



# Non-Punishment and Forced Criminality

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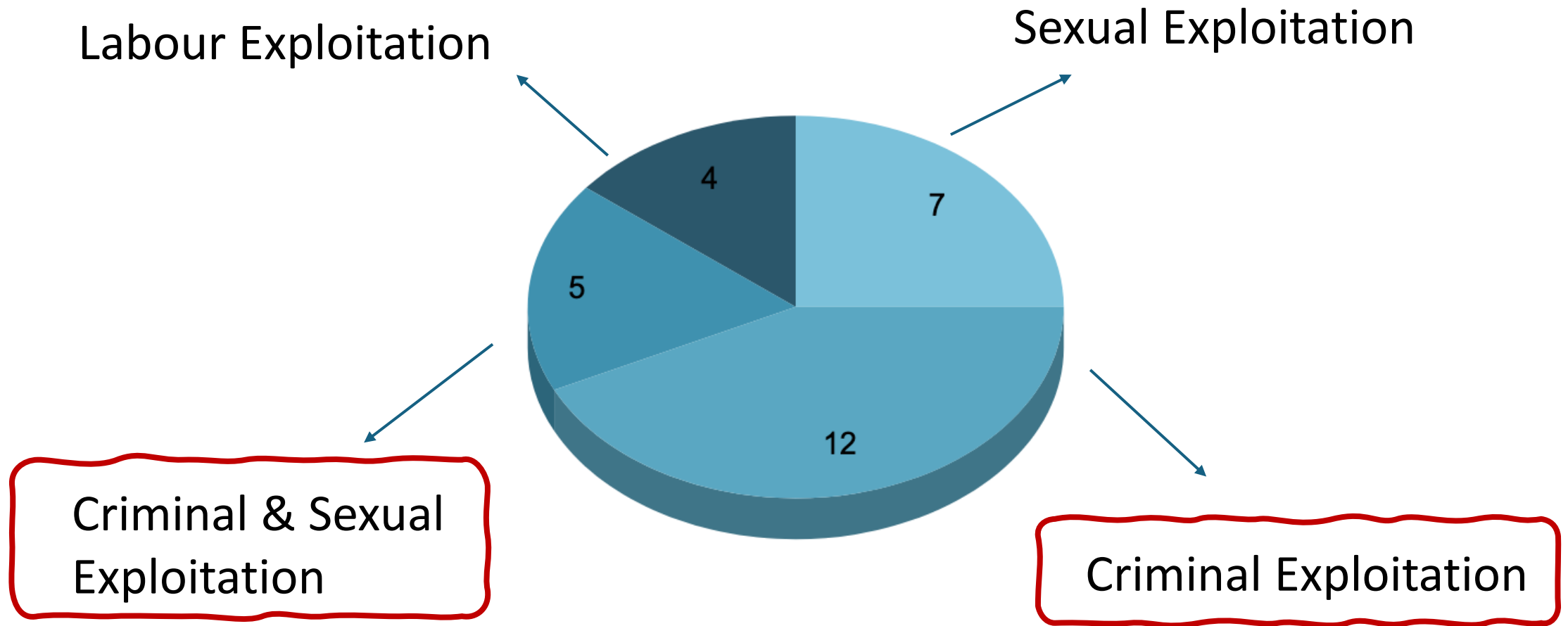
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# Introduction Forced Criminality & Non-Punishment

- LSI members **report & assist more** cases of trafficking for Forced Criminality
- Victims often trafficked **for multiple forms (deliberately use Forced Criminality** to control victims)
- Due to crimes committed, victims often do not come forward and if detected are prosecuted and punished for unlawful acts they were forced to commit.
- **No punishment for real perpetrators**
- LSI conducted case collection study on non-punishment (NP) principle, next to developing an advocacy document and explanatory brief on Non-Punishment (available in multiple languages)

# Non-Punishment Case Assessment Report

- 30 cases related to 10 countries

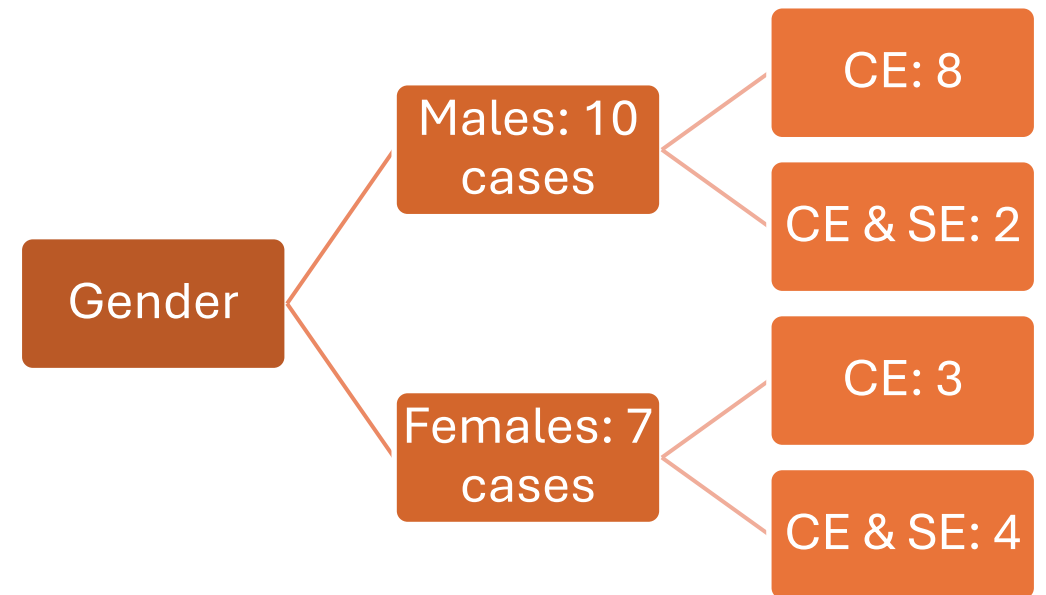


# Profile of the Victims

Age range: 11-62 years old (mean = 30 years)

Minors: 3 cases (all males\*)

Origins: Algeria, Morocco, England, Finland, Romania, Belgium, Vietnam, Nigeria, Brazil, Colombia, Venezuela, Albania, Bulgaria



*Please note:* The number refers to the number of cases. **Some cases involved multiple persons.**

## Forced Criminality & Non-Punishment (17 cases)

### **Criminal Offences** (some overlap)

- Fraud - e.g., forging documents (6)
- Theft (5)
- Drug-related offences (8)
- Human trafficking/ money laundering (1)

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|                         |   |                |
|-------------------------|---|----------------|
| • NP applied            | → | 4 cases        |
| • NP partially applied  | → | 4 cases        |
| • NP <b>not</b> applied | → | <b>9 cases</b> |

# Case Examples

## Partial application (16)

- Teenage boy (PTSD & drug addiction)
- Recruited by traffickers to steal in exchange of drugs access
- Going in and out of jail for 4 months
- Eventually, he was able to go to a shelter due to his victim status
- He was a witness in the court case against his traffickers

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## Non-application (16)

- Teenage boy arrested for stealing & detained.
- His lawyer highlighted his vulnerable situation and suicidal plans.
- Despite this, the victim was sent to prison where he committed suicide.



# Good Practices

- Flexibility of the legal proceedings (application of NP at different stages)
- Specialised assessments to ensure the early identification of the victim
- Facilitate police cooperation (e.g., testify against the trafficker)

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## Impact non-application

- Denial of compensation / legal redress
- Deprivation of liberty & re-traumatisation\*
- Criminal record, risk of deportation, inability to apply for asylum
- Inability to access the labour market

## Research assisted Ukrainian refugees – 42 cases

Number of cases on forced criminality: 2

Number of people: 12 (one case involved 11 persons)

### Case Example (from Albania)

All individuals were recruited via Telegram. They all travelled to an EU country, to undergo a training programme. There, they learned the true nature of the 'job'. They were later transferred to Albania, where they were exploited through online work. The persons had to send online messages that appeared as job offers. Those accessing these links were **recruited and forced to work in the distribution and transportation of narcotics**. The entire process was carried out through Telegram. After they were discovered, all received temporary protection as presumed victims of human trafficking.

# Thank you for your attention!



*Non-punishment case  
assessment report*



*Advocacy paper non-  
punishment*



*Report on displaced  
persons from Ukraine*



*Explanatory brief non-  
punishment*

## Links:

Non-punishment Case Assessment Report

<https://documentation.lastradainternational.org/doc-center/3588/non-punishment-report>

Case Assessment Report on Displaced Persons from Ukraine

<https://documentation.lastradainternational.org/doc-center/3598/assisting-displaced-persons-from-ukraine-indications-of-human-trafficking-and-labour-exploitation>

Advocacy Brief

<https://documentation.lastradainternational.org/doc-center/3511/advocacy-document-on-the-non-punishment-principle>

Explanatory Brief:

<https://documentation.lastradainternational.org/doc-center/3512/explanatory-brief-on-the-non-punishment-principle>