking from third countries such as shelter, legal assistance, and access to medical and psychological help.

Moreover, there is a general lack of data in many countries. Also in countries like the Netherlands that have dealt with the issue for decades it is still estimated that only a fraction of the victims of trafficking come to light. In the other project countries partners indicate that no victims of trafficking from third countries have been formally identified at all.

Last but certainly not least, many participants to the Expert Meetings and respondents to the international survey indicated a difficult political climate in many European countries with regards to the migration issue, resulting in ever more restrictive measures to close the European borders. In relation to this, many participants and respondents stipulated a lack of political will on the part of authorities to acknowledge that their country has become a country of destination for

victims of trafficking from third countries. Consequently, formal identification and protection of victims of trafficking is considered a low priority and in some cases national measures, or the lack thereof, is also contrary to European and international legislation.

Whereas lack of knowledge, awareness and skills can be addressed with the development and implementation of training, the deficiencies of capacity and political will is a more structural problem that needs addressing in another way. Also, without capacity it is difficult to upgrade the required knowledge, thus creating a vicious circle.

### **Early identification of victims of trafficking from third countries**

Specifically with regards to the early identification of victims of trafficking from third countries, the following main conclusions can be drawn as a result of the Expert Meetings and the international survey:

- There is a lack of connection and cooperation between (professionals involved in) asylum procedures and the national referral mechanism for victims of trafficking. In some countries, the asylum procedure is the only one open for potential victims, as there are no formal identification procedures applied for victims of trafficking. As the asylum procedure does not focus specifically on trafficking, (potential) victims of trafficking are consequently often not identified while they apply for asylum and in many cases asylum is denied. In some cases this leads to a quick return of the victim without her/his safety being granted in the country of origin.
- A complicating factor is that currently in practice it seems to become more difficult to distinguish between smuggling and trafficking, as smuggling often leads to trafficking situations. Another complicating factor is the Dublin regulation, in which (potential) victims are obliged to return to the country where they first entered the EU, even if identified as trafficked and it is not clear whether they can receive adequate protection and access to services in that particular country.
- Due to language barriers, cultural and religious differences it is more difficult for (border) police and service providers to recognize signals of trafficking among migrants and refugees and they struggle with the lack of new indicators for these groups.
- Even if some form of identification of (potential) victims is in place, the timespan for identification is often very limited, particularly at entry points into the EU. Especially in the days of the large migration flows, migrants wanted to move forward as quickly as possible. Moreover due to the Dublin Regulation, migrants tried to prevent being formally registered in EU border countries and denied assistance and support. Also, there are several privacy issues to overcome, as (potential) victims need to give informed consent to pass on their data to other parties.
- There is a huge lack of self-identification among (potential) victims of trafficking and it is difficult to reach them. Many (potential) victims do not trust the authorities or NGO's they meet en route or in their country of destination. Also, (potential) victims often are not aware of their rights and the possibility to access services. Moreover, they tend to rely on information from other people in the same circumstances as themselves, especially if these belong to the same nationality or ethnic group, rather than on information provided by authorities, IGO's and NGO's. Furthermore, as mentioned above, very often victims do not want to be identified out of shame, fear and their wish to migrate onwards to Western Europe.
- If trafficking happens en route this is very hard to prove, as victims do not want to press charges for fear of being held in the transit country and traffickers easily slip through the net. Moreover, many authorities in transit countries close their eyes to signals of trafficking and let people pass on their way to Western Europe. Women and children travelling alone form a particular vulnerable group to exploitation.

## Protection of victims of trafficking from third countries

In addition to the general conclusions, the following specific conclusions can be drawn on the protection of victims of trafficking from third countries once they are identified:

- A victim's legal status is dependent on the willingness to cooperate with the police and other law enforcement. Victims who do not press charges are not entitled to services and victims who do file a case will only get a temporary residence permit until the end of the criminal proceedings. All in all this makes the victim's situation very vulnerable and many victims lack perspective for their future; their whole life is on hold during the criminal proceedings.
- Many victims fear retaliation from their traffickers if they cooperate with the authorities and press charges. They often feel that their families cannot be protected sufficiently due to corruption, absence of a working legal system in their home country and lack of cooperation between law enforcement in the country of destination and origin. Weighing the advantages and disadvantage of filing charges they often decide not to press charges at all and can therefore not access services.
- In many cases victims and traffickers are accommodated in the same reception centres for migrants and refugees, which hinders the protection of the victims. Although some specialized shelters for victims of trafficking are also open for third country nationals (more so in Western Europe where there is more experience with this than in Central and Eastern Europe), in practice victims of trafficking from third countries have limited access to these shelters because of the gap between the asylum and anti-trafficking systems.
- Especially in the case of highly traumatized victims the law enforcement model is too narrow, as testifying remains a big challenge for these victims. Consequently, this is a group that needs protection the most, but is however excluded from services. In theory, in some countries the law provides for protection of these highly vulnerable groups even if they do not press charges, but in practice this exception rule is rarely applied.
- Most victims do not speak the language of the country of destination. Also, in many countries they are not entitled to work. Both factors minimize their chances for long-term integration and employability.
- If victims have been exploited in the country of origin or in the country of transit it is almost impossible to access services in their country of destination. Even if they press charges there, the case will be dismissed for lack of proof because it did not take place in the country of destination.

## Safe return and safe future of victims of trafficking from third countries

Last but not least, with regards to the safe return and safe future of victims of trafficking from third countries, the following main conclusions are drawn:

- Sometimes legal procedures are very quick and victims of trafficking are not recognized. Consequently they need to return to their country of origin on short notice, leaving no or hardly any time to prepare a safe return and sustainable reintegration.
- There is a lack of knowledge about the security risks that a returning victim faces. Very often no or incomplete risk assessments are made before returning a victim to their country of origin or the country where (s) he first entered the EU (Dublin cases).
- Many professionals in countries of destination find it very hard to discuss the future, including the option of safe return and reintegration, with their clients. Also, many victims do not want to discuss the option of return at all, thereby complicating the possibilities to (re)build their social network and other resources in their country of origin. As a result, the issue of safe return and reintegration is given insufficient attention and many victims return without being properly prepared, leading to a high risk of re-victimization.

- It is very difficult to establish good cooperation with countries of origin as very often these countries lack knowledge on the issue of trafficking as well as an appropriate infrastructure to support returning victims. Consequently, it is often not clear whether a returning victim will be supported on return.
- There is a great shortage of available funds to ensure the sustainable reintegration of victims after return. Most return programmes that provide financial resources are project-based and only provide for short-term assistance after return.
- There is hardly any monitoring of victims after return, therefore it is not possible to evaluate whether they are able to successfully reintegrate into their country of origin, neither whether they are at risk of re-trafficking

## 9.2 Recommendations

Derived from the above mentioned conclusions the following recommendations are made, both in general as with regards to early identification, protection and a safe return as well as a safe future of victims of trafficking from third countries:

### General recommendations

- There is an on-going need for a political lobby and advocacy to keep the issue of trafficking high on the political agenda, both with regards to early identification as well as protection of victims and their safe return and reintegration.
- The very first step is that states recognize that they are not only a country of origin or transit for (possible) victims of trafficking from third countries, but increasingly a country of destination as well. Following this recognition, states should apply international and European legislation for early identification, protection and safe return of victims of trafficking and adapt their national legislation and policies accordingly. Special attention should be paid to evaluating and adapting National Referral Mechanisms and Standard Operational Procedures in order to include third country victims as well.
- As a result of a higher political priority, there should be an increase of staff and specialized training among those professionals that might come in touch with (possible) victims of trafficking. This concerns the (border) police, immigration officers, specialized police investigation teams, labour inspectors, health care staff and other care providers to enable early identification, protection and safe return of victims of trafficking. A multi-stakeholders approach should be applied, with regards to early identification as well as protection and safe return, safe future for victims of trafficking from third countries.
- Moreover, an increase of general awareness and sensitivity towards victims of trafficking is needed, among others through public media campaigns and tailor-made trainings for various professional groups that might come into contact with (possible) victims of trafficking. Capacity building and training should be an on-going and institutionalized process, not depending on (international) funds. Knowledge and skills on trafficking should be standardized in social worker's education, health care staff as well as at police academies. Training should focus on identification; interview techniques to hear victims respectfully, expertly and reliably; intercultural expertise and appropriate follow-up procedures after identification. Special attention should be given to cases of minors.

### Early identification and protection of victims of trafficking from third countries

- The essence of early identification of victims of trafficking from third countries is that it should serve the purpose of protecting vulnerable people. It is important to advocate for early assistance and not just for early identification, since identification does not necessarily implicate that the presumed victim is also offered protection. Presumed victims of trafficking should always have access to the reflection period in which they should have access to services. Once basic humanitarian needs of people are met, there is an opportunity to initiate a process of building trust. Within this process presumed victims should be empowered with information and support, eventually leading to formal identification of victims of trafficking or vulnerable people that might be at high risk.



- Early identification also means taking measures to prevent that exploitation will occur at all. Before focusing on indicators needed for prosecution of trafficking cases (combination of action, means, purpose), the focus should be on signs of vulnerability and possible abuse among migrants and refugees entering Europe and offering adequate help to prevent trafficking.
- Relevant policies and legislation should be changed in order to address the disconnection between asylum, migration and trafficking procedures and enable early identification of victims of trafficking. At the same time it is important to keep the necessary firewalls between the different procedures. Also, inter-sectorial trainings should be provided and cooperation should be actively promoted. Staff working at borders and within refugee centres should be trained to recognize signals of trafficking among persons that apply for asylum and once victims are identified they should immediately be referred to specialized services.
- Indicators for identification of victims of trafficking from third countries need to be sharpened and take into consideration gender aspects, as well as cultural and religious differences. These new indicators should then be widely disseminated in training and applied in practice.
- The authority in charge of the decision to identify victims of human trafficking should not be solely confined to legal enforcement and the criminal justice system, but rather encompass a multi-disciplinary group consisting of different stakeholders such as migration authorities, police, medical and psychologist services as well as NGO's providing shelter. It is crucial to have a common aim within this multi-agency group, namely the protection of victims and good communication, as well as a clear description of roles and mandates. It is highly desirable that teams speak multiple languages in order to communicate directly with (possible) victims. The multi-stakeholders mobile team that are deployed in North Macedonia and Bulgaria are a good example that deserves to be followed-up in other countries as well.
- Privacy legislation should be clarified and improved, so that more professional groups will be able and willing to identify and register (possible) victims of trafficking. At the same time, support to victims of trafficking should be provided only with the informed consent of the affected persons, as they often do not want help for various reasons. Providing trustworthy information to (presumed) victims is vital as it might influence their decision to seek help, now or at a later stage. Involving cultural mediators in this process is of invaluable asset.
- The formal identification process must be fast (within a few days/weeks – not months or even longer), taking into account all legal rights of the (possible) victim. After applying the reflection period, a temporary residence permit and access to services should be granted to victims that press charges, in compliance with existing European legislation. Traumatized or otherwise especially vulnerable victims barriers should be protected and have access to services regardless of pressing formal charges. The temporary residence permit should also encompass the right to work as soon as the victim is formally identified (in some countries this is already the case).
- To raise awareness and fortify self-identification (potential) victims should receive information en route with indicators of trafficking, the risks that they are exposed to and the possibilities for support services, including contact details of different support organizations and/or telephone hotlines in different countries en route. Moreover, there should be more focus on pre-immigration orientation of potential victims of trafficking, using among others easy-to-access social media and the deployment of peer educators.
- At borders and other locations where (possible) victims of trafficking may be found, a 'designated space' should be reserved to interview the especially vulnerable groups such as children and women travelling alone. In these specially designed rooms they should be interviewed apart from the rest of the group and receive information on a low-key basis in a trustful environment. Staff should be especially trained for this and they should not wear uniforms during interviews. Also, if possible peer educators should be deployed in these special services and enough time should be made available for each individual interview.

## Safe return and safe future of victims of trafficking from third countries

- States should have an official model of cooperation in place with countries of origin, to facilitate referral, safe return and reintegration of victims of trafficking from third countries. For those countries that already work with Transnational Referral Mechanisms the cooperation should be improved, especially with neighbouring countries and international organizations. The mechanisms should not only apply to third country victims in theory, but also in practice.
- As with early identification and protection, a multi-stakeholders approach is paramount with regards to safe return and reintegration. This multi-stakeholders approach should consist of support organizations (shelters, etc.), migration officers, the police, specialized lawyers and return organizations.
- It is vital to provide realistic and honest information for victims, so that they can make an informed decision about their future. Creating a safe climate for conversations about their future and building a trustful relationship with clients is essential as well. Options for the future should be discussed with the victim as soon as possible, in order to have enough time to prepare a safe return and reintegration. Training for professionals on how to embark on such conversations is very important for which the Safe Future Methodology proves to be a very useful tool.
- It is essential to have an updated social map of reliable support organizations in the country of origin as well as in-depth knowledge and cultural sensitivity about the local situation with regards to safety risks, chances to build a new livelihood, etc. etc. A database of reliable support organizations in the countries of origins should be built and extended, fuelled by existing good cooperation between partners here and there. Also, support organizations in countries of destination should increase the cultural sensitivity and expertise of their staff, making it easier to establish contacts with clients and organizations in countries of origin. Returning victims should be connected with support organizations in the country of origin as soon as possible.
- Risk assessments prior to departure (and adequate follow-up measures such as further investigation and suspension of departure if the security situation requires this) should be implemented on a standardized, individual and tailor-made basis.
- A successful return and reintegration of victims of trafficking is highly dependent on adequate resources, both in the country of destination and origin. Permanent return programmes with sufficient financial means should be made available. In order to contribute to financial sustainability of returning victims, microloans should be made available prior to departure. For this it should be considered whether a EU fund could be established especially for this purpose.
- Monitoring of returned victims by IOM and local support organizations should become a standardized procedure during one year after return. Adequate financial means should provide for this monitoring system.

# Appendices

## Appendix 1

### Safe! Partner Organizations

#### Bulgaria | Animus Association | La Strada Bulgaria

Animus | La Strada International is the Bulgarian member organization of La Strada and works both on the issue of trafficking and domestic violence since 1994. Animus works in three main areas: provision of psychological and social support, lobby and prevention activities, and training of different professionals on identifying and working with victims of violence.



For the last 25 years Animus Association Foundation (AAF) has proved to be the biggest and one of the most reliable providers of social services in Bulgaria. Presently the organization operates the following programmes for victims of violence and children at risk: 24-hour National Helpline; 24-hour Crisis Centre; Trauma Centre for Children and Families; Centre for Reintegration, Counselling and Psychotherapy; 24-hour National Helpline for Children 116 111; Sofia Municipality Social Services Complex for Children and Families, including a Mother and Baby Unit.

@: [www.animusassociation.org](http://www.animusassociation.org)

T: (+35 9 2) 983 5205 / (+35 9 2) 983 4505

E: [animus@animusassociation.org](mailto:animus@animusassociation.org)

#### Bulgaria | National Commission for Combating Trafficking in Human Beings (NCCTHB)

The National Commission for Combating Trafficking in Human Beings was established by virtue of the Combating Trafficking in Human Beings Act. It determines and administers the implementation of the national policy and strategy in the area of combating trafficking in human beings. The National Commission under the Council of Ministers organises and coordinates the interaction between separate institutions and organisations executing the Combating Trafficking in Human Beings Act. It works to prevent trafficking in human beings and to protect, assist and reintegrate victims of trafficking.



REPUBLIC OF BULGARIA  
National Commission for Combating  
Trafficking in Human Beings



The National Commission develops annually a National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims, which is approved by the Council of Ministers. It researches, analyses and reports statistical data on human trafficking. It carries out information, awareness and education campaigns aimed at potential victims of trafficking. It manages and supervises the activities of the Local Commissions for Combating Trafficking in Human Beings and the centres for protection and support of victims of trafficking. It also contributes to international cooperation for prevention and counteraction of human trafficking.

@: <https://antittraffic.government.bg/en>

T: (+359 2) 807 8050

E: [office@antittraffic.government.bg](mailto:office@antittraffic.government.bg)

## Bulgaria | Hungary | Netherlands | International Organization for Migration (IOM)

Established in 1951, the International Organization for Migration (IOM) is the leading inter-governmental organization in the field of migration and works closely with governmental, intergovernmental and non-governmental partners.



With 172 member states, a further eight states holding observer status and offices in over 100 countries, IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants.

IOM operates from the outset that trafficking in persons needs to be approached within the overall context of managing migration. Our broad range of activities is implemented in partnership with governmental institutions, NGOs and international organizations. IOM has been working to counter the trafficking in persons since 1994. IOM offers comprehensive direct assistance packages to victims of trafficking in collaboration with our partners. This includes accommodation in places of safety, medical and psychosocial support, skills development and vocational training, reintegration assistance, and the options of voluntary, safe and dignified return to countries of origin, integration in the country of destination or resettlement to third countries when needed.

The services that IOM can provide to victims differ from country to country. For more information, please visit the IOM international website on [www.iom.int](http://www.iom.int) or consult the local IOM office (through <https://www.iom.int/countries>).

### IOM in the Netherlands

IOM in the Netherlands can assist victims of trafficking that would like to return voluntarily to their country of origin. These services include advice and information about voluntary return; contacting family in the country of origin; assistance in obtaining a travel document and travel arrangements, including flight ticket and airport assistance. Besides, IOM can provide specialized assistance to victims of trafficking after their return, depending on the individual needs. This includes, but is not limited to, accommodation, psychological, medical and reintegration support. Depending on the country of return, this assistance is provided directly by IOM or IOM will refer to partner organizations in the country of origin. In addition, in most cases IOM will be able to provide some financial reintegration assistance. For more information, please consult the website of IOM The Netherlands: [www.iom-nederland.nl](http://www.iom-nederland.nl)

@: [www.iom.int](http://www.iom.int); [www.iom-nederland.nl](http://www.iom-nederland.nl)

T: +31 70 31 81 500

E: [iomthehague@iom.int](mailto:iomthehague@iom.int)

### IOM in Bulgaria

Bulgaria became a Member State of IOM in 1999. A Cooperation Agreement between Bulgaria and IOM, which entered into force in 2000 following ratification by the National Assembly and a Presidential Decree, granted IOM's Mission in Bulgaria the same privileges and immunities as those of the specialized agencies of the UN under the framework of the Convention on the Privileges and Immunities of the Specialized Agencies from 1947.

Since its establishment, IOM Bulgaria has played a significant role in the establishment and development of the Bulgarian system for combating trafficking in human beings. IOM is a key partner of the Bulgarian government and the National Commission for Combating Trafficking in Human Beings (NCCTHB). IOM actively participates in the development of national legislation for combating trafficking in human beings; supported the establishment and execution of the Annual National Action Plans on combating trafficking; organized information campaigns aimed at the prevention of trafficking in human beings, including educational campaigns in schools and information activities in vulnerable communities; participated in national and regional capacity-building activities; provides direct assistance to survivors of trafficking through voluntary return to and reintegration in Bulgaria; assists the Ministry of Foreign Affairs in the development of the National Mechanism for Consular Support for Bulgarian Citizens Abroad; and supports the establishment of the Coordination Mechanism for Referral, Care and Protection of Repatriated Bulgarian Unaccompanied Minors.

IOM's counter-trafficking team provides professional assistance to victims of trafficking in persons using a comprehensive approach that respects the human rights and well-being of the victim. The target groups of our work in against traffic in human beings includes:

- Bulgarian citizens, who have been identified as victims of trafficking in human beings outside the borders of Republic of Bulgaria. Bulgarian citizens identified as victims within the country could also be supported.
- Foreign citizens, who have been identified as victims of trafficking in human beings in the territory of Republic of Bulgaria.

Services provided include, but are not limited to:

- Return assistance to the country of origin of identified victims of human trafficking.
- Reintegration assistance for victims of trafficking after their return to help them achieve sustainable reintegration.
- Counselling and information provision.
- Legal counselling.
- Psychological counselling.
- Need and risk assessment.
- Safe and secure transportation.
- Medical care.
- Humanitarian support package.
- Social assistance.
- Employment counselling.
- Vocational training and school insertion.
- Monitoring and follow-up of victims.
- Witness protection services: securing a safe environment and protection of witnesses on human trafficking cases.
- Other consultations and services according to the specific needs of the victims.

IOM operates a counter-trafficking hotline (+359 (2) 93 94 777), which provides information, consultation and assistance to victims of traffic in human beings, as well as vulnerable persons and potential victims of traffic.

You can contact our counter-trafficking team via telephone at and via e-mail at:

@: <https://www.iom.int/countries/bulgaria>

T: +359 (2) 93 94-713

E: [iomsofia@iom.int](mailto:iomsofia@iom.int)

## IOM in Hungary

IOM in Hungary can assist Hungarian victims of trafficking who would like to return voluntarily to Hungary from abroad. The services include airport assistance, accommodation, psychological, medical and reintegration support. IOM also refers returning victims of trafficking to partner organizations and specialized service providers in Hungary.

IOM can assist victims of trafficking who would like to return voluntarily to their country of origin by providing pre-departure assistance, obtaining travel documentation, organizing fit-to-travel medical examination, providing escorts (if necessary), purchasing travel tickets and travel insurance, providing departure, transit and arrival assistance. Before return IOM does a screening and risk assessment in order to ensure safe return and to be able to assess the needs of the victim after return and refer the victim to the appropriate organisation/service provider in the country of origin in cooperation with the local IOM office. If possible IOM also provides financial reintegration assistance for returning victims.

@: <http://www.iom.hu/>

T: +361 472 2500

E: [iombudapest@iom.int](mailto:iombudapest@iom.int)

## Hungary | National Police Hungary

The Hungarian police are a state law enforcement body run by the Hungarian Government through the Minister of the Interior. The police are divided into the central body (National Police Headquarters), county (and capital) police headquarters (20), police stations in towns (154) and border police offices (26). Apart from the general police bodies, the Hungarian government has also established special police units, such as the National Protective Service and the Counter Terrorism Centre.



With regards to the prevention and combating of trafficking in human beings, the Hungarian police has taken the following measures: investigative measures; preventive actions for early identification; trainings for law enforcement specialists and other stakeholders: social workers, nurses, teachers, victim care officers; participating in campaigns and national and international projects.

In carrying out the professional duties, the police continuously cooperate with state and municipal bodies, social and economic actors, civil organizations and churches.

Tel: +36-1/443-5500

@ <http://www.police.hu/en>

## North Macedonia | Open Gate | La Strada North Macedonia

Open Gate|La Strada North Macedonia is a Skopje-based local grass-root anti-trafficking organization established in 2000 as the first actor to raise the issue of human trafficking in North Macedonia. As a leader in the counter-trafficking effort in North Macedonia, since it was founded, Open Gate has applied a holistic approach to the human trafficking problem, i.e. it has been dealing with all forms of human trafficking, especially in women and children – focusing its activities concurrently on advocacy and lobby, prevention, education, public awareness raising, direct victim assistance and reintegration, research and networking. Open Gate has been running the first and only SOS hotline service in North Macedonia specialized on the issue of human trafficking as well as providing shelter facility for trafficked persons. Through these main services we provided advice and support to more than 3,000 callers and direct support and reintegration to more than 200 victims of trafficking. Open Gate is a civil society organization, which promotes human rights and represents the needs of high-risk people and victims of abuse and human trafficking. As a member of La Strada International, the European network for combating human trafficking, Open Gate works both at the local, national and European level.



We provide protection, capacity strengthening and social integration of trafficked persons, as well as other vulnerable groups within the society

@: [www.lastrada.org.mk](http://www.lastrada.org.mk)

T: (+389) 22700107

E : [lastrada@lastrada.org.mk](mailto:lastrada@lastrada.org.mk)

## Netherlands | CoMensha

(Dutch Coordination Centre for Human Trafficking)



The Coordination Centre for Human Trafficking (CoMensha) acts as an intermediary for and advises on the initial care, placement and assistance of potential victims of human trafficking. Registration for the Categorical Accommodation and Assistance for Victims of Trafficking in Human Beings (COSM) is conducted through CoMensha. CoMensha's national help desk is intended for potential victims, civilians and professionals alike, as well as anyone with questions regarding human trafficking practices. The help desk mainly advises professional partners such as social workers, shelters, law enforcement authorities, the government, lawyers and reception centres for asylum seekers on providing assistance to victims. It also answers legal questions on the reflection period, on the reporting of human trafficking offences and on residence permits.

CoMensha actively registers the details of all victims of human trafficking in the Netherlands. The data that are collected relate to the specific industry, country of origin, age and the person reporting the crime. This information is anonymised and used by organisations such as the Ministry of Justice and Security and the National Rapporteur on Trafficking in Human Beings to map human trafficking practices in the Netherlands. CoMensha provides recommendations for human trafficking strategies and highlights any obstacles and issues in policy. CoMensha works together closely with law enforcement authorities, social workers, shelters, regional and national authorities, and international partners, also through the La Strada International Network and the EU Civil Society Platform against Trafficking in Human Beings.

CoMensha is the Dutch member organisation of La Strada International (LSI): European Network Against Trafficking in Human Beings. The overall aim of LSI is to prevent trafficking of human beings in Europe, in particular trafficking of women, and to protect the rights of trafficked persons. La Strada embodies eight member organisations in Belarus, Bulgaria, Czech Republic, North Macedonia (FYROM), Moldova, The Netherlands, Poland and Ukraine and an international secretariat based in Amsterdam, The Netherlands.

@: [www.CoMensha.nl](http://www.CoMensha.nl)

T: (+31) (0) 33 448 1186, on weekdays from 09.00 - 17.00

E: [info@CoMensha.nl](mailto:info@CoMensha.nl)

## Netherlands | FairWork

FairWork's mission is to ensure an end to human trafficking in the Netherlands. From the perspective of (potential) victims, we are working on improving their position. FairWork focuses in particular on labour exploitation as a form of trafficking. The interests and human rights of victims are our priority.



FairWork was founded in 1999 (at that time called BLinN) by the Dutch Humanitas and Oxfam Novib. Humanitas is one of the main social services and community building organisations of the Netherlands. Humanitas is a nonprofit association which aims to support people who, for a range of different reasons, temporarily can not manage on their own. Oxfam Novib is a world-wide development organization that mobilizes the power of people against poverty. Both organisations wanted to support victims of human trafficking through the project BLinN. In 2011 BLinN continued as an independent foundation, which was named FairWork.

Since the start in 1999, BLinN/Fairwork had a unique position looking at the needs of victims and creating activities for clients with regards to improving their future perspectives (support with educational opportunities, work placements, professional trainings, (legal) buddy projects, psycho-social support groups). Until 2005 its focus was on assisting victims of sexual exploitation. In 2005 trafficking for other purposes than the sex industry was included in the Dutch penal code of justice. During the following years FairWork started to focus in particular on (early) identification and support of victims of labour exploitation, which is at present the organization's main priority.



Important activities of FairWork are:

- Direct support for (possible) victims
- Distributing information about labour and victim rights through workshops and online fieldwork activities; all in close cooperation with migrant organizations
- Training and education of professionals so that they can detect and act against trafficking
- Research
- Lobby and advocacy
- Awareness raising on labour exploitation

In order to achieve our goals, we cooperate with other organizations, among which civil society organizations, local authorities, public bodies and private entities.

@: <https://www.fairwork.nu>

T: +31 20 760 08 09

E: [info\[at\]fairwork.nu](mailto:info[at]fairwork.nu)

## Netherlands | Humanitas Expertise Centre Sexuality, Sex Work and Trafficking in Human Beings (ESSM)

Humanitas ESSM offers specialized support to sex workers, victims of human trafficking, transgender people, LGB people and young people, as well as others who have questions in relation to sexual and gender diversity. Humanitas ESSM offers the following services:

- Specialised (categorical) crisis centre (Lucia) and follow-up shelter (Tosca, Xarah) for victims of human trafficking where safe shelter, psychosocial, legal and practical support, guidance, information and advice is given on a 24/7 basis to female victims of trafficking and their children.
- Prostitution Social Work (PMW) including field work and support for sex workers that want to step out of sex work
- Buddy project
- Information and services centre for and by sex workers Door2Door
- TransSupport for support to transgenders
- Transgender Choir 010
- LHBI+ Support
- The Hang-Out 010 for LGBTI + young people
- Pink Salons for LGBTI + elderly
- Information and training related to the above themes

@: <http://expertisecentrum.humanitas-rotterdam.nl/>

T: (+31) (0) 10 23 65 212

E: [pmw@stichtinghumanitas.nl](mailto:pmw@stichtinghumanitas.nl)



stichting humanitas

## Netherlands | HVO-Querido ACM

Amsterdam Coordination Centre for Trafficking in Human Beings



HVO-Querido has offered shelter and support to victims of trafficking since the mid-nineties of the last century. In 2007 the Amsterdam Coordination Centre for Human Trafficking (ACM) was established with the support of the municipality of Amsterdam, arranging the reception and registration of and assistance to victims of trafficking in the capital. Since 2010, ACM is also responsible for one of the three specialist crisis shelters in the Netherlands for victims of trafficking in human beings (COSM) from third countries. The Ministry of Justice and the Ministry of Health, Welfare and Sport finance the crisis shelter. The other two COSM crisis locations are in Rotterdam (Humanitas ESSM) and Assen (Jade Zorggroep).

HVO-Querido | ACM is a network organization that carries out its assignment based on a strength-oriented methodology, whereby independence and empowerment of clients are central. The safety of the victims and the quality of care are guaranteed by a team of highly specialized care providers with years of experience in the reception and support of victims of trafficking. At present HVO-Querido | ACM is the largest shelter for victims of trafficking in the Netherlands.

HVO-Querido | ACM provides safe shelter and a tailor-made individual support programme, including psychosocial, legal and practical support; job orientation and training; information and advice on a 24/7 basis to male and female victims of trafficking and their children. Children are supported by specialized social workers and –if necessary– psychotherapy. HVO-Querido | ACM implements its services with the help of a wide range of partners, such as specialized trauma expert organizations, specialized lawyers and social enterprises offering education and job opportunities for clients. Apart from residential shelter, HVO-Querido | ACM also provides ambulatory help to victims of trafficking. Moreover HVO | ACM increasingly acts as a national and international expertise centre providing training and education activities to a great variety of stakeholders.

@: [www.hvoquerido.nl/acm.html](http://www.hvoquerido.nl/acm.html)

T: (+31) (0) 20 626 3800

T (in case of emergency): (+31) 6 10 59 94 58

E: [acm@hvoquerido.nl](mailto:acm@hvoquerido.nl)

## Netherlands | La Strada International

The International La Strada Association (La Strada International/LSI), was established in October 2004 to formalise the La Strada Project cooperation which was initiated in 1995. LSI is a leading, value-driven network uniting European NGOs, operating independently and from a grass root level. The overall aim of LSI is to prevent trafficking in human beings in Europe and to protect the rights of trafficked persons. La Strada's philosophy, guiding its provision of services, is based on a human rights approach, demanding equal rights for all human beings.



Currently LSI hosts both a network of eight members and a platform comprising 29 organizations from 24 European countries, including 15 EU and 9 non-EU countries. General activities undertaken by members include direct and indirect social support and empowerment programmes for trafficked persons and risk groups, comprising (psycho) social, medical, legal and vocational support, shelter services, long-term reintegration and employment support, provision of consultations and referral via national hotlines, prevention lectures and trainings to professional groups, awareness-raising, lobby, advocacy and media campaigns.

The LSI secretariat, based in Amsterdam, The Netherlands focuses in particular on public affairs (lobby, advocacy and public relations) at European level and monitoring of European anti-trafficking policies and measures. The LSI secretariat provides consultation, advice and information on human trafficking by data collection, analytical research and coordination of international projects. The LSI secretariat is further responsible for strategy planning of European NGO action and capacity building.

@: [www.lastradainternational.org](http://www.lastradainternational.org)

T: + 31 20 688 1414

E: [info@lastradainternational.org](mailto:info@lastradainternational.org)

## Netherlands | National Police

The Dutch Police consist of ten regional units, the National Unit and the Police Services Centre. The mission of the Police is to be constantly vigilant and serve the values of the constitutional state. The Police fulfil this mission through offering protection, limitation or strengthening, both on a demanded or unsolicited basis, depending on the situation.



Human trafficking is a severe crime and violation of human rights, in which people are exploited or forced to engage in (criminal) activities against their will while the perpetrators profit from this exploitation. Consequently, the Dutch Police consider the combating of trafficking a high priority. Within the Dutch Police there are ten divisions specializing on aliens policing, identification and human trafficking/human smuggling. Certified detectives from these teams carry out investigations into human trafficking and smuggling, developing valuable expertise in the process.

For the specialized teams recognizing and accurately dealing with signals of trafficking is paramount, as well as the careful treatment and protection of the (potential) victims. Moreover, the Dutch police regularly engage in international police cooperation through Joint Investigation Teams to effectively and efficiently combat trafficking in human beings on an international scale.

@: [www.politie.nl](http://www.politie.nl)

T: within the Netherlands: 0900-8844; from abroad: +31-34 357 8844

## Appendix 2

### **(Referral to) The social map on Early Identification, Protection and Safe Future, Safe Return of Victims of Trafficking in Human Beings**

In 2018 an online social map was developed in the framework of the project, based on a survey/questionnaire sent out to national NGOs in all EU countries and other European countries in the period June – September 2018. A limited number of non-European organizations were included as well.

This social map was based on the earlier social map that was developed in 2014, as part of the Safe Future Methodology.

The organizations included in the social map are specialized organizations that support victims of trafficking after their return and/or with the integration in the country of destination.

The social map indicates whether the organization offers services to victims of trafficking, can assist with safe return and reintegration and/or is active in the (early) identification of victims of trafficking. It provides information on the name and contact details of the organization and the services provided. For each organization is indicated whether they provide shelter services, psychological help; medical help; legal help; training of skills/education; finding jobs/secure income; financial help; help for children/parenting skills; reunion with family and or other services. Victims who decide to return are referred, if possible, to a supporting organization in their home country.

Currently, the social map covers 37 European countries and four non-European countries. In addition, the members and services of global and European network organizations are included as well, to also cover those countries not included in the list. It was decided to focus in particular on European countries, also to ensure that the European members of the La Strada International Platform could regularly update the social map.

This social map will enable actors in the anti-human trafficking field; in particular NGOs that provide direct services to victims of trafficking, to better locate, identify, and connect with each other. The tool can also assist other stakeholders to refer victims of human trafficking and at-risk populations to access the help they might need. Additional organizations will be added to the social map, once identified.

As the data provided in the social map needs to be updated regularly, the social map is not included in this final report of the Safe! project, but it can be found on the partners' websites (see appendix 1). La Strada International will be leading in keeping the social map up-to-date. For this, please check: [www.lastradainternational.org](http://www.lastradainternational.org).

## Appendix 3

### Handouts to be used during Early Identification training programmes<sup>46</sup>

#### Exercise 2. What is trafficking?

How would you rate the case study mentioned below on a scale from 1 to 10?

1.....10

(1 = no suspicion of trafficking)

(10 = high suspicion of trafficking)

Case studies (can/should be adapted according to training group)

1. Janusz works six days per week for a horticulture company in the Netherlands. He earns 35 euro per week. He sleeps in a caravan on the premises of the company he works for.
2. Danita works as a sex worker. Her clients come to her boyfriend's house in Sittard, a town in the south of the Netherlands on the border with Belgium and Germany. She gives 50% of her earnings to her boyfriend in exchange for lodging and boarding. He arranges her clients and negotiates with them about the prices and the sexual services that Danita provides. Danita enjoys her new life.
3. Macha from Russia works as an au-pair with a farmer's family in the countryside. The family has three children and their motto is 'Work hard, don't mess around.' Her boss keeps her passport in his safe 'for safekeeping.' Mascha works 14 hours per day, six days per week. She doesn't consider the work, she says. She receives lodging, boarding and some pocket money, but no salary. Her boss makes sexually-oriented jokes.

## Exercises 4 and 5. Recognizing and labelling signals of trafficking

Cut out, discuss and decide under which heading a signal of trafficking should be categorized:

1. **Action:** recruitment; transportation; transfer; harbouring; receipt of persons
2. **Means:** threat; force; other forms of coercion; abduction; fraud/deception; abuse of power or vulnerability; giving and receiving of payments
3. **Purpose:** exploitation of prostitution and other forms of sexual exploitation; forced labour and services; slavery and similar practices; involuntary servitude; removal of organs

## Signals of trafficking (can/should be adapted according to training group)

1. Achmed is coerced to swallow heroine balls in Suriname and get on the plane to the Netherlands. He has terrible pain in his stomach. Passengers warn the crew just before landing at Schiphol. The flight attendant decides to organize medical assistance.
2. Cara has to work overtime to earn the statutory minimum wage. She has just discovered through a flyer that she is entitled to minimum wage. She comes to inquire whether and how she can claim this right.
3. Ihrin is registered in the Trade Register as a partner at a tofu factory. He cannot say anything about the annual turnover or to which parties they deliver.
4. Hassan says that he has no idea what has been agreed on withholding his wages. Money is settled. 'It will be okay,' he says. He comes for a citizen service number in order to be registered in the Netherlands.
5. Tanya will open a nail salon. Her accountant and supervisor filled in an annual turnover of 30,000 euro for registration in the Trade Register. She does not know how much time you need to apply acrylic nails.
6. Jady is more than 8 months pregnant and has to continue to work in a massage parlour. She loses her balance and breaks her wrist.
7. Jinta sleeps in a so-called 'hot bed'. She shares this bed with a colleague who also picks peppers. She thinks this is dirty and is that she paid far too much money for this. She comes for advice on how she can change this.
8. Dusi cannot yet take on a real job. He has to do so much courier work to repay the flight of his family from Syria that he has no time. He works a lot at night. He does want a normal life in the Netherlands as quickly as possible.

## Exercise 11. 'Three ways to open the conversation with a possible victim of trafficking'

Three ways to open the conversation with a possible victim of trafficking without (yet) going into detail about your suspicions that (s)he is a trafficking victim.

1. "I hear you saying that you are tired, make long days and have little money left at the end of the day. I suspect that someone is using you for their own benefit."
2. "You are telling me that you have problems with your boss, that you .... {Fill in problems of this person}. If I understand you correctly, it may be that your boss is doing something that is punishable in the Netherlands. This seems to be at your expense. Would you like to discuss this further with people who can help you?"
3. "I hear you saying that you cannot visit a doctor if you want to, that your employer still owes you money and that you are being scolded. You told me this situation scares you {fill in more details about the situation of the client}. I'm worried about this. It seems that people (your boss) earn at your expense. That is punishable in the Netherlands. There are agencies that can help you with this. Do you want help with this?"

## Exercise 12. Roadmap: How to refer a victim of trafficking

Do you suspect that someone is a victim of trafficking? You picked up a first signal that someone might be a victim of trafficking.... What to do next?

### Step 1: Put consciously 'a cut' in the conversation

From now on your questions will serve another purpose: you want to dig deeper and find out whether someone is possibly a victim of trafficking. Be aware of this change in the questions that you are going to ask.

Tip: Win yourself some extra time to think and strategize. Excuse yourself to visit the bathroom, make a cup of tea for your client or say for example: 'I have to pick up some documents in the room next door. I will be right back'. In the meantime think about your next steps

### Step 2: Focus: do you observe elements of trafficking?

You will now focus on questions to obtain more information whether this might be a trafficking situation. Questions that you might ask:

- Bad working conditions:
  - How do you earn your money?
  - Does the work meet your expectations?
  - Can you report sick or may you visit a doctor if you need to?
  - Can you take a break at work if you need to?
- No or hardly any salary:
  - Did you receive payment for your work?
  - If so: how much?
  - If not: how received payment for your work?
  - Did you have to pay money back? How much and what for?
  - Do you ever receive fines at your work?
  - Does your employer pay for your lodgings or other expenses?
- Caught in circumstances/coercion
  - Did you want to do this work?
  - How is your employer treating you?
  - Can you quit this job if you want to?
  - Has/does your employer arrange(d) your lodgings, transport and/or meals?
  - Do you have your passport with you?

Important! Do not go into detail about trafficking as this will scare people and might break the trust that you are building. Also people might not consider themselves in a situation of trafficking.

### Step 3: Consult with the possible victim

If the answers to the questions in step 2 indicate vulnerability and dependency of the person you are talking to, inform him/her that there are organizations that might be able to help with their problems.

### Step 4: Get into touch with....

If your client agrees you can contact the following organizations and refer him/her for further help:

- Fill in according to local structure
- In case of life-threatening emergency, call the emergency number and ask for direct help

## Appendix 4

Handouts from the Safe Future Methodology<sup>47</sup> to be used during Safe Future, Safe Return training programmes

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<sup>47</sup> The Safe Future Methodology was successfully developed and implemented in 2013/2014 in joint ownership between all project partners within the Safe Return project in the Netherlands, Bulgaria and Nigeria.



## Safe Future Methodology

### Overview 1: Factors that influence perception of opportunities in the country of destination and in the country of origin

Opportunities -	Starting point	Opportunities +
-	<b>(Perceived) Opportunities in the country of destination</b>	+
	1. Safety in the country of destination (personal and for family)	
	2. Protection from violence	
	3. Children and care for children	
	4. Housing	
	5. Work, income and education	
	6. Feeling 'at home'	
	7. Family/network	
	8. Health care	
	9. Social status	
	10. Social norm with respect to return	
	<b>(Perceived) Opportunities in the country of origin</b>	
	1. Safety in country of origin (personal and for family)	
	2. Protection from violence	
	3. Children and care for children	
	4. Housing	
	5. Work, income and education	
	6. Feeling 'at home'	
	7. Family/network	
	8. Health care	
	9. Social status	
	10. Social norm: expectations of those who stayed behind	
<b>Total -</b>		<b>Total +</b>



## Safe Future Methodology

### Ecogram

There are different tools available for mapping social resources. Below describes the ecogram. The ecogram is frequently used in the strength-based approach to map the social support structure of clients.

An ecogram is a visual overview of the sources of support of the client. The difference between a genogram and an ecogram is that the genogram maps the family network and an ecogram not only maps the family but also includes other people with whom the client has an important personal connection such as peers, friends, (any) roommates, acquaintances, colleagues, spiritual advisors, and others. In an ecogram practical contacts such as social workers and other professionals who are important can also be recorded. By using symbols it is possible to show what kind of support a relationship offers: practical support, advice, companionship, or emotional support.

A supportive social network simultaneously performs these four functions. These four functions spell the acronym PAGE.

### **P= Practical support (material function)**

This applies to all forms of concrete support.

E.g.: Who would you ask to borrow money from, for an emergency babysitter, help with tasks.

### **A= Advice (Information function)**

People can only take care of themselves if they have some basic knowledge. What you need to know depends from one society to the next. African countries for example, require different knowledge than in Western European countries. Adults also learn from each other what they have tackled successfully. You get reactions from others that correct your behaviour so that you try out other things to try to get out of trouble.

E.g.: Whom can you go to for reliable information? Who would you ask for advice for filling out documents? Whose advice would you seek if you had to make a difficult decision?

### **G= Group belonging (connective function)**

People want to belong, to feel part of a group and connected with others.

E.g.: Where do you go to look for enjoyable company, with whom do you share common interests?

### **E = Emotional support (affective function)**

People look to others for recognition, appreciation, understanding and trust.

E.g.: Whom do you talk with about confidential and intimate matters? Who do you blow off steam with, where do you turn to for comfort in crisis situations?

## Colophon

### Publication

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