

SURVEY REPORT 2016

of Efforts to Implement OSCE
Commitments and Recommended Actions
to Combat Trafficking in Human Beings

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Office of the Special Representative and Co-ordinator
for Combating Trafficking in Human Beings

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TABLE OF CONTENTS

Foreword	6
Acknowledgements	7
Acronyms	8
Introduction	9
Background	9
Survey respondents	9
Methodology	10
Methodological limitations	10
Section I: Prevention of Trafficking in Human Beings	11
A Identifying and addressing THB for labour exploitation	11
A.1 Government and private sector procurement	11
A.1.1 Government procurement	11
A.1.2 Supply chains (private sector)	13
A.2 International labour recruitment and placement	14
A.2.1 Recruitment of foreign nationals working in country	14
A.2.2 Recruitment of country nationals working abroad	16
A.3 Discussion and recommendations	17
B Responding to child trafficking	19
B.1 Rationale	19
B.2 Measures to identify and support trafficked children	20
B.3 Best interests of the child	21
B.4 Discussion and recommendations	22
C Responding to THB for organ removal	23
C.1 Discussion and recommendations	25
Section II – Protection and Assistance for Victims of Trafficking	27
D Prompt and accurate identification of victims	27
D.1 Victim identification processes	27
D.1.1 Victim identification in practice	30
D.2 Discussion and recommendations	35
E Victim support	37
E.1 Quality of services by victim category	39
E.2 Discussion and recommendations	40
F Support for victims in the criminal justice process	41
F.1 The rights of victims of trafficking within the criminal justice system	41
F.2 Access to redress for victims of trafficking for labour exploitation	44
F.3 Security of victims of trafficking and related persons	45
F.4 Discussion and recommendations	46
Section III – Investigation, Law Enforcement and Prosecution	48
G Targeting the assets of traffickers	48
G.1 Targeting the assets of traffickers	48
H Financial investigations	50
H.1 Discussion and recommendations	51
I Concluding Comments	52
Bibliography	55
List of Appendices	57
1. Survey for participating States	58
2. Survey for NGOs	78
3. Details on responding NGOs	92

FIGURES & TABLES

Figures	
Figure 1: Government procurement policies	12
Figure 2: Government laws on supply chains	13
Figure 3: Supply chain requirements	13
Figure 4: Countries regulating labour recruitment and placement companies: foreign nationals	15
Figure 5: Regulation of recruitment and placement agencies for nationals working abroad	16
Figure 6: Legislation and policy provisions to prevent child trafficking	20
Figure 7: Provisions and policies to identify and support trafficked children	21
Figure 8: Information on donor registration systems	24
Figure 9: Victim identification criteria	27
Figure 10: Provision for presumed victim	27
Figure 11: Groups able to identify victims of trafficking	28
Figure 12: Means of victim identification	31
Figure 13: Means of victim identification – NGO data	31
Figure 14: Effectiveness of victim identification processes	31
Figure 15: Views on identification of trafficked persons	32
Figure 16: NGO views on identification of trafficked persons	32
Figure 17: Quality of services in addressing needs of victims	38
Figure 18: NGO perspectives on quality of services in addressing needs of victims	38
Figure 19: Quality of services by victim type	40
Figure 20: Non-punishment provisions	42
Figure 21: Implementation of non-punishment provisions	42
Figure 22: Civil Redress	44
Figure 23: Procedures to protect victims/witnesses when they go to court	45
Figure 24: Satisfaction with protection mechanisms	46
Figure 25: Use of confiscated assets	49
Figure 26: Red flag indicators on trafficking	50
Figure 27: Financial investigation training	51
Tables	
Table 1: Survey respondents: Governments and NGOs	10
Table 2: Recommendations on identifying and addressing THB for labour exploitation, including in relation to government and private sector procurement	19
Table 3: Recommendations on responses to child trafficking	23
Table 4: Recommendations on responses to trafficking for the purpose of organ removal	26
Table 5: Access to THB training	29
Table 6: THB training provided by NGOs	30
Table 7: Emerging patterns	34
Table 8: NGO responses on THB patterns	35
Table 9: Recommendations on identification of trafficked persons	36
Table 10: Recommendations on support for trafficked persons	41
Table 11: Protections and redress provided by legislation	43
Table 12: Availability of protections provided by legislation	44
Table 13: Recommendations on support for trafficked persons in the criminal justice process	47
Table 14: Recommendations on use of financial instruments to combat trafficking in human beings	52

FOREWORD

In accordance with my mandate as the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, I am committed to supporting the OSCE participating States in the implementation of their anti-trafficking commitments.

My office has promoted quality evidence-based policies and research to assist participating States in their challenges to prevent and combat human trafficking. I commissioned this survey in 2015 to obtain an overview of the status of current efforts to implement the anti-trafficking commitments and recommended actions to prevent and combat trafficking in human beings across the OSCE region. The added value of the survey is long-term, since it serves as a baseline against which progress will be measured in three to four years, when the survey will be repeated. All data collected as part of this survey has been recorded in a data sheet developed by OSCE, where it can be further analysed and updated.

The survey is in line with my priorities, focusing on the prevention of trafficking in human beings, the prosecution of trafficking crimes, as well as the protection of victims of trafficking. As such, it was not intended to cover all areas of the OSCE Action Plan and its 2013 Addendum. Rather, the survey emphasizes those areas in the response to trafficking in human beings about which information is currently limited. Precisely with the aim to complement other relevant data collection initiatives while avoiding duplication, the survey design and analyses were co-ordinated with our partner organizations.

The responses to the survey were provided by many different state actors, including national co-ordinating bodies, law enforcement officials, ministries of foreign affairs, justice, social affairs, employment, children and family affairs, and labour inspection services. The diversity of legislative and policy responses to trafficking across the OSCE region is reflected in the wealth of information collected via the survey, including the numerous powerful examples provided by the respondents.

It becomes clear that much has already been accomplished by the Governments of the participating States supported by civil society and in co-operation with the international community. Especially with regard to the legislative framework, the survey responses provide an extensive overview of existing and far-reaching provisions to combat trafficking in human beings. Nevertheless, anti-trafficking stakeholders are all still confronted by major challenges, in particular in the implementation of existing laws and policies. Much remains to be done with regard to ensuring adequate resources and raising the capacity of all relevant actors to tackle the problem within the scope of their mandates and in strategic collaboration with other national and international counterparts.

Based on the findings of the survey, the present report will assist my Office to tailor its work in support of the full implementation of participating States' commitments to combat human trafficking. I look forward to our collaborative effort to continuing our work on the implementation of the OSCE commitments.

Madina Jarbussynova

Special Representative and Co-ordinator
for Combating Trafficking in Human Beings

ACKNOWLEDGEMENTS

I wish to express my gratitude to the delegations of all OSCE participating States for having taken a strong stand against trafficking in human beings, demonstrated by the development and adoption of advanced political commitments. These have strengthened co-operation and co-ordination at all levels and continue to serve the OSCE participating States as strategic long-term guidelines in the prevention of human trafficking, the protection of trafficked persons, and the prosecution of offenders.

In 2015 my Office developed the *Survey on the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings (2003), and the Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings: One Decade Later (2013)* in order to assess the implementation of selected aspects of the existing commitments and recommended actions. I would like to thank all participating States that submitted their response to the survey for their efforts in collecting the necessary information and ensuring a co-ordinated national response. My Office also received responses to the survey from ninety non-governmental organizations from across the OSCE region, whose input was duly taken into consideration. We value each and every contribution to this report and hope the reader will find it useful.

The report was prepared by Phil Marshall, an external consultant, who worked tirelessly alongside my staff to gather, collate and analyse the wealth of information provided by the participating States. Thanks also to his collaborators, Thomas Goldring, for working on the online survey and analysis, and Alessandra Spigno, for data cleaning and graphics.

I would like to express my gratitude to Ruth Freedom Pojman, Senior Adviser, for her determined and inspiring lead of this initiative and also to all those in the team of the OSCE Office of the Special Representative and Co-ordinator to Combat Trafficking in Human Beings who supported this dedicated effort. Jacqueline Berman, former Deputy of the OSCE Office of Internal Oversight, expertly supported the survey design development, and provided a peer review of the final report.

Last, but not least, I would like to thank our *Alliance* partners, Petya Nestorova, Executive Secretary of the Council of Europe Convention on Action against Trafficking in Human Beings, and, at the UNODC, Kristiina Kangaspunta, Chief of the Global Report on Trafficking in Persons Unit, as well as Fabrizio Sarrica, Research Officer for the Global Report on Trafficking in Persons, for their co-operation in ensuring non-duplication of our work and providing insightful comments during their peer-review of the survey questions and the report analysis. I would also like to thank the International Centre for Migration Policy Development (ICMPD), the International Organization for Migration (IOM), and Walk Free for peer reviewing the survey questionnaire before its launch.

Madina Jarbussynova

Special Representative and Co-ordinator
for Combating Trafficking in Human Beings

ACRONYMS

CoE	Council of Europe
CRC	Convention on the Rights of the Child
CSOs	Civil society organizations
EEOC	Equal Employment Opportunities Commission
EU	European Union
FAR	Federal Acquisition Regulation
GRETA	Group of Experts on Action against Trafficking in Human Beings
ICAT	Inter-Agency Coordination Group against Trafficking in Persons
IDPs	Internally displaced persons
IHRB	Institute for Human Rights and Business
ILO	International Labour Organization
IOM	International Organization for Migration
MC.DEC	Ministerial Council Decision
NAP	National Action Plans
NGO	Non-government organization
NRM	National referral mechanisms
ODIHR	OSCE's Office for Democratic Institutions and Human Rights
ONAC	Office of the National Anti-trafficking Coordinator
OSCE	Organization for Security and Co-operation in Europe
OSR/CTHB	Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings
QMF	Quality Management Framework
STR	Suspicious transaction reports
THB	Trafficking in human beings
THB/LE	Trafficking in human beings for labour exploitation
THB/OR	Trafficking in human beings for the purpose of organ removal
TIP	Trafficking in persons
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
VOT	Victim of trafficking

INTRODUCTION

Background

In accordance with MC.DEC/2/03, MD.DEC/3/06 and MC.DEC/7/13, the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) is engaged in promoting the implementation of OSCE anti-trafficking commitments and in assisting participating States in their implementation upon request.

To further this work, the OSR/CTHB developed a survey to assess the implementation of selected aspects of the *OSCE Action Plan to Combat Trafficking in Human Beings (2003)*, subsequently referred to as the Action Plan, and the *Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings: One Decade Later (2013)*, subsequently referred to as the 2013 Addendum. As well as providing an OSCE-wide overview of the current situation, as summarized in this report, the survey responses provide a baseline on which further progress can be measured.

The current report presents the findings of the survey and elaborates on responses submitted by respondents. It also contains recommendations and conclusions based on the comprehensive analysis of the survey which could be used by the OSCE participating States in developing new policies and initiatives, as well as in the future implementation of their OSCE commitments in the field of trafficking in human beings.

In addition to the government survey, the OSR/CTHB surveyed selected NGOs from throughout the OSCE region. The NGO responses provided rich additional data to that provided by governments, as well as complementary perspectives on the implementation of selected laws, policies and activities. In addition to contributing to the survey report, NGO data has been combined with government data into a joint data sheet. This data sheet will be used on a country-by-country basis with a view to informing future country visits undertaken by the Special Representative. The OSR/CTHB will in turn use information received from country visits to update the data provided by the current survey. Future surveys will also draw on this data sheet to limit the amount of additional information requested from participating States.

The survey was designed to complement other data collection initiatives. As such, it emphasizes emerging areas in the response to trafficking in human beings (THB) in which information is currently limited, with a specific focus on the 2013 Addendum. The survey is not exhaustive due to the desire to avoid duplication of, in particular, assessments by: (1) the Council of Europe, in relation to the implementation of the Council of Europe Convention; and (2) the United Nations Office on Drugs and Crime in its role as guardian of the Trafficking in Persons Protocol, which supplements the UN Convention on Transnational Organized Crime.

As stated in the introduction to the survey, “unless an explicit objection is raised by a participating State ... the data will be shared with the Council of Europe (CoE) and the United Nations Office on Drugs and Crime (UNODC) with a view to promoting information exchange and collaboration, as well as to avoiding duplication.” No participating State has voiced an objection to the sharing of data, which falls within the existing co-operation frameworks between the OSCE and these two organizations. The OSR/CTHB anticipates that this sharing of data will further streamline and reduce the ongoing reporting burden placed on participating States.

Comparing the data collected through this survey with those of other international partners will also foster more comprehensive understanding of global anti-trafficking efforts and trends, resulting in more concrete initiatives, strictly tailored to the existing needs of our participating States.

Survey respondents

The survey was sent to all 57 OSCE participating States. Fifty-two of the 57 participating States (91 per cent) responded to the survey (Table 1). Three participating States communicated their preference not to respond the survey; the two remaining participating States did not respond. Forty-five surveys were submitted in English and seven in Russian.

The NGO survey was intended to supplement the data provided by governments. The OSCE selected the surveyed NGOs in consultation with the OSCE Field Operations as well as specific partner organizations (the Council of Europe and UNODC), basing the selection on each NGO's experience in participating in National Referral Mechanisms or otherwise responding to THB. In all, 227 NGOs were sent a copy of the survey, 181 in English and 46 in Russian, with a maximum of 6 NGOs per country. Ninety NGOs (40 per cent) responded, covering 42 countries (Table 1). All NGO responses were submitted online, 63 in English and 27 in Russian.

Table 1:
Survey respondents: Governments and NGOs¹

Responding Government	Responding NGOs	Responding Government	Responding NGOs
Albania	4	Latvia	1
Armenia	2	Liechtenstein	0
Austria	3	Lithuania	1
Azerbaijan	1	Malta	0
Belarus	4	Moldova	1
Belgium	2	Monaco	0
Bosnia and Herzegovina	4	Montenegro	0
Bulgaria	1	Netherlands	1
Canada	1	Norway	0
Croatia	1	Poland	0
Cyprus	1	Portugal	2
Czech Republic	1	Romania	0
Denmark	2	Russian Federation	2
Estonia	1	San Marino	0
Finland	1	Serbia	1
France	2	Slovakia	0
The former Yugoslav Republic of Macedonia	1	Slovenia	1
Georgia	1	Spain	3
Germany	1	Sweden	0
Greece	2	Switzerland	1
Hungary	2	Tajikistan	5
Iceland	2	Turkey	1
Ireland	3	Ukraine	6
Italy	6	United Kingdom	3
Kazakhstan	5	United States	4
Kyrgyzstan	1	Uzbekistan	2

Appendix 3 contains more information on the work of the NGOs responding to the survey.

Methodology

The content of this report is based upon a review of survey responses from the participating States and NGOs. The government survey was divided into three parts: (1) prevention of trafficking in human beings; (2) protection and assistance for victims of trafficking; and (3) law enforcement and investigation, with a focus on the use of financial instruments. The NGO survey sought to complement the information received from governments. It did not include all of the government survey questions, but focused on those considered most likely to add value to the responses of participating States, particularly in the area of victim identification and support (see Appendix 1 for the participating State questionnaire, Appendix 2 for the NGO questionnaire).²

The majority of responses analysed in this document date back to late 2015. With minor exceptions, the report does not contain information on developments in OSCE participating States subsequent to the date of the submission of their survey response to the Office of the Special Representative. Developments in policies and legislation introduced as of 2016 will be incorporated in the next survey.

Methodological limitations

There were some important methodological limitations in the questionnaire as well as in the information provided in response to it. In particular, there were a number of challenges regarding the survey's format. This resulted in governments submitting responses in several different formats. In addition, some questions were interpreted in different ways by various governments, and the quantity and detail of information provided by States in response to the questionnaire also varied. Some responses were incomplete or short. A few countries took the opportunity to share additional information and provide more details about their activities. Some included copies of their National Action Plans, reports on anti-trafficking activities submitted to other organizations, or other documents to supplement the information in the questionnaire. Taken together, these factors meant that responses on some questions were not consistent across all participating States.

Questions in the survey that invited open responses provided rich qualitative data. At the same time, they led to answers that were not easily standardized. As a result, aggregating responses to these questions has not necessarily provided a complete or representative overview of government action across the OSCE region.

With regard to the NGO survey, the use of purposive sampling and the response rate, which was unevenly divided across countries, means that the views expressed in the survey cannot be considered representative of all NGOs working on THB in the surveyed countries.

Most importantly, this report focuses on data provided by the responses of participating States and NGOs, supplemented by discussions between these and the staff of the OSR/CTHB. Several additional sources were consulted to resolve ambiguity or inconsistencies in the data provided, but the scope of the report was not extended to a broader literature review. As a result, the detail, comprehensiveness and usefulness of the findings of this report directly reflect the information shared in response to the OSCE's government and NGO questionnaires.

¹ Andorra, the Holy See and Luxembourg formally advised the OSCE that they would not be responding to the survey. Mongolia and Turkmenistan did not provide a response.

² The government survey was fielded in July 2015 and the NGO survey in September 2015. Both closed in July 2016 following multiple respondent requests for deadline extension.

SECTION I: PREVENTION OF TRAFFICKING IN HUMAN BEINGS

A. Identifying and addressing THB for labour exploitation

The criminal business of human trafficking for the purpose of labour exploitation can only exist where there are markets for the goods and services produced by trafficked labour. Recent years have seen a number of initiatives aimed at disrupting and eventually eliminating these markets through targeting exploitative practices in product and service supply chains. Initial efforts focused primarily on company reporting requirements.³ The first major initiative of this type was the California Transparency in Supply Chains Act (2010⁴), which required large companies doing business in California to report on the steps they were taking to address the possibility of forced/trafficked labour in their supply chains. The Act did not, however, require companies to take any specific action to identify or eliminate forced/trafficked labour.

Since these initial initiatives, OSCE participating States have been at the forefront of global action to strengthen requirements for businesses to identify and address the potential for trafficked labour in their supply chains. Governments have also recently turned their attention to ensuring their own public procurement practices avoid products that might be produced by forced or trafficked labour. The OSCE 2013 Addendum reinforces the importance of these measures, with recommendations on actions concerning: (1) zero-tolerance policies in government procurement of goods and services; (2) codes of conduct for private sector, trade unions and relevant civil society institutions to ensure protection of workers throughout supply chains; and (3) training programmes on THB-related issues for human resource personnel in private sector companies.⁵

As the focus on supply chains for goods and services has increased, governments and businesses have recognized that due diligence must extend beyond the immediate workplace to the ways in which migrant workers are recruited and managed.⁶ Unethical recruitment practices all over the globe have been associated with trafficking in human beings and related forms of labour exploitation. These often take the form of extremely high recruitment fees that place workers in debt to the recruiter and make it difficult or impossible for them to escape

exploitative work situations. The 2013 Addendum recognizes the importance of improved recruitment practices in recommending (1) strengthened oversight of recruitment and placement agencies, and (2) exploring the possibility of eliminating recruitment fees charged to employees.⁷

This section describes the measures that OSCE States reported having put in place to reduce the potential for goods and services produced by forced/trafficked labour to enter government and private sector supply chains. It also covers complementary measures to reduce the potential for exploitation of migrant workers associated with international recruitment and placement processes.

A.1 Government and private sector procurement

A.1.1. Government procurement

Taken collectively, OSCE governments are the largest purchasers of goods and services in the world. Total expenditure for participating States and Partners for Co-operation⁸ reached an estimated US\$22 trillion in 2014. Ensuring that exploitative labour practice is not implicated in goods and services procured by governments is therefore potentially a very effective strategy against trafficking for the purpose of labour exploitation, particularly if these measures are implemented collectively across the OSCE region.

Recognizing this, the OSCE Parliamentary Assembly 2015 Resolution on Responsibility to Combat Human Trafficking in Government Contracts for Goods and Services called upon “participating States to require by law and regulation that all government contracts for goods and services go only to businesses that have a plan in place to ensure that their subcontractors and employees do not participate in activities that contribute to, or that constitute, human trafficking.”

The OSCE made government procurement a priority for its work in 2016, undertaking this focus through the extra-budgetary project “Prevention of trafficking in human beings in supply chains through government practices and measures”. Key project activities have included: (1) developing draft model guidelines for States to prevent human trafficking for labour exploitation in supply chains, with a particular focus on government procurement; (2) building States’ capacity to enact relevant measures based on shared practices and guidance; and (3) a compendium of reference materials and resources on ethical sourcing and prevention of trafficking in supply chains.

3 More details and recommendations on supply chain initiatives can be found in: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Ending Exploitation. Ensuring that Businesses do not contribute to Trafficking in Human Beings: Duties of States and the Private Sector, Occasional Paper Series no. 7 (Vienna, November 2014).

4 <http://www.state.gov/documents/organization/164934.pdf> accessed 9 October 2016.

5 Addendum III.1.6, III.1.7, III.2.1.

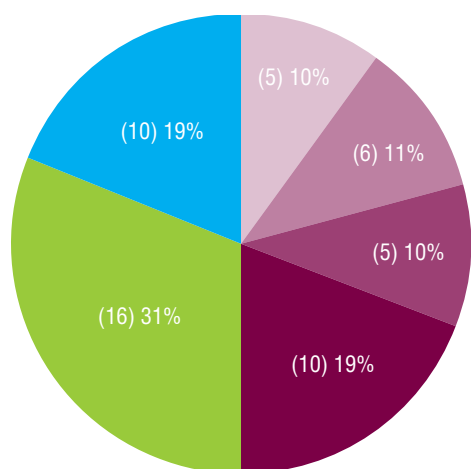
6 See, for example, the Leadership Group for Responsible Recruitment <https://www.ihrb.org/news-events/news-events/the-leadership-group-responsible-recruitment> accessed 9 October 2016.

7 Addendum III.1.9.

8 The Heritage Foundation and The Wall Street Journal, 2014 Index of Economic Freedom.

Against this background, sixteen countries (31 per cent of overall survey respondents, 38 per cent of those responding to the question) reported having some public procurement policies in place to minimize the risk of purchasing products which there is reason to believe were produced by trafficked or exploited labour (Figure 1). Of these countries, seven produced an annual report on policy implementation. Five countries reported that they were in the process of approving public procurement policies, while six countries reported having plans to develop such policies.

Figure 1:
Government procurement policies
Does the Government have public procurement policies to minimize the risk of purchasing products which – there is reason to believe – have been produced by trafficked or exploited labour?



- Yes
- No answer
- No. The country is in the process of approving or developing public procurement policies
- No. The country has plans to develop public procurement policies
- No. The country has no plans to develop public procurement policies
- No. Don't know about country's plans

The survey asked governments to identify specific measures they have used to monitor procurement practices. Respondents reported requiring their suppliers to:

- ▶ Self-certify on labour conditions in their supply chain (five countries);
- ▶ Have a code of conduct to uphold labour standards and address instances of exploitation (five countries);
- ▶ Include a review of blacklists of potential suppliers in their procurement processes (four countries);
- ▶ Provide access to audits on working conditions conducted by contractors or subcontractors (four countries);
- ▶ Provide access to the names and addresses of factories in its supply chain (three countries).

Ten countries reported that they had measures in place to tighten government procurement practices other than those listed in the survey. In Norway, for example, the Agency of Public Management and eGovernment provides guidance to public procurers on socially responsible public procurement and produced a guide called Walk the Talk: Ensuring Socially Responsible Public Procurement.⁹ In Sweden, the 21 Swedish County Councils (whose main responsibilities are healthcare, dental care and public transportation) agreed to work collaboratively on sustainable procurement. They developed common procedures and a single code of conduct for suppliers, which includes adherence to labour standards. They further agreed to share the costs of third party audits.¹⁰ In the United States, the Government reported a detailed set of measures taken to ensure that it does not inadvertently procure goods and services that might have been produced by forced or trafficked labour (**Box 1**).

Box 1:
Regulations on government procurement practice relating to services – United States

Government procurement practices involve the purchase of both goods and services. With respect to services, the United States has introduced a range of measures to ensure that government funds are not used or associated with the use of forced or trafficked labour. These measures recognize that exploitive labour processes often begin within the recruitment process itself, including through the charging of large fees that place migrant workers in debt and limit their options for exiting exploitative situations. The U.S. Federal Acquisition Regulation (FAR) prohibits federal contractors and subcontractors from, among other acts:

1. Charging employees recruitment fees;
2. Confiscating, destroying, concealing, or denying access to identity or immigration document(s);
3. Using misleading or fraudulent recruitment practices;
4. Engaging in trafficking in persons or using forced labour;
5. Using labour contractors who do not comply with local laws where the recruitment takes place;
6. Providing or arranging housing that fails to meet local or host country safety and housing requirements;
7. If required by law or contract, failure to provide an employment contract that is written in a language that the worker can understand.

Two other countries reported that they excluded tenderers that had been convicted of a criminal offence or sanctioned for violating the rules relating to hiring and workplace safety, while another reported requiring self-certification by tenderers and subcontractors that they adhered to the International Labour Organization (ILO) Core Conventions. It was not clear from the information provided, however, whether these measures also applied to companies located outside the borders of

9 <http://www.norway-geneva.org/Humanrights/Integrating-Human-Rights-Into-Public-Procurement/#.WBBuiDJ7Gla> accessed 26 October 2016.

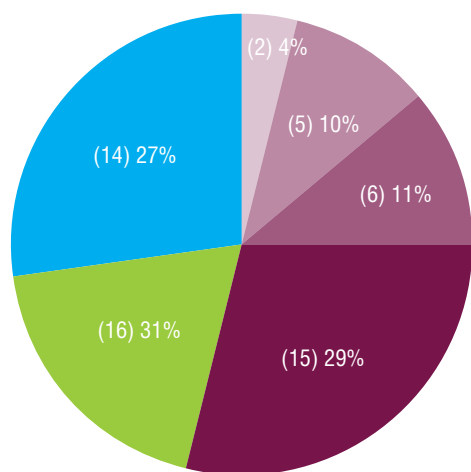
10 https://noharm-europe.org/sites/default/files/documents-files/3125/Factsheet%20%7C%20Sustainable%20Public%20Procurement_0.pdf accessed 26 October 2016.

the responding States. One country specifically noted that the operation of a blacklist or similar was incompatible with their internal government regulations.

A.1.2. Supply chains (private sector)

With regard to the private sector, ten countries reported having adopted laws or regulations that require businesses to report the measures they are undertaking to identify and eliminate trafficked or exploited labour from their supply chains (Figure 3). Two countries reported having laws or regulations in process and five reported having plans to develop them. Six countries reported having no plans and fourteen countries did not respond to the question.

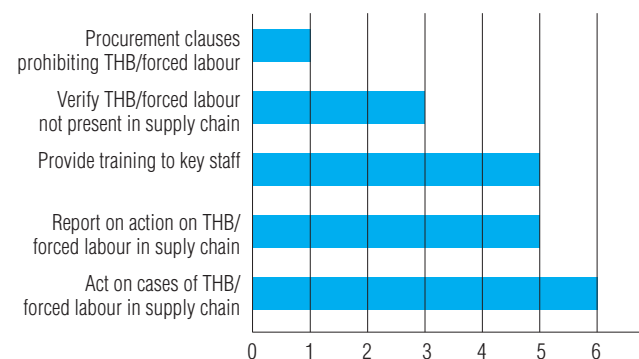
Figure 2:
Government laws on supply chains
Has the Government adopted laws or regulations that require businesses operating in its territory to report on measures to identify and eliminate trafficking or exploited labour from their supply chains?



- Yes
- No answer
- No. The country is in the process of approving or developing public procurement policies
- No. The country has plans to develop public procurement policies
- No. The country has no plans to develop public procurement policies
- No. Don't know about country's plans

In terms of specific measures, six countries reported requiring companies to take action on any cases of THB/forced labour discovered in their supply chain. Only three of these countries required companies to take steps to proactively identify such cases, however (Figure 3).

Figure 3:
Supply chain requirements
Details of country requirements for companies in relation to addressing THB or forced labour in their supply chains



There were differing responses to supply chain issues, as highlighted by the examples of the United Kingdom, the Netherlands and Germany. The United Kingdom (UK) reported that commercial organizations which: (1) carry out a business or part of a business in the UK; (2) supply goods or services; and (3) have an annual turnover of £36 million or more are required, under Section 54 of the Modern Slavery Act 2015, to prepare a slavery and human trafficking statement for each financial year of their organization. Under the Public Contracts Regulations 2015 that govern most public procurement in the UK, contracting authorities may exclude from the procurement process an economic operator that has failed to comply with Section 54.

Another approach was reported by the Netherlands, where the Government commissioned a study to identify business sectors in which supply chains potentially posed heightened risks in terms of respect for human rights, labour rights and environmental protection. The study identified forced labour as one of nine key risks. The next step was discussion with stakeholders in 13 sectors on how to reduce potential risks in their supply chains. The garment sector was the first of these 13 sectors to develop a covenant, which requires textile companies to perform due diligence of their supply chains on human rights issues (including child labour and forced labour) as well as environmental issues, and to come up with concrete plans for improvement. While not legally binding, the Government considered there to be enough pressure to comply. Another example of a partnership in the textile industry is provided by Germany (**Box 2**).

Monitoring and Enforcement

Two main themes emerged from the qualitative responses on monitoring and enforcement of laws prohibiting the use of trafficked or exploited labour in supply chains and on associated penalties. First, of the 12 countries that provided information on specific cases, eight reported on direct breaches by companies of trafficking, labour or immigration laws rather than

breaches relating to their supply chains. Second, the penalties that companies faced for violating laws or regulations prohibiting trafficking or exploitative labour in their supply chains were universally financial. No country identified the possibility of custodial sentences for principals of companies complicit in the use of forced labour in their supply chains.

Although the OSCE is aware that a growing number of countries are taking legal action against companies for forced labour and THB in their supply chains, only one described specific actions in their survey response. Belgium reported that, in a 2012 case, the Ghent court had held Carestel Motorway Services company liable for abetting the crime of trafficking in human beings as undertaken by a subcontractor (Kronos), which provided cleaning for sanitary facilities in the Carestel chain of motorway restaurants. The court argued that abuses by Kronos would not have been possible without the company “deliberately ignoring malpractices”. The company was fined 99,000 Euros.

Box 2: Social, ecological and economic standards

Germany is Europe's largest consumer market, with above average purchasing power and a particularly high degree of consumer confidence. Most of the clothing purchased in Germany is produced in Asia, primarily in China, Bangladesh and Turkey. In May 2014, the Federal Ministry for Economic Cooperation and Development of Germany set up a Roundtable on the Textiles Industry, which brought together actors from the garment industry, retailers, trade unions and civil society representatives.

This process resulted in the establishment of the Partnership for Sustainable Textiles on 16 October 2014. The Textile Partnership aims to pool the strength and expertise of its members to bring about social, ecological and economic improvements all along the textile supply chain. This involves:

1. Joint definition of Partnership standards and implementation requirements with timelines for continuous improvement;
2. Improvement of framework conditions in the producer countries and issuing of policy recommendations for Germany and the EU;
3. Transparent communication on the Partnership's progress and sustainable textile production in general;
4. A Partnership platform to review feasibility and implementation progress, share experience and learn from one another.

The Textile Partnership's members collaborate in working groups to develop specific approaches to improving production conditions in the areas of chemicals and natural fibres, and with regard to social standards and living wages. Around 180 partners from across all stakeholder groups are currently involved in this initiative.

A.2. International labour recruitment and placement

Unethical labour recruitment processes have been associated with human trafficking and related forms of labour exploitation across the globe.¹¹ In particular, high recruitment fees can place migrant workers in a situation of debt to the recruiter and act as a binding factor for workers in exploitative situations. Further, recruiters and/or employers may attempt to enforce this debt through withholding of travel documents or more direct restrictions on movement. This section examines measures implemented by OSCE States to regulate labour recruitment and placement processes, both for foreign nationals within their borders and for their nationals working abroad.

A.2.1 Recruitment of foreign nationals working in country

Thirty-eight participating States reported having legislation, regulations or other policies on the operation of labour recruitment and placement agencies for foreign nationals (Figure 5). A further four countries reported plans to develop or introduce relevant legislation or policies. Nineteen of the 38 responding countries required recruitment agencies to be registered and the same number to obtain an operating licence. Sixteen countries specifically prohibited the charging of fees and three others placed limits on the fees. In Germany fees were capped at €2,000, while in Switzerland fees were set at five per cent of the first annual gross wage.

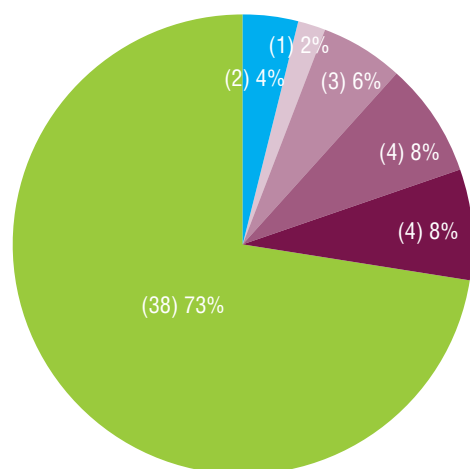
Countries least commonly reported: (1) requiring agencies to be covered by bilateral agreements (three countries); (2) prohibiting the use of subbrokers (three countries); (3) requiring recruitment and placement agencies to sign a code of conduct (six countries); and (4) allowing workers to change employers without requiring a new work permit or visa (six countries). Just 13 countries reported specifically prohibiting the withholding of migrant travel documents by employers, recruiters or placement agencies, despite the association of this practice with worker exploitation and trafficking in human beings.¹²

In terms of individual countries, those reporting the highest number of measures were the United Kingdom, with eight of the ten listed measures, Monaco (seven) and San Marino, the former Yugoslav Republic of Macedonia and Poland (six each).

11 See, for example, UNODC, *The Role of Recruitment Fees and Abusive and Fraudulent Recruitment Practices of Recruitment Agencies in Trafficking in Persons* (Vienna, 2014).

12 ILO, *Indicators of Forced Labour* (2012) http://www.ilo.org/global/topics/forced-labour/publications/WCMS_203832/lang-en/index.htm accessed 9 October 2016.

Figure 4:
Countries regulating labour recruitment and placement companies: foreign nationals
Does the Government have legislation, regulations or other policies that regulate the operation of labour recruitment and placement agencies for foreign nationals working in the country?



- Yes
- No answer
- No. The country is in the process of approving or developing public procurement policies
- No. The country has plans to develop public procurement policies
- No. The country has no plans to develop public procurement policies
- No. Don't know about country's plans

Monitoring and Compliance

Thirty-four countries provided information on the processes in place for monitoring or ensuring compliance with laws and regulations on recruitment and placement agencies. Of these countries, 14 referred specifically to controls on immigration-related irregularities, which might suggest that this is still a strong focus of regulatory efforts.

Specific checks on recruitment companies mentioned by countries included: (1) requirements for recruiters to be members of a licensing organization; (2) annual inspections of private employment agencies; and (3) requirements for annual reporting by companies. In Ireland, the Government reported that companies must publish a notice in a national newspaper stating the intention to apply for a recruitment licence. In making licence applications a public process, this requirement might make it more difficult for organizations that have lost their licences to re-open under another name, which has been identified in other parts of the world as a common strategy for maintaining unethical recruitment practices.¹³ The Government

¹³ A. P. Santos, "How recruitment agencies deceive Philippine workers", Deutsche Welle, 22/08 (2016) <http://www.dw.com/en/how-recruitment-agencies-deceive-philippine-workers/a-19492133> accessed 9 October 2016.

of Cyprus reported that its Department of Labour organized training programmes every year for personnel of private employment agencies and that these programmes incorporated issues relating to trafficking in human beings.

In the Russian Federation, the Labour Inspectorate in St. Petersburg published on its website a list of both (1) reliable companies that were licensed and for which no serious complaints had been received from workers, and (2) companies known for non-payment or late payment of wages, and for mistreating workers. The Labour Inspectorate also sent out text messages to registered migrants, informing them of the possibility to complain and seek assistance if their rights were violated.¹⁴

Box 3: Regulating recruitment of foreign labour: The UK's Gangmasters Licensing Authority

In 2005, the United Kingdom established the Gangmasters Licensing Authority (GLA) to regulate the supply of labour in the agricultural, shellfish, and associated processing and packaging industries. Companies that provide workers for these activities must hold a GLA licence. This is the case even when the company is based in another country but supplies workers into the UK.

To obtain and maintain a licence, a company must be compliant with the GLA's licensing standards. Allegations of non-compliance result in re-inspection. Identified breaches either result in conditions being placed on a licence, or revocation of the licence. If a company no longer holds a licence it cannot trade in the above sectors. If it does so, it commits a criminal offence. The maximum sentence is ten years imprisonment. Anyone who uses a supply of workers from an unlicensed company also commits an offence, and the maximum penalty is six months imprisonment.

The GLA conducts criminal investigations into unlicensed activity, where companies may also be exploiting workers, and works closely with the police in such situations. Uniquely, the GLA has specialist criminal investigation powers for arrest, search and prosecution, coupled with the authority to conduct surveillance, obtain data from mobile phone companies, and undertake investigations to seize the proceeds of crime. Through joint investigation with the police and National Crime Agency, the GLA's work has identified new trends in how workers are exploited, including tax evasion schemes and increasing criminal infiltration.

The Immigration Act 2016 renamed the GLA as the Gangmasters and Labour Abuse Authority (GLAA), and provided it additional powers to investigate offences related to national minimum wage, employment agencies, and modern slavery across all sectors of the UK labour market.

In addition to targeting recruiters in breach of regulations, some countries reported actions against employers that used unlicensed recruiters. In Liechtenstein, for example, the Government reported penalties of up to 50,000 Swiss Francs for employers that used a recruitment or placement agency knowing that it had no license to operate. Estonia highlighted new

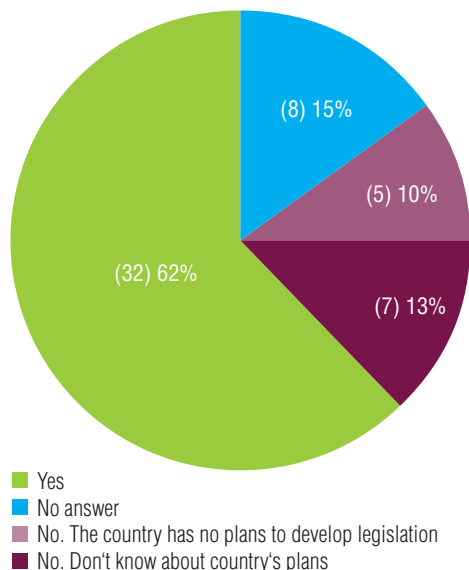
¹⁴ Drawn from L. Sorrentino, A. Jokinen, Guidelines to prevent abusive recruitment, exploitative employment and trafficking of migrant workers in the Baltic Sea region (Helsinki 2014).

reporting obligations for employers of foreign labour as part of revisions to its Alien Act, coming into force in January 2016. The Kyrgyz Republic also reported pending amendments to the administrative code, which would increase punishment for employment agencies operating without a licence. The United Kingdom reported that both unlicensed recruiters and employers using unlicensed recruiters might be subject to prison sentences (Box 3).

A.2.2. Recruitment of country nationals working abroad

Thirty-two countries (73 per cent of those responding to the question) reported legislation, regulations or other policies to regulate the operation of labour recruitment and placement agencies for their country's nationals working abroad. OSCE participating States have diverse profiles when it comes to export and import of labour – some predominantly import foreign labour, while others are primarily labour export countries. As might thus be expected, there were significant differences in countries' responses to questions concerning the regulation of foreign workers within their countries and the regulation of their own workers abroad. Eight of the countries that reported regulating the operation of recruitment and placement agencies for foreign nationals, for example, reported that they did not have laws regulating the operation of recruitment and placement agencies for their own workers abroad. Conversely, six countries reporting regulation of worker recruitment abroad did not have laws regulating foreign workers in their country.

Figure 5: Regulation of recruitment and placement agencies for nationals working abroad Does the Government have legislation, regulations or other policies that regulate the operation of labour recruitment and placement agencies for the country's nationals working abroad?



In terms of specific measures included in laws and regulations, countries most commonly reported requiring recruitment agencies to register as a commercial business (19 out of 32) and obtain a licence (19 out of 32). Thirteen countries reported that they specifically prohibit charging fees to workers, and six countries reported limiting such fees.¹⁵ The most notable difference for nationals working abroad compared to measures for foreign workers employed within OSCE participating States was the requirement for written contracts. Sixty-two per cent of the countries (21 out of 32) reported requiring written contracts for their workers abroad, compared to 34 per cent (13/38) for foreign nationals working in their country.

The least common legal and regulatory measures reported were prohibitions on: (1) the use of subcontracted brokers to recruit workers (four countries); (2) limiting freedom of movement (five countries); and (3) agencies withholding travel documents of workers (six countries). These are all practices implicated in the use of forced and trafficked labour. In terms of individual countries, those reporting the highest number of individual measures were Ukraine and Montenegro, each with seven measures, while Belarus, Bulgaria and Poland each listed six.

Monitoring and Compliance

Twenty-six countries provided information on the processes in place for monitoring or ensuring compliance with regulations on recruitment and placement agencies for nationals working abroad. For eight of these countries, the reporting dealt with punishments for regulation breaches rather than monitoring. Seven countries highlighted requirements for recruitment and placement agencies to report their activities, in timeframes ranging from quarterly to annually. In Hungary, for example, the Government reported that private job mediators were required to submit annual data sheets to the competent Government office. The Government then made this information publicly available online in the form of annual summary reports.

In Poland, the Government reported that agencies placing workers abroad must provide information to the relevant Department for Consular Affairs at least 15 days before the departure of a worker. This information must include: 1) the identity of the job seeker; 2) the identity of the contracting authority; 3) the place of work; and 4) the start date and expected placement term. Recruitment and placement agencies are inspected annually.

As reported by the Government of Latvia, the State Employment Agency undertakes a range of duties related to licensed recruitment agencies. These have included: (1) checking the business operating premises and documentation; (2) obtaining data from the State information system on licence applicants

¹⁵ Two countries, Germany and Switzerland, provided additional information. As with recruitment of foreign workers into their countries, the fees for recruitment abroad are limited to €2000 in Germany and five per cent of the first annual gross wage in Switzerland

and recipients; (3) examining and approving requests for the provision of work placement services; (4) requesting licence recipients to provide explanation in cases of possible infringement of laws and regulations; and (5) informing responsible State institutions about work placement services that are being provided without a licence. Such information is published by the Agency on its website, including lists of merchants that have the right to provide work placement services and those that have had their licences suspended or cancelled.

Uzbekistan reported placing an emphasis on ensuring that workers are aware of their rights and responsibilities prior to departure. Information is provided by a Centre for Preparation and Education of citizens going abroad. The Government stated that the main aims of this Centre are: (1) educating citizens about the details of their contracts; (2) providing information about legislation and norms in the country of destination; (3) providing basic language training to enable workers to communicate and perform their working duties abroad; and (4) explaining the safety rules of the enterprise where a worker is going to be employed.

Moldova's response on the monitoring of labour recruiters highlighted a measure not mentioned by any other country. This involved the registration of the *individual* contracts of employment of Moldovan citizens working abroad at the National Employment Agency. As part of this process, after obtaining the required license, private employment agencies were informed of their rights and obligations.

A.3 Discussion and recommendations

Public and private sector procurement

Overall, survey responses on government and private sector procurement suggested that OSCE States are beginning to take steps to implement the OSCE 2015 Parliamentary Resolution recommendations and the 2013 Addendum commitments towards zero tolerance for exploitative labour practice in supply chains. Sixteen countries reported having relevant public procurement policies to minimize the risk of purchasing products which – there is reason to believe – have been produced by trafficked or exploited labour. A further 11 countries reported being in the process of, or having plans for, introducing such procurement policies. This suggests growing awareness of the importance of action in this area. The survey requested only limited details about these policies, and thus follow-up by the OSCE might be useful for providing a stronger baseline to monitor further progress. As well as moving forward individually, participating States might consider the feasibility of collective action, such as joint blacklists for procurement. Eight countries reported that blacklists of potential suppliers are reviewed.¹⁶

¹⁶ These eight countries include four that answered no to the question "Does your government have public procurement policies to minimize the risk of purchasing products which – there is reason to believe – have been produced by trafficked or exploited labour?"

With respect to the supply chains of private companies, fewer than one in five countries reported requiring businesses operating on their territories to report on measures they were undertaking to identify and eliminate exploitative practices in their supply chains. Significantly, however, the regulations of countries such as the United States and the United Kingdom are applicable also to foreign companies above a specified financial threshold undertaking business within their jurisdiction. As a consequence, it is likely that a significant number of companies from other participating States are already affected by supply chain regulations, even if their own governments do not yet have these in place. It seems valuable for participating States to work on standardizing compliance requirements related to labour practices in supply chains, streamlining the administrative burden on companies, and moving forward together in a manner that does not discriminate against businesses based on their location.

Based on survey responses, only three countries require companies to actively verify the absence of trafficking and forced labour in their supply chains. It appears that few companies currently have the capacity to undertake such verification beyond the top two or three tiers of their supply chains.¹⁷ Full verification can be extremely time and resource intensive. For example, at the OSCE Conference on Preventing Trafficking in Human Beings for Labour Exploitation in Supply Chains, held in Berlin in September 2016, one company described a case in which it had discovered abusive labour practices in the seventh tier of its supply chain.

In contrast, requiring companies to provide access to audits and names and address of factories, at least at the higher levels of their supply chains – that is, information to which they already have access – might be a lower burden on these companies. Over time, the data collected through such a process could be collated and analysed by an independent repository for comparison with reported incidents of exploitative labour practices. A major benefit of this approach would be providing insight into the performance of other actors involved in supply chains, including (1) the effectiveness of various auditors in identifying exploitative practices, and (2) the performance of specific recruitment agencies.

Labour recruitment practices

Reflecting different labour migration profiles, some OSCE participating States reported recruitment regulations only for foreign nationals working in their countries and others, only for their nationals working abroad. Overall, 90 per cent of States responding to labour recruitment questions reported regulations in at least one of these two categories. When broken down into individual measures, however, there appear to be significant gaps. In particular, for countries with workers abroad, the

¹⁷ Issara Institute, Issue Paper. Slavery Free Recruitment Systems: A landscape analysis of fee-free recruitment initiatives, Bangkok, 2016 http://media.wix.com/ugd/5bf36e_9815e8d8f24c400298354037a761f9cf.pdf accessed 9 October 2016.

least common regulation measures were prohibitions on using subcontracted brokers, withholding travel documents and limiting freedom of movement. As noted above, these are all practices implicated in the use of forced and trafficked labour.

Another factor implicated in exploitative labour practice is migrant workers being charged recruitment fees. Nineteen countries reported that they either prohibit the charging of recruitment fees for foreign nationals in their countries, or place a limit on these fees. The same number reported banning or limiting fees for nationals working abroad. Through a number of collective initiatives, this is an area to which the private sector is giving increasing attention (**Box 4**).

Box 4: Tackling recruitment fees – a business led initiative

As highlighted in Box 1, exploitative labour processes often begin with the charging of large fees that place migrant workers in debt and limit their options for exiting exploitative situations. The non-charging of fees to migrants is one of the ten Dhaka Principles for Migration with Dignity.¹⁸ Recently, industry has begun to take a lead in this area. An example is the Electronic Industry Citizenship Coalition (EICC) – comprised of more than 100 electronics companies – which requires members to adhere to a Code of Conduct on social, environmental and ethical issues, including the non-charging of fees to migrants.¹⁹

A cross-sectoral initiative is the Leadership Group for Responsible Recruitment, established in May 2016.²⁰ The five founding companies – Coca-Cola Company, HP Inc., Hewlett Packard Enterprise, IKEA and Unilever – have committed to the *Employer Pays Principle*, which states that “no worker should pay for a job – the costs of recruitment should be borne not by the worker but by the employer. The group is calling for similar commitments from other companies to drive positive change across all sectors.²¹

Another multi-stakeholder initiative with strong private sector involvement is the IOM-led International Recruitment Integrity System (IRIS). This includes a voluntary accreditation framework, based on adherence to common principles for ethical recruitment, including the non-charging of fees to migrants.²²

Overall, the details provided by countries on how they monitor and enforce labour recruitment regulations were limited. Three main points emerged from the responses. First, many countries provided information on applicable penalties rather than on actual monitoring measures. Second, self-reporting appeared the most common form of monitoring. Third, other than self-reporting, there was little consistency in the responses from countries. A possible step might be for participating States to work together to develop mutual approaches to monitoring the performance of labour recruitment agencies. There might also be room for increased government interaction with private sector initiatives such as those described in **Box 4**.

A theme running throughout this section relates to the penalties that companies face for violating laws or regulations prohibiting trafficking or exploited labour in their supply chains, or for exploitative recruitment practices. Such penalties were universally of a financial nature. No country specifically identified the possibility of prison sentences for principals of companies complicit in the use of forced labour in their supply chains.

Consumer behaviour also has a key role to play in incentivizing business practice. Although not the topic of a specific survey question, one country, Latvia, highlighted in its qualitative response a project for reducing the demand for services and products provided by victims of human trafficking and for facilitating fair trade. Traditionally, awareness raising about THB has focused on the risk of being trafficked, rather than on behaviour that may place others at risk of trafficking, such as the purchase of products or use of services that may have involved trafficked or exploited labour. It may be worth considering more activities in this area, in line with the 2013 Addendum recommendation on “Promoting targeted awareness-raising and public education in order to ensure respect for the human rights and fundamental freedoms of persons vulnerable to THB.”

As these examples suggest, there appears room to strengthen both the incentives for companies to ensure exploitation-free supply chains and the disincentives for non-compliance. In order to facilitate this process, ten recommendations on identifying and addressing THB for labour exploitation for participating States and the OSCE have been drawn from the survey data and their analysis.

18 Institute for Human Rights and Business, The Dhaka Principles for Migration with Dignity, <http://www.dhaka-principles.org/#home> accessed 9 October 2016.

19 Electronic Industry Citizenship Coalition®, Code of Conduct (2014) http://www.eiccoalition.org/media/docs/EICCCoCodeofConduct5_English.pdf accessed 9 October 2016.

20 The Leadership Group is convened by the Institute for Human Rights and Business (IHRB). In addition to the five founding companies, it involves the Interfaith Center for Corporate Responsibility, the International Organization for Migration and Verité.

21 Leadership Group for Responsible Recruitment: <http://www.ihrb.org/news/leadership-group-responsible-recruitment.html> accessed 9 October 2016.

22 See: <https://iris.iom.int> accessed 9 October 2016.

Table 2:
Recommendations on identifying and addressing THB for labour exploitation (THB/LE), including in relation to government and private sector procurement

For governments

1. Strengthen government public procurement and transparency measures to minimize the risk of purchasing goods and services which, there is reason to believe, have been produced by trafficked or exploited labour. In the short-term, these measures might include:
 - a. Reviewing blacklists of potential suppliers;
 - b. Requiring suppliers to provide access to audit reports;
 - c. Requiring suppliers to provide access to the names and address of factories in their supply chains;
 - d. Define award criteria that require the implementation of human rights standards in the supply chain, in particular the ILO Core Conventions;
 - e. Require contractors to take reasonable measures to ensure that THB/LE does not take place in the supply chain, to the best of their knowledge after performing due diligence, by having, for instance, a policy in place that aims to mitigate human rights risks in its supply chain, in particular including measures preventing THB/LE in the supply chain;
 - f. Corporations receiving government contracts should be obliged to adopt a THB/LE Preventive Policy;
 - g. A mechanism to monitor compliance should be considered.
2. Strengthen the provisions regulating the practice of labour and recruitment agencies for foreign nationals and, in particular for country nationals working abroad, including the explicit prohibition of (1) withholding of documents, (2) restrictions on movement and, if possible, (3) the use of subagents.
3. For those countries that have not included a no-fees-to-migrants provision in their regulations on labour recruitment practices, consider the feasibility of doing so.

For participating States and the OSCE

4. Consider the feasibility of adapting an OSCE-wide standard for companies on their responsibilities in relation to the potential for exploitative labour practices in their supply chains. These standards could be progressive in nature, acknowledging the time required to put appropriate measures in place.
5. Consider the feasibility of working together to develop a joint or shared blacklist of potential suppliers, and/or of sharing information on companies excluded from preferred lists of suppliers.
6. Consider the possibility of engaging the private sector in developing a proposed OSCE-wide standard for companies in regard to identifying and addressing potential trafficking and exploitative labour issues in their supply chains.

For the OSCE

7. Strengthen the OSCE's supplier code of conduct, whereby all suppliers have a clear obligation not to purchase goods or procure services resulting from trafficked or forced labour, as well as not to engage with subcontractors that do not comply with those provisions.
8. Follow up with participating States to obtain more detail on their procurement measures, especially those efforts mentioned in the survey responses, to minimize the risk of purchasing goods and services which, there is reason to believe, have been produced by trafficked or exploited labour, with a view to monitoring progress over time.
9. Develop practical tools to enable participating States to enact concrete measures to prevent human trafficking in supply chains, as well as build their capacity to implement these measures, thus protecting human rights through good governance.
10. Consider bringing participating States, and other partner international organizations, together to share practices and lessons learned in monitoring and enforcing regulations on international labour recruitment and placement.

B. Responding to child trafficking

B.1 Rationale

In recent years, three factors have significantly increased concerns about the risks of child trafficking within the OSCE region. First, there have been major increases in the movement of people, often involving mixed migration patterns incorporating refugees, asylum seekers, economic migrants, and victims of trafficking. Mixed migration generally also involves unaccompanied minors, who are particularly vulnerable to exploitation and abuse. In 2015, 88,300 asylum seekers applying for international protection in EU Member States were considered to be unaccompanied minors. This is a four-fold increase from the previous year and more than the entire number received in the period 2008–2013.²³

Second, the global economic crisis has increased pressure on families and households. This can affect children from less stable living environments in a number of ways and potentially make them more vulnerable to traffickers due to external or self-imposed pressure to contribute to the family income. Third, new forms of exploitation are emerging, in particular forced criminality, which appears to primarily affect children (discussed in Section D).

Against this background, this section examines the commitments that the OSCE participating States have made to prevent child trafficking as well as to identify and support trafficked children. OSCE commitments and recommended actions relating to the prevention of trafficking in children include: (1) improving access to education and vocational opportunities, particularly for girls and ethnic minority groups; (2) special

²³ Eurostat, Almost 90,000 unaccompanied minors among asylum seekers registered in the EU in 2015, (2016) <http://ec.europa.eu/eurostat/documents/2995521/7244677/3-02052016-AP-EN.pdf>; accessed 9 October 2016.

protection measures for unaccompanied minors and other potentially vulnerable groups; and (3) action to prevent sexual exploitation of children associated with the tourism industry.²⁴

OSCE commitments and recommended actions relating to the identification and support of trafficked children include: (1) ensuring that the special needs and best interests of children are taken fully into account in the provision of services; (2) ensuring that all trafficked children have access to justice, including the possibility of compensation; and (3) enhancing the capacity of police, social workers and others who may come in contact with children in forced and organized begging to ensure a prompt and appropriate response.²⁵

B.2 Measures to identify and support trafficked children

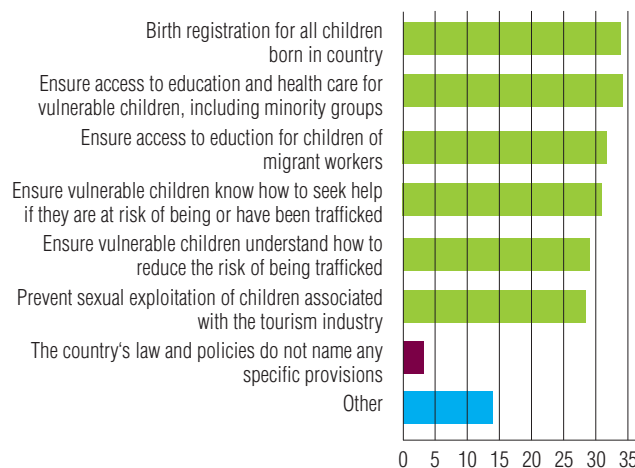
Thirteen countries reported that their legislation on trafficking in human beings does not mention any categories of specific at-risk children. Among the remaining 39 countries, 35 reported measures for unaccompanied or separated minors, 30 for asylum seeking children and 26 for children in institutional care. Fewer countries had measures in place for runaway youth (17) and children without birth registration (19). At the same time, 34 countries listed birth registration as a specific provision in their policies seeking to prevent child trafficking (Figure 6). In other words, more States reported a focus on ensuring that all births are registered than on developing measures for children without birth registration.²⁶

Thirty-four participating States reported measures to ensure access to education and health care for vulnerable children, including minority groups, and 31 States reported measures to ensure vulnerable children understood how to seek help if they were at risk of being, or had been, trafficked. Notwithstanding the 2013 Addendum recommendation on prevention of sexual exploitation of children associated with the tourism industry, this was the least commonly reported legislation and policy provision (28 countries).

Fourteen countries also identified provisions and policies to prevent trafficking that were not listed among the available options. Two countries, Azerbaijan and Latvia, specifically mentioned research on risks pertaining to children; this was also highlighted by one NGO.²⁷ In Tajikistan, the Government reported encouraging mobile operators and internet service providers to sign internal and interstate agreements requiring them to provide for children's safe use of mobile and other telecommunication services. Other responses focused largely

on addressing factors that contribute to the underlying vulnerability of children to THB and other forms of abuse and exploitation, through broader child and social protection initiatives.

Figure 6:
Legislation and policy provisions to prevent child trafficking
Are any of the following provisions specifically named in the country's legislation and policies that seek to prevent trafficking in children?



This theme was also picked up by countries when asked to provide additional details about specific and practical steps being taken to prevent trafficking among at-risk children. Participating States described a wide range of measures, falling broadly into three categories: (1) education and awareness on child trafficking; (2) measures for children considered to be at particular risk of being trafficked; and (3) measures to support wider child protection objectives that potentially reduce the vulnerability of children to trafficking.²⁸ NGO responses on prevention were generally much less detailed but similar in terms of focus.

Nineteen participating States elaborated on activities for educating children about the risks of trafficking, an activity also identified by nine NGOs in eight countries. Fourteen of these States specified awareness programmes within the education system. Albania, for example, reported including THB in the curriculum for Grades 9 and 12, and providing training to teachers through a national institute. Lithuania reported providing support for a wide range of different awareness raising initiatives at both the national and municipal level, including lectures and discussions on THB-related crimes organized by local police department units for students and, specifically, for children from families at risk.

²⁴ Action Plan IV.3.1, V.10.3, Addendum II.1.2, III.1.11.

²⁵ Action Plan V.10.1, Addendum III. 1.3, IV.1.5.

²⁶ UNICEF estimates that 43 OSCE participating States have 100 per cent birth registration. See: <http://data.unicef.org/child-protection/birth-registration.html> accessed 9 October 2016.

²⁷ Feedback from GRETA suggests research has been carried out in a number of other countries, including under two EU-funded initiatives: "Countering New Forms of Roma Child Trafficking" (CONFRONT) and "Assisting and Reintegrating Children Victims of Trafficking: Promotion and Evaluation of Best Practices in Source and Destination Countries" (ARECHIVIC). Details can be found at: <http://childrentrafficking.eu/sample-page/> accessed 10 October 2016.

²⁸ It is possible that some countries which have some of these measures in place did not mention them because they do not specifically relate to the prevention of trafficking.

Ten countries mentioned measures for children considered to be at particular risk, including unaccompanied minors, child beggars and children in street situations. In Georgia, the Government reported that a special working group of all relevant ministries, international organizations and NGOs working on children's issues was established in late 2014. The purpose of the working group is to identify the main threats faced by children working and living on the streets and to propose effective measures to tackle these threats. As an indication of how trafficking related patterns, and thus appropriate responses, differ between countries, Azerbaijan reported enacting a range of activities against child labour, overseen by the Child Ombudsman, while Belarus's response focused on measures to protect the rights of children adopted by foreign citizens.

Twelve countries referred to unaccompanied minors. Hungary, for example, highlighted the operation of a signalling system in order to detect and address factors endangering children, adding that unaccompanied minors were incorporated within the wider child protection system. In Ireland, the Government reported that strengthened interagency cooperation had led to a reduction in the numbers of unaccompanied minors who have gone missing, known to be an issue across the OSCE region.²⁹

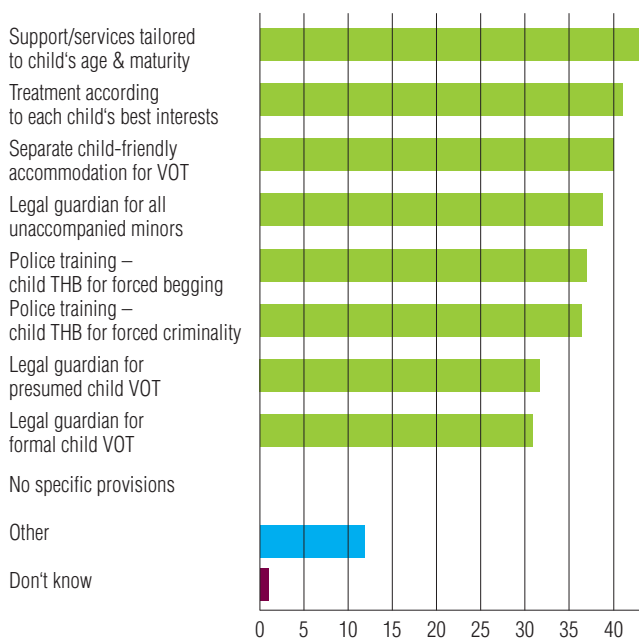
Italy reported that assistance for unaccompanied minors is provided within its overall protection system for asylum seekers and refugees. Nine other countries referred to measures relating to asylum seeking. As reported by the Government of Serbia, for example, the Law on Asylum prohibited expulsion or returning of a person to a territory where there was a risk that he/she would be subjected to torture, inhuman or degrading treatment or punishment. Decisions about whether to return those unsuccessful in claiming asylum thus must consider whether the person is a victim, or potentially a victim, of trafficking. An NGO from another participating State, however, noted that asylum seeking trafficking victims in its country have no access to the specific rights and services of victims of trafficking because of the exclusivity principle of the asylum law.

In terms of practical measures to identify and support trafficked children (Figure 7), the most commonly listed measures among the 48 countries that responded were: (1) support and services tailored to the child's level of age and maturity (43 countries or 90 per cent of those responding to the question); (2) treatment in accordance with each child's best interests (41, 85 per cent); and (3) the provision of child friendly accommodation (40, 83 per cent). Thirty-nine countries (81 per cent) said that legal guardians are appointed for all unaccompanied minors.

Thirty-eight countries reported providing training for police who might come into contact with children who have been trafficked and exploited for forced criminality. Of these coun-

tries, 37 also reported training for police who might come into contact with children who have been trafficked and exploited in begging.

Figure 7:
Provisions and policies to identify and support trafficked children
Which provisions are specifically named in the country's legislation and policies that seek to identify and respond to child trafficking?



B.3 Best interests of the child

The “best interests of the child” is one of the four general principles of the Convention on the Rights of the Child (CRC), which has been ratified by 56 of the 57 OSCE participating States. Article 3 of the CRC establishes the general principle that “in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” UNICEF notes that while the CRC does not offer a precise definition of the best interests of the child, the term should be interpreted and applied in conjunction with the CRC and other international legal norms. The Committee on the Rights of the Child recommends that this principle be introduced into (1) all legal provisions, projects and services relevant for children, as well as (2) judicial and administrative procedures and decision-making processes affecting children, including in the context of parental custody, alternative care and migration.

Forty-four participating States provided responses on the specific and practical measures taken to ensure that all child victims of trafficking are treated in accordance with their best interests. Twenty-four of these States made no specific reference to the best interests of the child in their responses, however; another seven referred to laws, policies or measures in

29 See Eurostat, op. cit., p.24

place on best interests without describing how they are implemented. Fifteen countries included information on the range of services provided to child victims, while 11 countries devoted space to how child victims are treated within the criminal justice system.

Three countries specifically addressed the issue of the best interests of the trafficked child in relation to the repatriation of trafficked children (as distinct from an assessment of security or trafficking risk) and one country mentioned it in relation to unsuccessful asylum claims.

In Austria, the Government reported that “the best interests of the child” has become a constitutional principle. Section 138 of the General Civil Code of Austria establishes that the best interests of the child should be the guiding principle in all matters regarding children. The best interests of the child is determined by considering (1) safety and protection of the physical and psychological integrity of the child, and (2) avoiding any danger, assault or violence to the child. In Slovakia, the Government reported that legislation defines the best interests of the child with regard to the child’s opinion, needs and fears, and highlighted the importance of appropriately trained social protection professionals and guardians in ensuring that these interests are upheld.

Romania also provided criteria for determining the best interests of the child, which “take priority over the rights and duties of the child’s parents, legal guardians, or other persons legally responsible for him or her.” These criteria were:

1. Development needs: physical, psychological, education and health, security and stability and belonging to a family;
2. The child’s opinion, depending on age and degree of maturity;
3. The child’s history, considering, in particular, situations of abuse, neglect, exploitation, or any other form of violence, and the potential risk situations that may arise in the future;
4. The ability of parents or guardians to meet their concrete needs;
5. The maintenance of personal relationships with people with whom the child has developed an attachment.

In Moldova, the Law on Preventing and Combating THB provides that all anti-trafficking actors should focus on the best interests of the child.³⁰ Specific measures articulated in this regard were:

1. All necessary measures to prepare the repatriation/return of the trafficked child to place of permanent living in the Republic Of Moldova – risk assessment, obtaining the consent of a parent, relative, legal guardian or child protection agency to receiving the child into his/her care, etc.;

2. Provision of special protection measures and services taking into consideration the physical, emotional and educational needs of child;
3. Respecting the opinion of a child over ten years old regarding all actions affecting him/her;
4. Informing the trafficked child about his/her situation and rights;
5. Non-disclosure of information on the identity and other personal information about trafficked child;
6. Avoiding re-victimization of the trafficked child – witness (interviewing in a special equipped room, avoiding traumatic questions, participation of psychologist in interviewing, etc.).

In Georgia, the Government reported having amended the Law on Combating against Trafficking to include a new chapter on child victims, including an individual risk assessment on the basis of the child’s best interests.

NGO responses relating to the best interests of the child were similar to those from governments. While 45 NGOs responded to the question, only five responses (from five countries) specifically mentioned best interests in their responses. Twelve NGOs (from nine countries) referred to applicable laws without explaining how these supported a best interest determination in practice. Other NGO responses suggested that measures to ensure a child is treated in accordance with their best interests existed only on paper (seven NGOs, from seven countries) or not at all (five NGOs, from five countries). One NGO highlighted specific challenges for professionals in assuring the best interests of the child when parents are trafficking their children or have consented to their trafficking.

B.4 Discussion and recommendations

This section of the survey sought to identify participating State responses to trafficking in children, with a particular focus on prevention and the “best interests of the child”. Assessing trafficking prevention activities must be done from a contextual perspective. For example, a country with a high proportion of risky outward migration may require a different set of responses than a country whose most vulnerable group involves large numbers of unaccompanied arriving migrant children, or where child labour is present. Due to this consideration, the survey responses on actions against child trafficking were relatively broad, particularly with regard to the open question on practical prevention measures. Some governments provided an overview of all trafficking prevention activities, not just those focused on children, and there were also responses including a similarly broad description of identification and support for all trafficked persons (reported separately in Section E).

Further, it appears that participating States interpreted the questions in different ways, notably in regard to the categories of vulnerable children included in their child trafficking prevention legislation and policies. This did not prevent, however, the survey from providing a large amount of valuable infor-

³⁰ This information on Moldova was provided in an NGO response.

mation that can be used to track further progress. It will also assist the OSCE to develop more targeted questions for future surveys.

The survey responses indicated that participating States generally placed child trafficking prevention activities within a wider child protection framework, such as ensuring basic services such as access to birth registration and education, and providing assistance to children in various types of circumstances. This included children working and/or living on the street who might be particularly susceptible to sexual exploitation, forced begging, forced criminality and other forms of forced labour.

Approximately three-quarters of participating States reported providing training for police who may come into contact with children who have been trafficked and exploited for forced criminality or children trafficked and exploited for begging. Strengthening identification is a key strategy, not only in providing assistance to the affected children but also in identifying trafficking networks and patterns to inform prosecutorial responses and prevention programmes. In this regard, no country specifically mentioned the use of data obtained from trafficking prosecution and protection activities to inform prevention activities, although two countries and one NGO flagged the importance of research on trafficking risks pertaining to children. This may be an area for further enquiry.

States appear to be paying particular attention to the issue of unaccompanied minors. Thirty-nine of the 48 responding countries reported providing a legal guardian for all unaccompanied minors, not just victims of trafficking, while 17 countries provided additional details on protection measures for this group.

Although the large majority of participating States reported that their legislation and policies considered the best interests of the child and 44 countries also responded to the open question on best interests, only 10 provided additional information on how a best interest determination was made. It is not clear the extent to which this was an omission in the survey responses or an omission in practice. It may be that more countries have specific measures in place to ensure that the best interests of the child are taken into account, but did not report on them specifically. This is another area for further enquiry, as the best interests of a child is a special concept that goes beyond general provisions of services. Such further enquiry might include an emphasis on applying the best interests principle to decisions concerning the return of child victims of trafficking (and unaccompanied minors) to their country of origin, an issue raised by three countries.

Overall, the survey data on responses to child trafficking and its analysis have resulted in six recommendations for participating States and the OSCE (Table 3).

Table 3:
Recommendations on responses to child trafficking

For participating States

1. Ensure that child trafficking prevention programmes are informed by available data on patterns, trends and evidence-based vulnerability factors.³¹
2. For all countries that do not already have measures in place to prevent sexual exploitation of children associated with the tourism industry, consider implementing such measures. This might include extra-territorial legislation on child sexual exploitation as well as enhanced law enforcement co-operation.
3. For countries not already doing so, take measures³² to ensure access to education and health care for vulnerable children, in particular girls, minority groups and marginalized populations.³³
4. Ensure that efforts to prevent and respond to child trafficking are located within a broader child protection framework. In particular, countries should ensure that a child's access to rights guaranteed by the UN Convention on the Rights of the Child (CRC), including with regard to best interest determination, is not contingent on his/her designation as a victim of trafficking.
5. Ensure that assistance is provided to unaccompanied minors in line with their rights under the CRC, and in line with available resources.

For the OSCE:

6. Consider including in any future surveys a more specific set of questions on responding to child trafficking, drawing on the responses provided to this survey. This could involve additional questions concerning (1) processes for identifying trafficked children, (2) best interest determinations and (3) measures for unaccompanied minors.

C Responding to THB for organ removal

At present, the global demand for kidneys and other human organs considerably exceeds the legally available supply, creating a black market for organs.³⁴ Trafficking in human beings for the purpose of organ removal (THB/OR) involves transnational networks run by international brokers working with corrupt transplant doctors and local kidney recruiters. Operating at the intersection of illegitimate and legitimate economies, the means of human trafficking – notably coercion, deception or abuse of a position of vulnerability – are used to trap (often desperate) people into selling a kidney or other organs to meet this unfilled demand.

Participating State concerns about the growth of the illegal organ trade, and THB/OR specifically, led to the inclusion of recommendations on this issue in the 2013 Addendum. These recommendations included: (1) raising awareness of THB for the purpose of organ removal through partnerships with health professionals and transplant organizations; (2) promoting legal organ donation channels; and (3) training for medi-

³¹ Action Plan IV.1.1.

³² 2013 Addendum III.1.11.

³³ Action Plan IV.3.1.

³⁴ D. Campbell and N. Davison, "Illegal kidney trade booms as new organ is 'sold every hour'", *The Guardian*, 25/05 (2012) <https://www.theguardian.com/world/2012/may/27/kidney-trade-illegal-operations-who> accessed 9 October 2016.

cal professionals and social welfare services on how to assist victims of trafficking.³⁵ At that time, the Special Representative also initiated a comprehensive analysis of this form of trafficking, culminating in the report *Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings*. This report includes its own set of recommendations (Box 6).³⁶

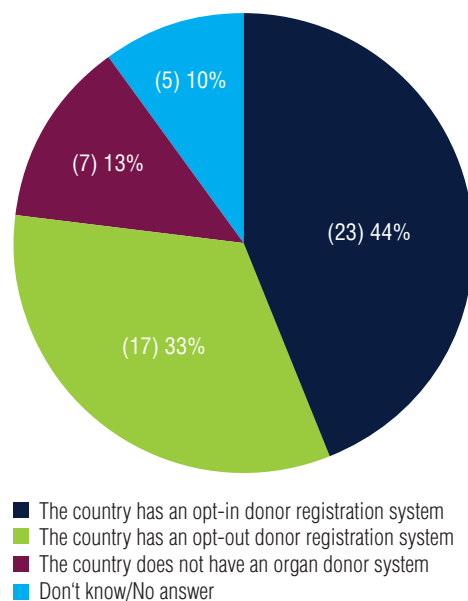
This section looks at what is currently known about the issue of THB/OR within the OSCE region and the measures that countries have in place to respond to it. The survey placed particular emphasis on questions about measures for increasing the availability of legal organs, this being the most direct means for closing the gap between demand and supply and thus potentially eliminating the black market for organs.

In terms of information on THB/OR, thirteen countries surveyed reported having cases of THB/OR under investigation or within the judicial process (including completed cases). Six countries reported convictions to date: Armenia, Belarus, Bulgaria, Hungary, Turkey and Ukraine. Seven more countries noted unconfirmed reports of THB/OR, while 28 reported that they had no information on suspected or actual cases. Three countries did not reply.

The survey asked countries about their organ donor registration systems. Twenty-three countries (44 per cent) reported an opt-in donor system, in which a person must actively give consent to donate their organs, while seven countries (13 per cent) reported that they did not have a donor registration system and five (ten per cent) did not respond to the question.

Seventeen participating States (33 per cent) reported an opt-out donor system, in which a person is considered an organ donor unless s(he) specifically requests not to be. Portugal, for example, reported that under its opt-out or presumed donation approach, a person acquires donor status at birth. A person not wishing to be a donor must submit an objection to the National Register of Non Donors. This objection can be total or partial. Opt-out systems can also be 'soft', in which case the relatives of a deceased person can veto a donation, or 'hard', in which case they cannot.

Figure 8:
Information on donor registration systems
What type of donor registration system exists in the country?



In relation to the 2013 Addendum recommendation concerning the promotion of legal organ donation methods/channels, 32 countries reported that they had measures in place to increase the legal donation of organs from living donors and 30 reported that they had measures to increase the legal donation of organs from deceased donors. Of the countries that did not report specific measures to promote an increase in deceased donors, three had an opt-out system, which lessens the importance of measures to proactively encourage people to sign up to become donors.

A minority of responding States reported implementing THB-specific measures related to the removal of organs. Sixteen countries reported providing training and technical assistance to relevant professionals to prevent THB/OR, 13 that they had written guidance on prevention and eight that they had written guidance on how to identify and report cases. Just nine countries reported extra-territorial legislation in place against transplant tourism, whereby patients travel abroad to purchase organs for transplant.

Thirty-eight countries provided additional information on the measures that their country had taken to promote legal organ donation. Twenty-one countries noted laws or regulations in place relating to transplantation. Six countries – Czech Republic, Denmark, Finland, Switzerland, Slovakia, and the United Kingdom – mentioned national plans or strategies for organ donation, while San Marino noted that promotion of donation is one of the goals of the current national Health Plan.

³⁵ Addendum III.1.11, Addendum III.2.1.

³⁶ OSCE, *Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings* (2013) <http://www.osce.org/secretariat/103393> accessed 9 October 2016.

Both Finland and Switzerland reported specific targets for donation to be achieved by 2018, although the targets were of different types. Finland aims to have at least 70 per cent of adults communicating their wishes regarding organ donation to a relative, while Switzerland seeks to arrive at 20 deceased donors per million residents. The latter target has already been achieved by a number of OSCE countries, topped by Spain at 33–36 deceased donors per million.³⁷ Although Spain has an opt-out system, the Government attributed this high donation rate to a comprehensive donor management approach (Box 5). At the other end of the scale, Ukraine had just 2.9 deceased donors per million. To address this situation, the Government passed a law in 2015 to move to an opt-out donation system.

Twenty-four countries highlighted the role of public awareness campaigns in promoting donations. Bulgaria, for example, reported multiple avenues through which organ donations were encouraged, including TV broadcasting campaigns, information sessions with young people and students, and annual national discussion forums. Turkey reported that the country holds an Organ Donation Week in November each year. In Bosnia and Herzegovina, the Government reported that both of the country's Ministries of Health were actively working to raise public awareness on the importance of organ donation, as well as supporting similar efforts by associations of health professionals, citizens' associations and NGOs. Germany noted that its statutory health insurance funds have a specific responsibility to "address those insured individually in writing every two years for a decision on whether they are willing to donate an organ after death, and to document this decision in a donor card."

Another country highlighting a wide range of measures to promote donation was Hungary. The reported measures included: national organ donation days, poster distribution, dedicated websites for the public, a national training programme for secondary school students and religious opinions on organ donation published by the Hungarian National Blood Transfusion Service.

Eleven countries specifically mentioned live donations. Canada, for example, noted that there are living donor programmes in all 23 provinces of the country. France reported on an extensive promotion campaign with the general public, including the use of testimonials from organ donors and recipients. One country, the Netherlands, referred to measures to address financial impediments to live donation, stating that: "Financial obstructions for those who want to donate are minimalized. There is a special subsidy for living donors that reimburses costs of the donation that cannot be reimbursed by other means."

Box 5: Increasing organ donations: The Spanish Model of Organ Donation

Spain is recognized as having the highest rate of deceased organ donation worldwide (33–36 deceased donors per million). Spain has a soft opt-out system of consent, but its success is generally attributed to a wider range of measures known as the 'Spanish Model of Organ Donation'. As described in Spain's response to this survey, these measures include:

- A donor co-ordination network at three levels: national, regional and individual hospitals;
- A proactive donor detection system, involving a central office that provides continuous support to the donor co-ordination network in developing activities relating to deceased donation;
- A quality assurance programme based on a continuous audit of deaths in critical care units to assess the potential for organ donation;
- Training courses for all professionals directly or indirectly involved in deceased donation;
- A special communication policy with close attention to the mass media;
- Hospital reimbursement for donation and transplantation activities;
- Promotion of live donation through: (1) professional training; (2) overcoming technical barriers; (3) public and patient education; and (4) a comprehensive framework for the protection of the live organ donor, including measures to prevent the exploitation of the vulnerable.

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C.1 Discussion and recommendations

At present, information about human trafficking for the purpose of organ removal among OSCE States is limited. Only thirteen countries reported information about specific cases, with a further six noting unconfirmed reports. Further, only a small number of respondents reported measures in place to address the specific issue of trafficking for the purpose of organ removal. At the same time, 14 countries highlighted, in their qualitative responses, a range of checks and safeguards within the donation system that would strongly inhibit the use of organs obtained as a result of human trafficking.

States further reported a wide range of measures to increase the supply of organs from both living and deceased donors. These included developing national plans, implementing opt-out policies, and running national organ donation days and public campaigns. By increasing the supply of legally available organs, States can reduce the demand for illegally obtained organs, including those obtained from trafficked persons.

³⁷ EDQM, Volume 20 2015. Newsletter Transplant: International figures on donation and transplantation (2014), p.36 https://www.edqm.eu/sites/default/files/newsletter_transplant_2015.pdf accessed 9 October 2016.

Experience from other criminal markets also highlights the potential for interventions to create a displacement effect, whereby illicit supply that is suppressed or pushed down in one location can pop up somewhere else, often where enforcement is less stringent. A primary manifestation of this effect in the illicit organ market is transplant tourism, with patients unable to secure legal organs in their own country travelling abroad to purchase them. Currently just eight countries reported extra-territorial legislation in place against transplant tourism, with one other reporting plans to introduce such legislation. This appears to be an area that OSCE participating States could strengthen.

The survey data on trafficking for the purpose of organ removal and its analysis have resulted in four recommendations for participating States and the OSCE. Additional recommendations not specific to the survey can be found in Box 5.

Box 6:
Recommendations from the Report on Trafficking for the Purpose of Organ Removal

This section of the survey focuses primarily on crowding out the black market for illegal organs by increasing the supply of legal ones. The recommendations in the main text have been developed accordingly. Recommendations on the broader aspects of responding to this form of trafficking are contained in the OSCE Report Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region: Analysis and Findings.

These recommendations include: (1) data gathering, multi-disciplinary research and knowledge sharing on THB/OR; (2) awareness raising on the health implications of losing an organ and legal prohibitions on commercial organ donation; (3) awareness raising among medical professionals and health officials on their ethical and legal obligations; and (4) strengthened support services for persons trafficked for organ removal.

Table 4:
Recommendations on responses to trafficking for the purpose of organ removal

For participating States

1. For countries that do not currently have extra-territorial legislation in place against transplant tourism, consider implementing such legislation.
2. Consider how to further increase the availability and matching of legal organs (from both deceased and live donations), with a view to crowding out the market for illegally obtained organs.³⁸
3. Continue existing work to ensure the maintenance and implementation of ethical principles related to organ transplantation.

For the OSCE

4. Consider undertaking further analysis on the links between the availability of legal organs and trafficking for the purpose of organ removal.

38 Addendum III.1.11.

SECTION II – PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING

This section comprises the following three areas of protection and assistance for victims of trafficking: prompt and accurate identification of victims, victim support services, and support for victims throughout the criminal justice process.

Although there are no universally agreed estimates on the size of the trafficking problem, available data suggest that we may currently only be identifying a small proportion of trafficked persons.³⁹ Research in the sector has further found that a significant number of victims decline assistance from anti-trafficking programmes.⁴⁰ Against this background, more work is needed to refine, improve and target identification and referral processes for trafficked persons, as well as to ensure that the services provided to victims of trafficking are sustainable and lead to long-term durable solutions. Since 2004, when the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) published a handbook on the concept of national referral mechanisms (NRMs), the OSCE has placed a strong emphasis on measures to identify and support trafficked persons

D Prompt and accurate identification of victims

As well as OSCE's ongoing work to support the development and strengthening of NRMs,⁴¹ especially through its Field Operations, the OSCE's commitment to the prompt and accurate identification of trafficked persons is reflected in a large number of recommended actions under the OSCE Plan of Action and its 2013 Addendum. These recommendations include: (1) establishment of well-publicized hotlines; (2) training for those likely to come into contact with victims of trafficking, including police, social workers, labour inspectors, and staff in the transport, tourism and hospitality industries; and (3) facilitating access of relevant NGOs to State facilities – including

social service and immigration reception centres, prisons and detention facilities – to contribute to the timely identification of trafficked persons.⁴²

D.1 Victim identification processes

Forty-one countries (79 per cent of overall survey respondents) reported legislation and/or policies that contain specific criteria for identifying victims of trafficking (Figure 9). The number may be higher, since 5 of the remaining 11 countries did not respond to this question. Thirty-nine countries (75 per cent) reported that their legislation and/or policies contained provision for the category of presumed victims, enabling victims to be provided with assistance without or prior to a formal determination (Figure 10). Again, this number may be higher, since 6 of the remaining 13 countries did not respond to this question.

Figure 9:
Victim identification criteria
Countries with specific criteria for the identification of trafficked persons

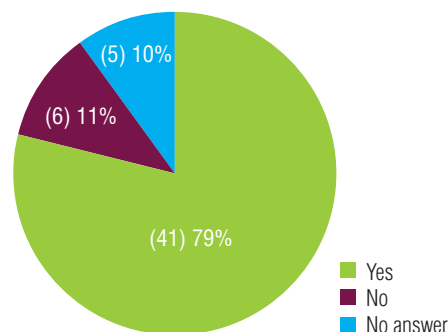
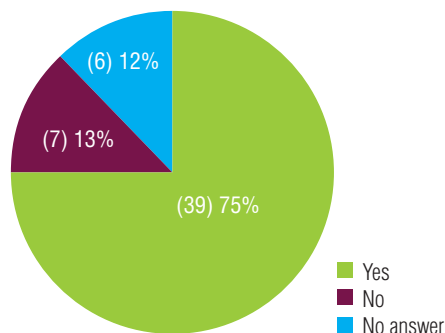


Figure 10:
Provision for presumed victim
Countries with legislative or policy provision for the category of presumed victim



39 A range of different organizations have collected data on trafficking in persons and related phenomena such as forced labour. Data between organizations are not generally comparable. However, in all cases, the data suggest that only a small proportion of victims are being identified. For example, estimates of the number of people in situations of forced labour range from 21 million to 45 million, depending on the data collection methodology. Against this background, a reported 77,823 TIP victims were identified globally in 2015 (U.S. Department of State. Trafficking in Persons (TIP) Report 2016). These figures are not directly comparable, since not all victims of forced labour have been trafficked. The sheer size of the discrepancy, however, suggests significant gaps in identification. Further, research studies, such as those conducted among Cambodian deportees from Thailand, support the assertion that large numbers of victims remain unidentified (United Nations Inter-Agency Project (UNIAP) (2009), Human Trafficking Sentinel Surveillance, Poipet (Cambodia-Thailand), Bangkok).

40 Inter-Agency Coordination Group against Trafficking in Persons (ICAT), Issue Paper No. 2 Pivoting toward the Evidence: Using accumulated knowledge and a shared approach to monitoring, evaluation and learning to build effective counter-trafficking responses, (Vienna forthcoming).

41 The OSR/CTHB initiated an update to the National Referral Mechanism Handbook in 2016, which is expected to be published by the end of 2017. It will reflect the most recent standards and best practices in the identification and referral for assistance of all trafficked persons.

42 Action Plan IV.4.11, Addendum III.1.1, III.1.2, III.1.5, III.2.1, IV.1.4.

Asked about the grounds for terminating a victim's status, twenty-one countries reported that such grounds were not specified. Among the countries that did so, 20 highlighted improper claiming of victim status, while 13 said that victim status could be terminated at the request of the trafficked person. Five countries reported a provision for the status to be terminated if the victim refused to co-operate with authorities. Sixteen countries stated that they had grounds for termination of victim status that are different from the options provided in the survey. These grounds included: (1) expiration of the time limit for support (six countries); (2) re-establishment of contact with traffickers (five countries); and (3) failure to comply with assistance conditions and processes (five countries, of which one specifically mentioned the issue of taking illicit drugs while in residential care). Other grounds for termination included completion of successful re-integration, going missing and leaving the country.

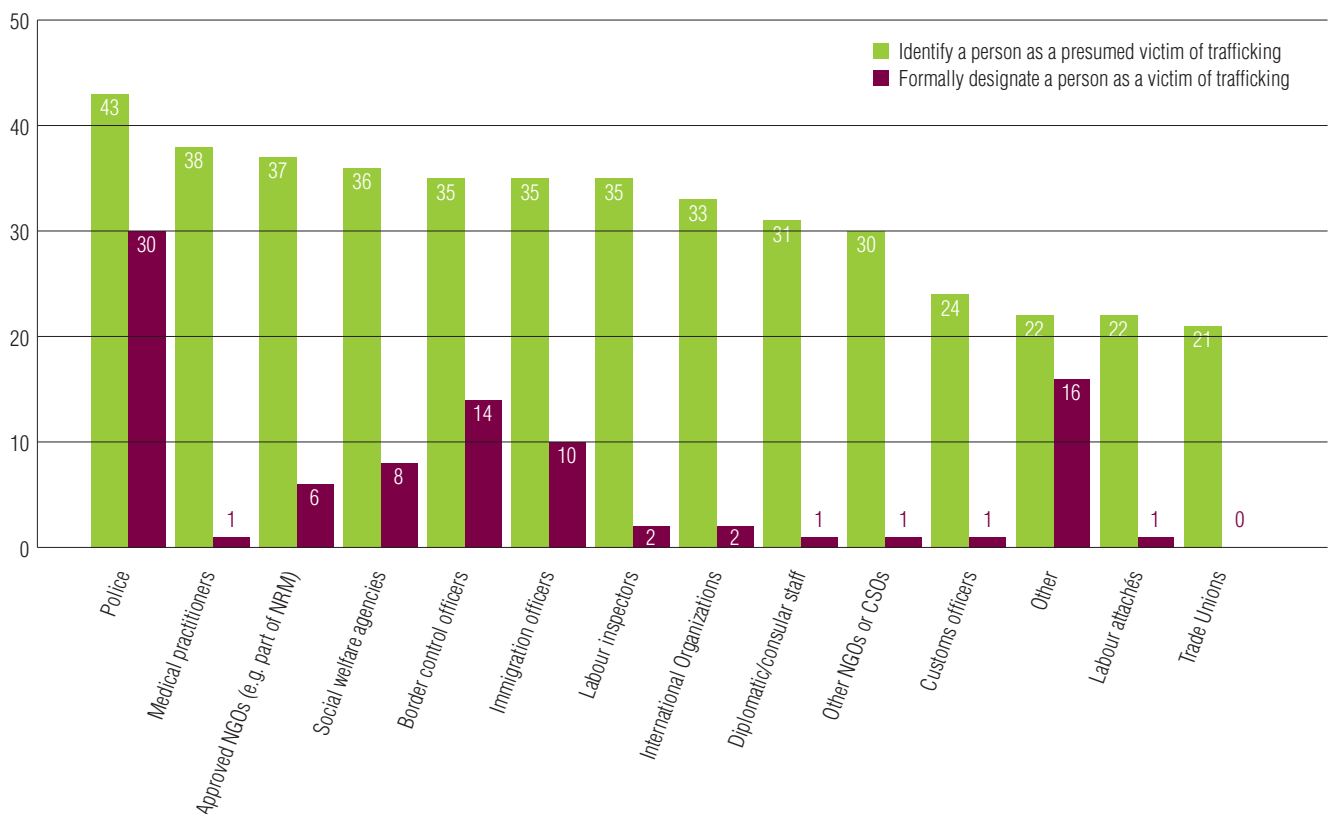
The survey listed 13 groups of actors who might come into contact with trafficking in human beings and asked countries to indicate which of these actors were legally empowered to identify victims of trafficking. Forty-eight countries responded to this question (Figure 11). Most commonly, identifying actors were the police (43 countries), medical practitioners (38) and approved NGOs (37). Least commonly, trade unions (21) and labour attachés (22) and customs officials (24) were reported as able to identify presumed victims of trafficking.

This profile is different when referring to the formal designation of trafficking victims, with greater emphasis on front-line law enforcement officials, whereby the listed actors were the police (30 countries), border control officials (14), and immigration officials (10). Thirty countries listed categories of people who can identify victims in addition to the options provided by the survey. Fifteen of these countries cited prosecutors and/or judges, of whom 12 said that prosecutors and/or judges can formally designate victims of trafficking and 11 that they can identify presumed victims of trafficking.

In terms of which groups are able to refer victims to support services, countries most commonly identified police, social welfare agencies and border control officers. Least commonly listed were labour attachés, trade unions and customs officers. Despite being possibly the most likely actors to come into contact with victims of labour trafficking, labour inspectors ranked only seventh on the list of groups able to refer victims of trafficking to support measures, this group being reported by 30 countries (63 per cent).

Twenty-eight countries provided additional information on identification and referral. Five countries specifically mentioned the potential for victims to identify themselves, such as through hotlines. Albania, for example, established a national hotline in 2014, with the new pan-European six digit short code - 116 006 - that can be called free of charge from any phone, mobile or landline. This was complemented by a new Android smartphone application "Report! Save!" to enable quick reporting of suspected trafficking cases and locate services for trafficking victims. Albania added that reports from the hotline and app go directly to the responsible authority for

Figure 11:
Groups able to identify victims of trafficking



a response following Albania's Standard Operating Procedures for identification, referral and assistance to victims/potential victims of trafficking established in 2011.

Survey responses also covered capacity building for the identification of and support for trafficked persons.⁴³ The Government of Canada reported that the British Columbia Office to Combat Trafficking in Persons had developed an online training programme in human trafficking for first responders (social workers, child protection workers, victim services workers, staff of women's shelters, immigrant and refugee services, aboriginal organizations, etc.).⁴⁴ Iceland reported that it had been running an awareness raising programme for front-line professionals (police officers, health care professionals, social workers, labour union officials, etc.) over the previous two years and that this had resulted in more cases being identified.

The former Yugoslav Republic of Macedonia also specifically referred to the development of indicators for identifying THB cases as part of its standard operating procedures (SOPs) for providing support to trafficked persons. The Netherlands reported the development of a specific risk assessment tool to help youth care-givers to identify child victims and refer them to the appropriate support. Austria noted a guidebook on child trafficking having been issued, encompassing nation-wide standards for identifying and assisting trafficked children.

Thirty-eight countries stated that non-governmental organizations (NGOs) or other civil society organizations (CSOs) had access to state facilities (including immigration reception centres, prisons and detention facilities) to assist with the timely identification of victims of trafficking.⁴⁵ In two instances in which Governments did not respond to this question, NGOs from the country in question reported that they had been approved access to detention facilities.⁴⁶

In the Czech Republic, the Government reported an NGO as having access to detention facilities based on a contract between the organization and individual facilities. The NGO provides legal counselling and group information sessions. The Danish Government reported that three NGOs contracted under the National Action Plan have access to state facilities in order to identify possible victims of trafficking for official identification/designation by the Danish Immigration Service or the Danish Centre against Human Trafficking.

43 Child protection is defined by UNICEF as "preventing and responding to violence, exploitation and abuse against children – including commercial sexual exploitation, trafficking, child labour and harmful traditional practices" The term "protection" is commonly used to describe services provided to victims of trafficking, although the term "3Ps" has often been shown to be inaccurate, confusing and demonstrably ineffective. To avoid confusion, this section uses the term "support" to refer to services provided to victims of trafficking.

44 See: <http://www.pssg.gov.bc.ca/octiptraining/index.html> accessed 9 October 2016.

45 The number of 38 countries includes one country that responded no to the question but stated that NGOs did, in fact, have such access, although specific victim determination was not carried out. Four countries did not respond to this question.

46 NGOs also provided considerable information on their access to facilities, which has been recorded to inform the country visits of the OSCE Special Representative.

NGOs from 3 different countries specifically mentioned their role in identifying trafficked persons among asylum seekers in detention, and 21 NGOs in 15 countries reported having provided services to victims who were identified in detention facilities. Notwithstanding these cases, NGO responses across the OSCE region suggest that work to identify possible trafficking victims in detention facilities is often the result of ad hoc requests directly from individual facilities rather than a more systematic process. In the words of one NGO, "More could be done for this presence to be constant, more co-ordinated and better planned."

A number of responding countries provided additional information on NGO involvement in identifying victims in general terms, without referring to detention facilities. This suggests that there may be a lack of clarity regarding NGO access to government detention facilities as a means of assisting victim identification.

Access to training and training resources

In general, law enforcement officials appeared to have more access to training activities than other groups (Table 5). Staff involved in the transport and tourism sectors appeared to have the least access to training. Although medical practitioners ranked second in the list of actors that participating States reported as being able to identify THB victims (Figure 11), they ranked only eighth in terms of groups that had received training in the last 12 months.⁴⁷

Table 5:
Access to THB training on human trafficking

	Training through professional academies	Government-sponsored	
		Once in past 12 months	More than once in past 12 months
Police	30	21	18
Border control officers	16	14	15
Immigration officials	15	10	10
Social welfare agency staff	12	14	10
NGO staff	8	9	11
Labour inspectors	6	15	8
Customs officials	5	4	3
Diplomatic/consular staff	4	11	6
International organization staff	3	6	2
Medical practitioners	2	5	3
Labour attachés	2	2	1
Trade union staff	0	3	0
Tourism authorities	0	2	2
Flight attendants	0	2	0
Other staff of commercial carriers	0	1	0
Port authority staff	0	1	0
Hotel staff	0	0	1

47 Due to a fault in the initial automated version of the survey, ten countries had to select all listed categories for questions on training (survey question D8) in order to proceed. These responses have been excluded from the data. Seven of these countries subsequently sent a corrected response in a separate document. These seven responses have been included.

Table 6:
THB training provided by NGOs

	Is your NGO called upon to provide training to any of the following groups?			
	Government-sponsored training		Non-government-sponsored training	
	Once in past 12 months	More than once in past 12 months	Once in past 12 months	More than once in past 12 months
Police	19	20	14	20
Border control officers	17	12	18	31
Immigration officials	10	5	12	11
Customs officials	10	5	8	9
Social welfare agency staff	9	8	15	17
Labour inspectors	8	16	9	10
Labour attachés (labour specialists attached to diplomatic mission)	8	13	22	34
Diplomatic/consular staff	6	2	7	3
Tourism authorities	3	5	11	6
Medical practitioners	3	3	5	2
Other NGO staff	3	2	6	1
International Organization staff (including Humanitarian agencies)	3	2	5	2
Trade union staff	3	0	1	2
Flight attendants	2	3	7	3
Other staff of commercial carriers	1	2	3	1
Port authority staff	1	1	2	2
Hotel staff	1	1	2	1

NGO responses suggested that NGOs play a significant role in providing training (**Table 6**), most commonly to staff of other non-government organizations, with 56 NGOs having provided such training at least once in the past 12 months. Forty-nine NGOs reported providing NGO-sponsored training to social welfare agencies, 34 to police, 32 to medical practitioners and 23 to labour inspectors. NGOs further reported that training sponsored by governments was more likely to be provided to police (39 NGOs), social welfare agencies (34) and immigration officials (24). In keeping with government responses, training that targets flight attendants, other staff of commercial airline carriers and labour attachés appears to be limited across both government and NGO-sponsored training.

D.1.1 Victim identification in practice

Thirty-three countries (63 per cent) reported that they kept records on the number of cases of trafficking referred to services each year. Fourteen countries reported that they did not keep records and five did not respond to the question. Among these 33 countries, 21 were able to provide at least a partial breakdown of how victims were identified. In total, these countries reported the identification of more than 21,000 victims, of whom approximately half were identified by the police.

Figure 12 below shows the number of countries that reported identifying victims through each of the listed identification channels. Fourteen of the 21 countries that responded to this issue reported cases identified by the police, 13 by NGOs, and 10 by walk-in or self-identification. Very few countries reported identifying victims through health and safety inspections (2), during the victim's exit from the country (2) and through their having returned from another country (1). Other sources of victim identification reported by countries included: local authorities, drop-in or crisis centres, trade unions, outreach, lawyers of victims, child services, consular and embassy staff,

church organizations, the press, and sex workers and their clients. The partial nature of the provided data prevents a detailed analysis of the breakdown of these cases.

Data provided by NGOs with regard to the means of identification of trafficked persons were similar to that provided by governments (Figure 13). As with government responses, police, NGOs and self-identification are the most common sources of referral for victims of trafficking, although it is more common for NGOs to receive referrals from other NGOs than from the police. NGOs are also more likely to receive referrals of victims returning home from other countries. Only eight NGOs (in seven countries) reported referrals from labour inspections.

The survey asked governments to comment on the effectiveness of their processes for identifying cases of trafficking in human beings. Forty-three countries responded to the question on identification of national victims, that is, victims who are nationals of the identifying country (Figure 14). Less than half of the government respondents considered processes for identifying cases of trafficking to be fully effective. Combining the categories “fully effective” and “very effective”, governments considered identification processes most effective with respect to adult female victims and child victims of sexual exploitation (for both, 27 countries, 63 per cent) and least effective for adult male victims of sexual exploitation (12 countries, 28 per cent).⁴⁸

⁴⁸ This may reflect the lower incidence of trafficking in adult men for the purpose of sexual exploitation.

Figure 12:
Means of identification – cases recorded by Governments

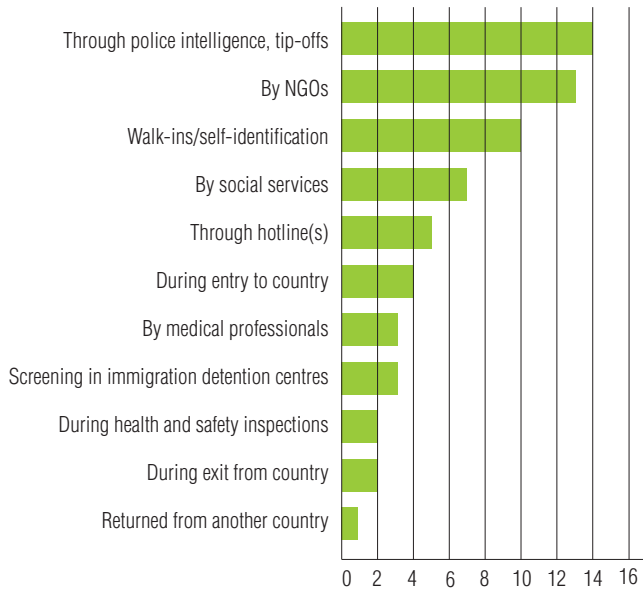


Figure 13:
Means of identification – victims referred to NGOs over the past three years

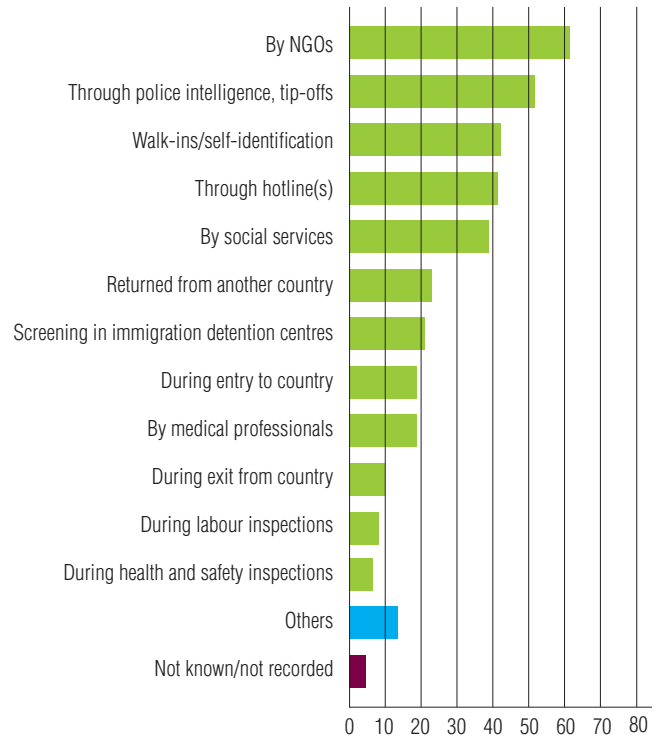


Figure 14:
State perspectives on THB victim identification processes

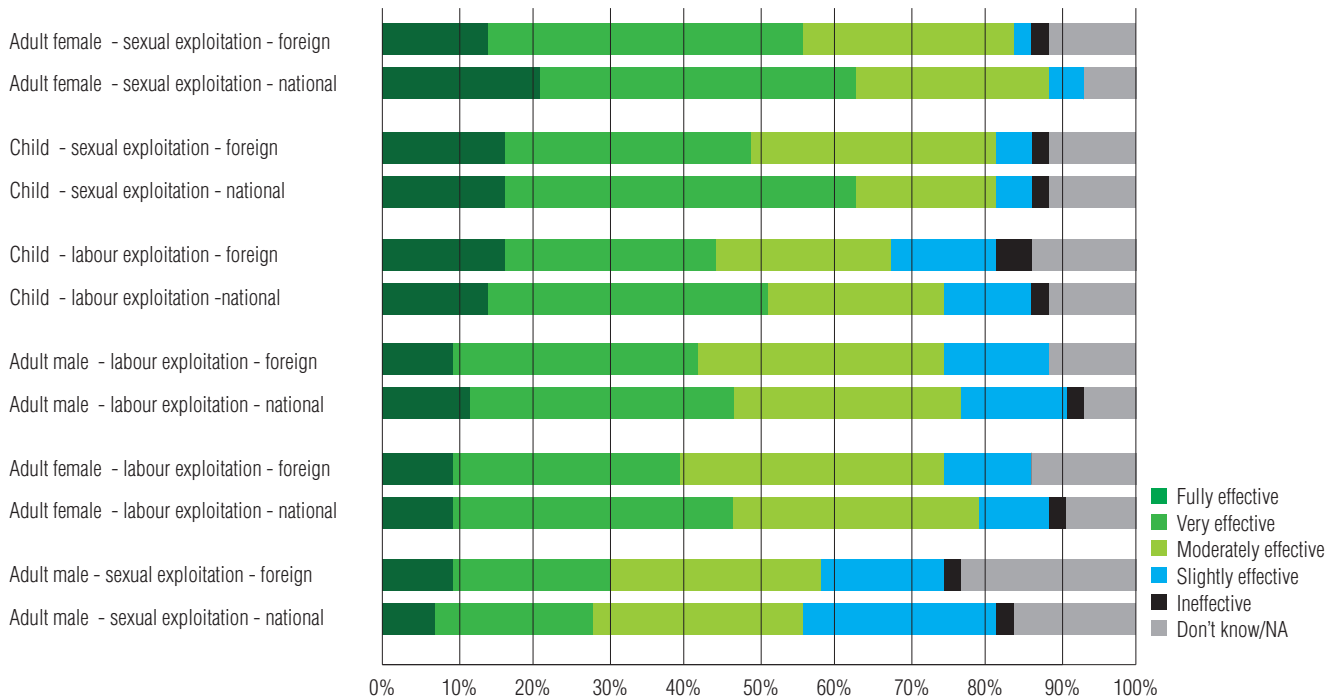


Figure 15:
State perspectives on the identification of trafficked persons

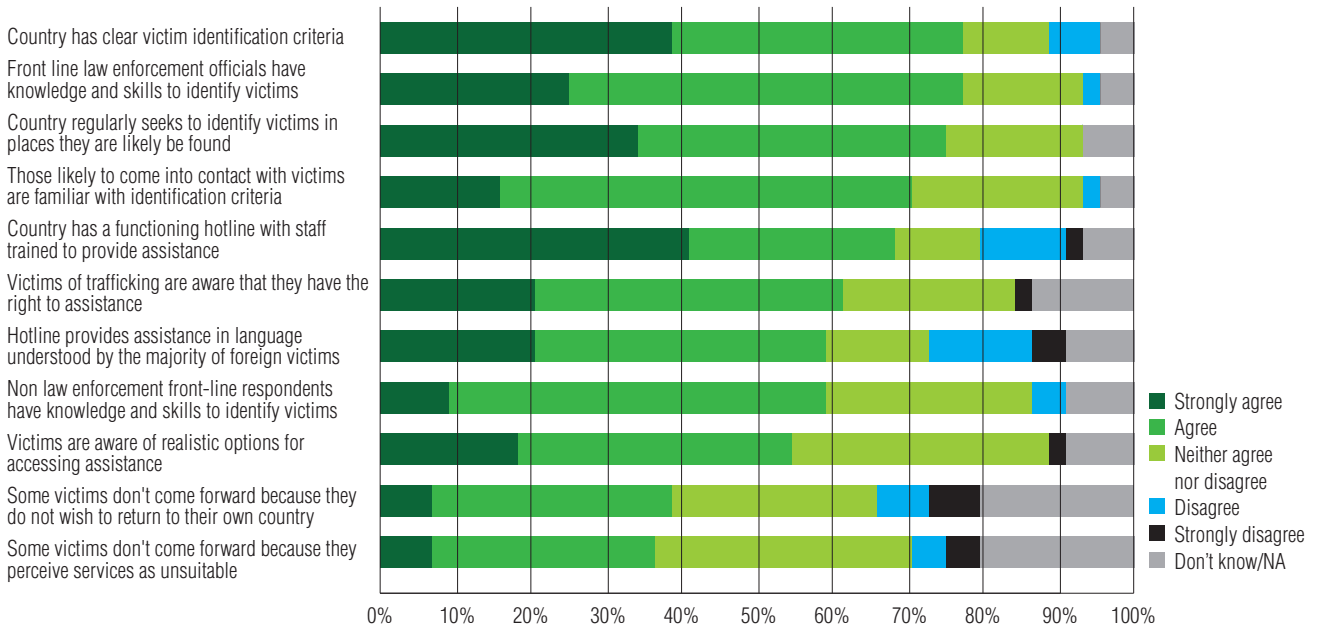
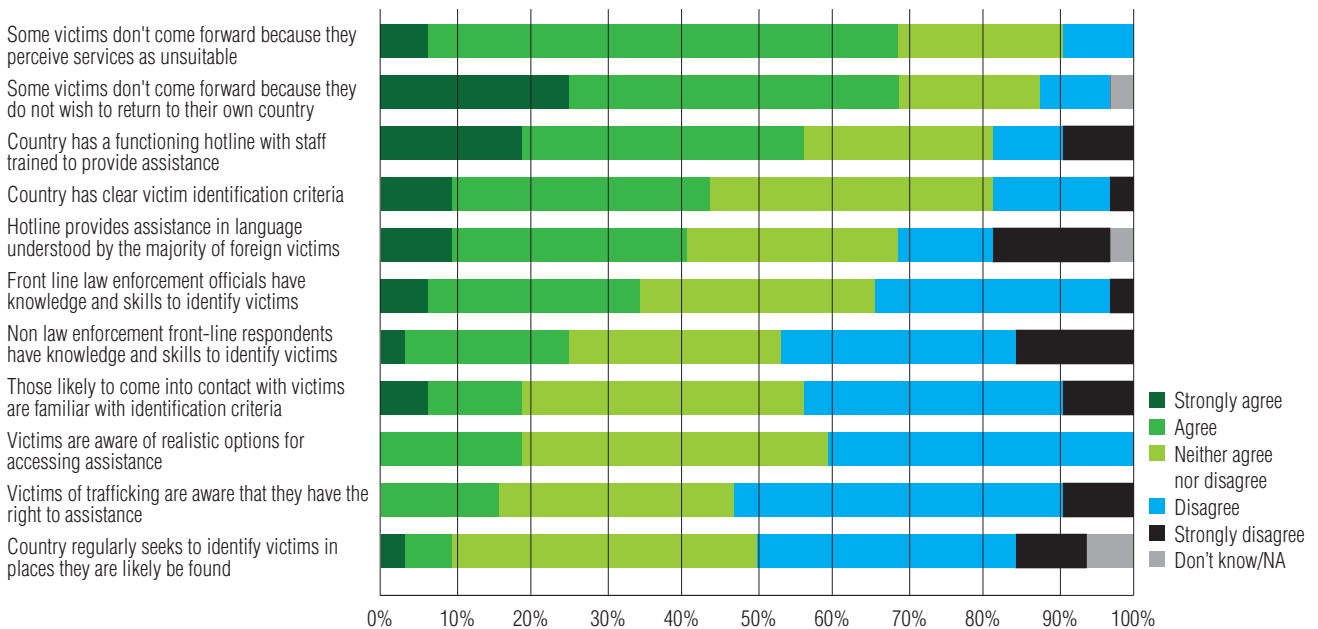


Figure 16:
NGO perspectives on the identification of trafficked persons in their country



Forty-three countries also responded on the effectiveness of their processes for identifying cases of trafficking among foreign victims (Figure 14). Overall, countries considered processes for identifying foreign victims to be slightly less effective than for national victims (across all categories, 19 countries rated processes for foreign victims very effective or fully effective, compared to 21 for national victims). In terms of identification processes for different types of victims, the patterns were similar to those for national victims. The biggest difference was with respect to child victims of sexual exploitation – 27 governments (63 per cent) considered processes to identify trafficked national children as fully or very effective, compared to 21 (49 per cent) for trafficked foreign-born children.

Forty-four countries provided their views on specific issues relating to the identification of trafficked persons (Figure 15). Combining “strongly agreed” with “agreed”, 34 countries (65 per cent) considered front line law enforcement to have the knowledge and skills necessary to identify possible victims of trafficking. The same number of countries see themselves having clear criteria for identifying trafficked persons. Thirty-three countries (63 per cent) strongly agreed or agreed that they regularly undertake efforts to identify trafficked persons in places where they are likely to be found (e.g. immigration detention centres, sectors dominated by migrant labour).

At the other end of the scale, just 16 countries (31 per cent) “agreed” or “strongly agreed” that some victims chose not to come forward because they perceived services to be unsuitable, and 17 (33 per cent) that some victims chose not to come forward because they did not wish to return to their own country. Twenty-four countries “agreed” or “strongly agreed” that victims of trafficking are aware of realistic options for accessing assistance.

Figure 16 summarizes NGO responses from 32 countries on the same issues relating to identification of trafficked persons.⁴⁹ These data suggest significant differences in the perception of governments and NGOs with regard to the identification of trafficking cases, particularly as related to the perspectives of trafficked persons. NGOs most commonly agreed or strongly agreed with the statements: (1) that some victims chose not to come forward because they perceived that services are unsuitable; and (2) that some victims chose not to come forward because they did not wish to return to their own country. These were the statements to which fewest government respondents agreed. The fewest number of NGOs agreed that their country sought to identify victims in places they are likely be found, whereas this ranked third in the list of statements to which governments agreed or strongly agreed.

⁴⁹ To facilitate comparison with government data, only NGOs from countries that replied to this question have been included. Where more than one NGO responded per country, responses were combined to get an average response per country.

Thirty-five participating States provided additional information on gaps or weaknesses in victim identification processes. Of these states, five considered that they had no gaps in their victim identification processes. Sixty-six NGOs across 38 countries also provided additional comments on gaps.

Fifteen States highlighted limitations in the capacity of stakeholders to identify trafficking cases. This issue was also highlighted by NGOs from 17 countries, with NGOs in 3 countries specifically mentioning personnel turnover. As one NGO noted, “We change our contact inside the public offices almost every year. This happens at national, regional and local level. We always have to train the new arrivals and when they are trained they are changed again.”

Another issue cited frequently by governments, as well as ten NGOs in nine countries, was the need for more proactive victim identification, particularly with regard to trafficking for purposes other than sexual exploitation. Both governments and NGOs frequently mentioned issues relating to: (1) limitations in referral processes, including the lack of a national referral mechanism; (2) the fact that some victims did not see themselves as victims; (3) the need for common identification guidelines and approaches; (4) the complexity of identifying trafficking cases among changing patterns of movement and exploitation; and (5) the lack of data on which to assess the effectiveness of victim identification efforts. The following comments are indicative of the range of issues identified in NGO responses:

- ▶ Victims of trafficking are often reluctant to share what has happened to them, do not believe they will receive assistance from the state or NGOs – all this affects the success of identification.
- ▶ Victims of trafficking are often deported for violating the immigration rules, and, therefore, are reluctant to turn to law enforcement bodies
- ▶ Despite extensive training of all relevant actors involved in the process of identification and assistance ... and guidelines for officials on how to respect the human rights of victims of trafficking, it very often occurs that victims are interviewed several times during the reflection period of 30 days, and by several agencies.
- ▶ There is no pro-active identification of trafficked persons among refugees and asylum seekers.

Another strong focus of the NGO responses was the interaction between victim identification and the criminal justice system, particularly with regard to the failure to identify trafficked persons who have possibly been involved in a crime or an immigration offence. These responses are discussed in detail below in relation to non-punishment (Section F).

NGOs also highlighted issues regarding victims not believing they will receive suitable assistance (6 NGOs, 5 countries), restrictions on who was able to identify victims (5 NGOs, 5 countries), and concern that authorities were requiring “be-

yond reasonable doubt” proof rather than “reasonable grounds (reasonable suspicion)” before they would identify a person as a victim of human trafficking.

Emerging trafficking patterns

Forty-seven participating States responded to the question on emerging trafficking patterns.⁵⁰ States reported the most information on trafficking for forced criminality (22 States had cases under investigation and/or in the judicial process), forced begging (22 States), and forced marriage for the purpose of labour/sexual exploitation (21 States).⁵¹

No countries reported information on trafficking to recruit child soldiers and just three on trafficking for recruiting foreign fighters. Six countries reported information on adoption for the purposes of sexual and/or labour exploitation, but three of these were unconfirmed reports. While only 3 countries reported cases of trafficking for sham marriage that reached the judicial process, a further 17 noted cases under investigation or unconfirmed reports. This may be indicative of an emerging issue.⁵²

Two countries noted other forms of trafficking in human beings. Bulgaria reported cases in the judicial process in which pregnant women had been trafficked with a view to selling their babies, while Romania reported cases under investigation for identity theft. Since Romania’s submission of the survey, one of these cases, involving strong co-operation with Denmark, has been completed (Box 7).⁵³

NGO responses were able to supplement the feedback from governments in a number of the countries in which governments did not have reports or did not provide information (Table 8). These additional responses may reflect in part the fact that the NGO survey took place later than the government one. They suggest that certain emerging forms of trafficking might be more prevalent than has been as yet recognized. For example, in 25 countries where the government did not report information on cases of trafficking for forced marriage for labour/sexual exploitation, 17 NGOs noted that they had reports. In 21 countries where the government did not report information on cases of trafficking for forced begging, 15 NGOs noted that they had reports. NGOs also noted reports on trafficking to recruit child soldiers, which no government noted.

Table 7:
Emerging patterns

Information on emerging THB patterns	Cases reaching judicial process	Cases under investigation	Unconfirmed reports	No reports	Don't know
Trafficking for the purpose of ...					
Forced begging	12	10	6	14	5
Forced criminality	10	12	6	14	5
Forced marriage for labour/sexual exploitation	9	12	2	14	10
Sexual exploitation in relation to sex tourism	9	3	4	21	10
Claiming social benefits	5	1	6	23	12
Sham marriage	3	8	9	18	9
Obtaining human tissues and cells	2	3	2	30	10
Adoption for labour/sexual exploitation	1	2	3	30	11
Recruiting foreign fighters	1	2	0	33	11
Recruiting child soldiers	0	0	0	34	13

Table 8:
NGO Responses on THB patterns

Information on emerging THB patterns (NGO)	Government no reports*	Government NGO has reports	NGO has no report	NGO no answer*
Trafficking for the purpose of ...				
Forced criminality	21	11	5	5
Forced begging	21	15	3	3
Forced marriage for labour/sexual exploitation	25	17	4	4
Sham marriage	28	11	9	8
Sexual exploitation in relation to sex tourism	34	18	7	9
Claiming social benefits	38	10	15	13
Obtaining human tissues and cells	42	11	19	12
Adoption for labour/sexual exploitation	42	15	20	7
Recruiting foreign fighters	46	8	28	10
Recruiting child soldiers	48	6	30	12

*These figures include governments and NGOs that responded “don't know” as well as governments that did not respond to the question.

50 The table reflects only one answer per country. Where countries indicated a combination of unconfirmed cases, cases under investigation and cases reaching the judicial process, the answer most advanced in the judicial process is reflected. For example, if a country has cases under investigation as well as unconfirmed reports, this is reflected as cases under investigation.

51 Begging falls under THB under the EU THB directive. Within the OSCE region, however, there are some differences among the participating States in the understanding of begging as it relates to forced criminality. These differences were highlighted also during the 2016 Alliance Conference.

52 Trafficking for sham marriage involves a person being forced to marry a non-national in order for the latter to gain residency rights. One country specified that it was investigating cases of sham marriage more as a form of migrant smuggling than human trafficking.

53 Drawn from presentation by A. Vallentin and A. Lisborg to the OSCE 16th Alliance Against Trafficking In Persons Conference, Vienna, 11–12 April 2016.

D.2 Discussion and recommendations

The prompt and accurate identification of trafficked persons is central to the anti-trafficking response. As noted in Section B, strengthening of victim identification processes and practices not only allows more trafficked persons to access services, but also provides the basis for investigation and prosecution of perpetrators and trafficking networks, as well as important data to inform preventive activities and policy development.

Overall, government survey responses suggest both that progress has been made in the area of victim identification, and that there is more work to be done. Within the OSCE region, 41 countries reported having legislation and/or policies that contained specific criteria for identifying victims of trafficking. Further, thirty-four countries strongly agreed or agreed that they had clear victim identification criteria in place.

With regard to grounds for victim status to be terminated, five countries named re-establishment of contact with traffickers. GRETA has noted, however, that “it may prove difficult to establish whether a victim has voluntarily renewed contact or has been pressured into it.” GRETA further emphasizes that, in such cases, the recovery and reflection period must not be revoked without taking due account of an individual’s personal circumstances and examining them in-depth.⁵⁴ This suggests that great care should be taken to understand the basis on which contact with traffickers has been renewed.

In most countries, various groups were named as being able to identify trafficked persons. Perhaps surprisingly, medical practitioners were the second most commonly reported group after the police. Nonetheless, medical practitioners ranked only tenth in terms of access to victim identification guidelines, and eighth in access to training materials. Further, of the 20 countries providing information on the means through which trafficking cases were identified, only 3 reported cases that were identified by medical practitioners. Even fewer countries (2) noted cases identified during health and safety inspections.

Labour inspectors were not high on the list of groups able to refer trafficked persons to support measures. In addition, only six countries noted that training on trafficking is provided to labour inspectors through academies. This suggests that more attention may be needed towards strengthening the ability of labour inspectors to recognize indicators of trafficking for labour exploitation and refer potential victims to relevant authorities. This might include the use of more e-training resources, an area that appears comparatively under-utilized.

Box 7:

A new form of human trafficking: identity theft – Operation Wasp Nest

In February 2015, working in co-operation with Romanian counterparts as a joint investigation team, and in co-ordination with the Danish Anti-Trafficking Centre, Danish police raided 64 locations and arrested 98 people in the country’s first known case of trafficking for identity fraud. In March 2016, the Romanian police raided 20 houses, arrested a further 8 people and seized approximately US\$300,000 in cash. As of March 2016, 22 persons have been charged, with 15 convicted of prison sentences from 3 to 8 years. Five cases were still pending. This form of trafficking discovered by Operation Wasp Nest involves four steps:

1. Recruitment and Transportation:

The “mastermind” contacts a recruiter in Romania, who offers a job to a local person, usually male, more than 30 years of age with limited English. The victim is transported to Denmark.

2. Harboring, housing and registration.

The traffickers place the victims in cheap housing in the countryside. They then bring them to the municipality where, with real identity papers but falsified employment contracts, they get a unique Danish identification number.

3. Deception:

With valid identification in Denmark, it is possible to have contact online with banks, money lenders, tax authorities, etc. Victims have been escorted to shops to buy items such as cars or fridges. Victims have also been registered as the chief executive of a company.

4. Return:

The victims are then sent back to Romania, without knowing that crimes have been committed in their names. Using their identification, the traffickers are able to commit a range of crimes including: tax fraud; purchases on credit which remain unpaid; insurance fraud; claiming of social security; and on-selling of identification for further fraud (for example, a package containing an ID, a private account, a company and a company account sold for €6,700). Overall, the fraud undertaken by the entire criminal organization is estimated at €7.2 million.

Government responses in terms of victim identification practices suggested that these practices were generally good but could be improved. The only statement with which no country disagreed (or strongly disagreed) was “my country regularly undertakes efforts to identify trafficked persons in places they are likely be found (e.g. immigration detention centres, sectors dominated by migrant labour).” At the same time, however, only 20 countries were able to provide data on how victims were identified. More information on how cases are being identified might be useful to validate the view expressed by governments on the effectiveness of victim identification processes.

54 GRETA, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Luxembourg (2014), p. 31 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680631e db> accessed 9 October 2016.

Responses to questions on NGO access to state facilities (including detention facilities) to assist with victim identification were somewhat imprecise, and may suggest some lack of clarity about the role such access can play in identifying trafficked persons. Further, although NGOs in the majority of participating States confirmed they had access to detention facilities, they frequently noted that this access tended to be ad hoc. NGOs further expressed concerns about the failure to identify trafficked persons who might have been involved in a crime or immigration offence. Ensuring that victims do not remain unidentified in detention facilities is an important complement to other efforts for ensuring that non-punishment provisions are applied, that is, that victims are not punished for their involvement in unlawful activities where they have been compelled to do so (see Section F).⁵⁵ More work may be needed to ensure more systematic access for NGOs or other identifying agents to detention centres.

Governments were least likely to agree with the statements that “some victims choose not to come forward because they perceive that services are not suitable” and “some victims choose not to come forward because they do not wish to return to their own country.” This is interesting in light of: (1) the conflicting NGO responses in the survey; (2) research suggesting that service quality and, in particular, mandatory repatriation act as significant disincentives to victims; and (3) the limited measures in place to seek feedback from victims on the services available to them (discussed further in Section E).⁵⁶

The survey data in the area of identification of trafficked persons and its analysis have resulted in nine recommendations for participating States and the OSCE (Table 9).

Table 9:
Recommendations on identification
of trafficked persons

Recommendations for participating States

1. Consider more systematic collection of data on the means by which trafficked persons are being identified to assist in better targeting of identification efforts. This might also include working with identified victims to ascertain whether there were other points in their trafficking experience at which they might have been identified but were not.
2. Consider strengthening measures, where necessary, to allow specialized NGO and CSO access to relevant detention facilities (including those for irregular migrants) for the express purpose of identifying trafficked persons.
3. Consider strengthening targeted training for all key actors, with a particular focus on labour inspectors.
4. Consider the potential for increased use of e-learning tools for training key stakeholders in the identification of trafficked persons, including for those stakeholders that currently have limited access to training, such as: (1) medical staff and (2) tourism and transport staff.
5. Provide labour inspectors with a mandate and tools to enable them to identify trafficked persons proactively, including among migrant workers.
6. Continue conducting periodic trainings on the identification of trafficked persons for all relevant professionals throughout their careers. Training should be organized for, but not limited to, law enforcement officers, border guards, immigration officials, staff of refugee and detention centres for irregular migrants, prosecutors, judges, lawyers, labour inspectors, diplomatic and consular staff, social welfare officers, child protection officers and medical workers.
7. Develop procedures for the identification of trafficked and exploited children and their referral into assistance, especially among street children, unaccompanied children and children on the move.
8. Ensure that the determination of victim status is not linked to the initiation of criminal investigations or court proceedings to allow access to assistance to all victims of trafficking.

Recommendations for the OSCE

9. Assist the participating States to streamline their approaches to regularly collecting information and evaluating the effectiveness of victim identification efforts.

⁵⁵ See: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking (Vienna, 2013) <http://www.osce.org/secretariat/101002?download=true> accessed 9 October 2016.

⁵⁶ See, for example, A. Brunovskis and R. Surtees, Summary Report: Leaving the Past Behind? When Victims of Trafficking Decline Assistance (Oslo, Norway: FAFO).

E Victim support

The OSCE Plan of Action and its 2013 Addendum recommend that actions relating to support for trafficked persons include: (1) ensuring access to shelters for all victims; (2) providing security, counselling, medical assistance and training opportunities; (3) considering social and economic benefits to support reintegration; (4) establishing National Referral Mechanisms; (5) providing an opportunity for reflection and recovery; and (6) ensuring that assistance is not made conditional on the victim's willingness to participate in legal proceedings.⁵⁷

As noted in the previous section, systems for effective support for trafficked persons are important not just to ensure the recovery and sustainable reintegration of survivors, but also to encourage victims to come forward and seek assistance. The survey did not request participating States to provide a large number of details in the area of victim support due to this topic being covered by other organizations, such as the Council of Europe, and earlier work undertaken by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR).

With this in mind, the survey focused on government perspectives on the adequacy of services provided to trafficked persons in their country (Figure 17). Thirty-eight countries responded to this question. Combining the categories "fully satisfactory" and "very satisfactory", governments perceived the most satisfactory services were return assistance (22 countries, 58 per cent), legal support (19 countries, 50 per cent) and mental and psychological assistance (18 countries, 47 per cent).⁵⁸ Combining "slightly satisfactory" with "not satisfactory", governments perceived the least satisfactory services to be education (8 countries, 21 per cent), vocational and business training (8 countries, 21 per cent), legal assistance to obtain compensation (10 countries, 26 per cent) and job placement (12 countries, 32 per cent).

Figure 18 summarizes NGO responses in relation to the quality of services provided to trafficked victims.⁵⁹ NGOs most commonly considered as fully or very satisfactory: (1) accommodation (fourth in the government responses); (2) medical and psychological assistance (third for governments); and (3) risk assessments prior to return (fifth) tied with risk assessments linked to family reunification (seventh). Return assistance, ranked highest by governments, ranked only sixth in NGO responses, while both governments and NGOs ranked job placement as the least satisfactory service in terms of quality.

Thirty-two countries provided additional information on gaps with regard to support services for people who had experienced trafficking in their country. Of these 32 countries, 4 specifically said there were no gaps, and 5 others did not state any gaps. Among the remaining 23 countries, 12 raised issues with respect to accommodation for trafficked persons, including lack of specialized shelters, lack of shelters for men, limited shelter capacity, and a lack of long-term options for people needing on-going assistance, including alternatives to institutionalization.

Ten responses highlighted variations in the quality of services in different parts of the country, in particular the limited availability of services outside of the main urban centres. One country also highlighted that the geographical distribution of its qualified support services was not designed to respond to changing trafficking dynamics, which result in fluctuating needs for assistance. Five countries noted issues related to funding, particularly funding for long-term support. Three other countries specifically mentioned the issue of long-term reintegration, while four countries highlighted issues with the legal process, including the length of time taken for cases to be completed. Other gaps identified included turnover of case workers, issues linked to identification and referral that impacted access to services, lack of standards for victim support, delays in receiving assistance, limited psycho-social support, lack of interpreters and cultural mediators, and lack of support for victims' families.

Sixty-three NGOs (from 29 different countries) provided input on gaps in victim services. As with the government responses, shelter and accommodation issues featured prominently, identified in general terms by 16 NGOs (13 countries) and also specifically in relation to men, children and those in need of longer term accommodation. Fourteen NGOs (13 countries) noted issues related to funding. Thirteen NGOs (11 countries) raised issues related to re-integration, in particular employment for trafficked persons. Other prominent gaps focused on legal issues, including: lack of compensation (7 NGOs, 7 countries), limited access to legal assistance (7 NGOs, 6 countries), problems with residence permits (5 NGOs, 5 countries), and, as with government responses, issues with the legal process, including the length of time needed for cases to be completed. Other gaps identified in at least three countries included: services for those with special needs, services for men, limited psychosocial support and medical care, and lack of witness protection. Nine NGOs covering seven countries thought there is too much dependence being placed on NGOs for provision of services.

⁵⁷ Action Plan V.3.1, V.4.1, V.4.2, V.4.4, V.7.3; Addendum III.1.1, III.1.3.

⁵⁸ The term legal support is used in this survey to refer to areas such as regularizing status, obtaining residence or work permits, or obtaining documentation for stateless persons. It does not cover legal assistance in claiming compensation, which the survey addressed separately.

⁵⁹ To facilitate comparison with government data, only NGOs from countries that replied to this question have been included. Where more than one NGO responded per country, responses were averaged to have one response per country.

Figure 17:
Quality of services in addressing needs of victims
State perspectives on quality of victim support services

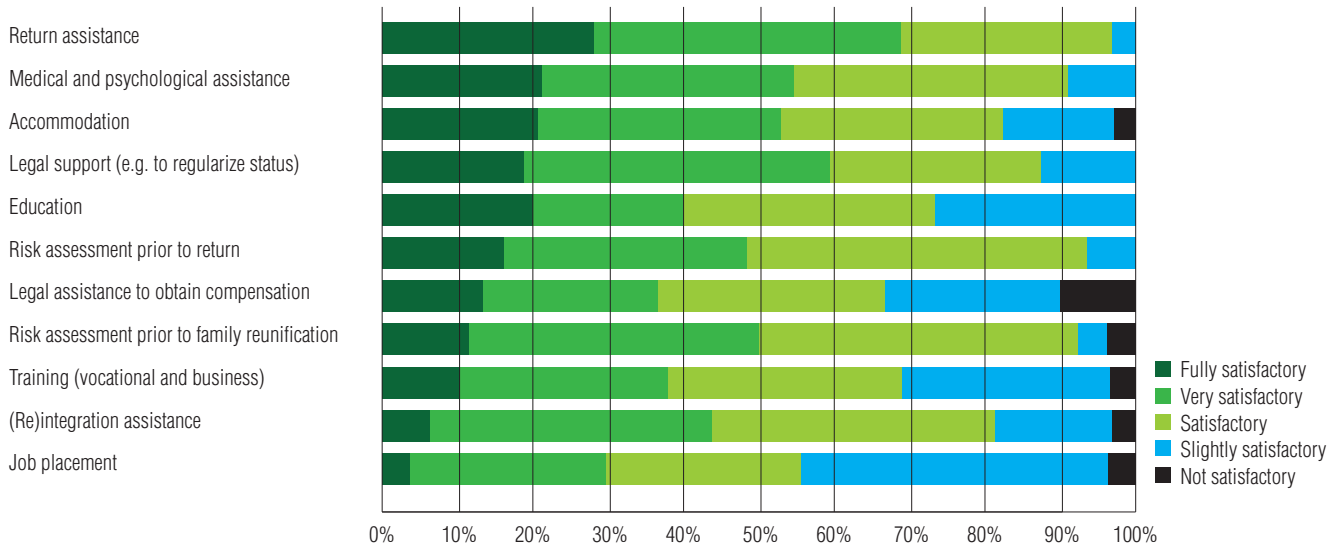
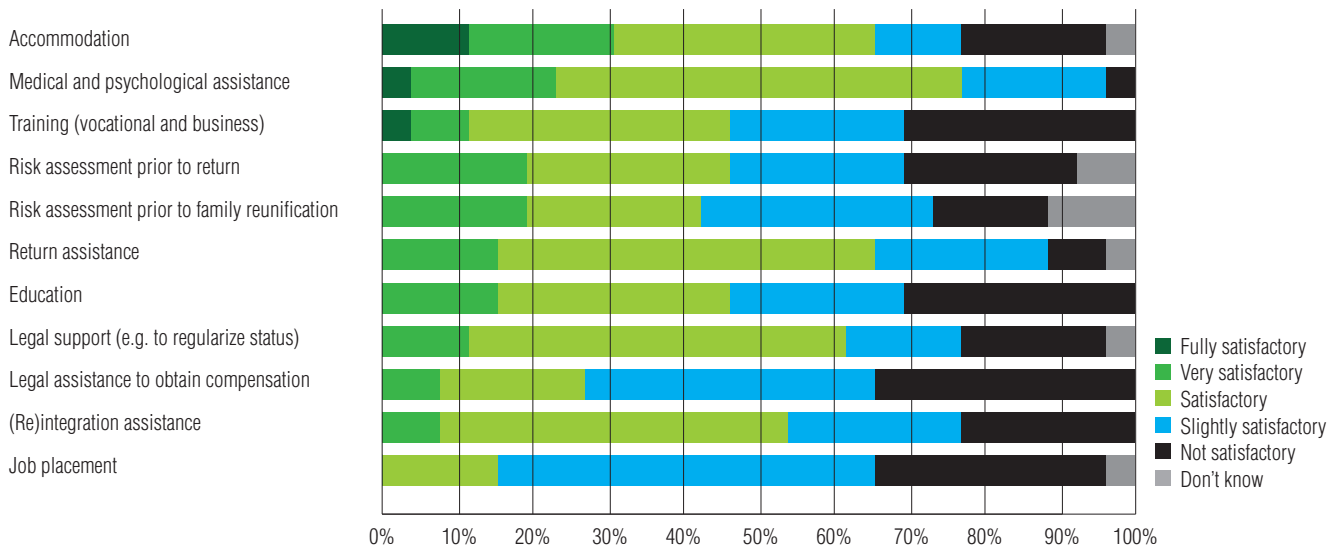


Figure 18:
NGO perspectives on quality of services in addressing needs of victims



NGOs also highlighted a range of administrative barriers to victims receiving support, as evidenced in the following quotes:

- ▶ Difficulties are to obtain compensation from the State: the victim must have a bank account and identity documents in order to have access to the account.
- ▶ Services and protective measures are available only to the victims who are accommodated in shelters.
- ▶ Foreign victims do not receive a work permit, which would ensure their legal employment and independent living. They work illegally and receive assistance from NGOs.
- ▶ To get a residence permit, a person should be able to show an address in the country. If a victim doesn't know anybody in the country she cannot show any address and cannot get a residence permit.

These responses suggest a need to ensure that policies and regulations for supporting trafficked persons are fit for the purpose.

Several countries provided information on initiatives to address gaps in victim support. Kazakhstan, for example, reported that it was developing legislation on the standard provision of social services for victims of trafficking.⁶⁰ Latvia reported that it was considering alternative methods of contracting service providers to avoid the potential for gaps in services for trafficking victims. Azerbaijan noted plans to establish a confidential electronic database on services provided to victims of human trafficking. In Italy, the Government reported plans for a monitoring and evaluation system to improve operational procedures and assess the impact of anti-trafficking measures on the protection of the human rights of trafficking victims, taking into account their opinions on the assistance provided.

E.1 Quality of services by victim category

Assessing the quality of services in relation to different categories of victims who were nationals of their countries, 22 respondents (54 per cent of those answering the question), considered services for adult females trafficked for the purpose of sexual exploitation to be fully or very satisfactory, followed by 20 respondents (49 per cent) for adult females trafficked for labour exploitation (Figure 19). At the other end of the scale, nine countries (22 per cent) rated services for adult male victims of sexual exploitation as fully or very satisfactory and 13 countries (32 per cent) assessed services for child victims of labour exploitation as fully or very satisfactory. However, both of these categories also received a high number of “don't know” responses (14 and 12, respectively). Responses on the quality of services for foreign victims of trafficking showed similar levels of satisfaction as those for national victims, with no difference at all for child victims of labour or sex trafficking (Figure 19).

Fourteen NGOs (from 13 countries), however, considered foreign victims as not having equitable access to services, citing in particular the risk of deportation. Other groups commonly identified by NGOs as not having equitable access to services included: minors (10 NGOs, 6 countries), male victims (8 NGOs, 4 countries), victims where no criminal proceedings take place (4 NGOs, 4 countries) and victims of trafficking for labour exploitation (4 NGOs, 3 countries).

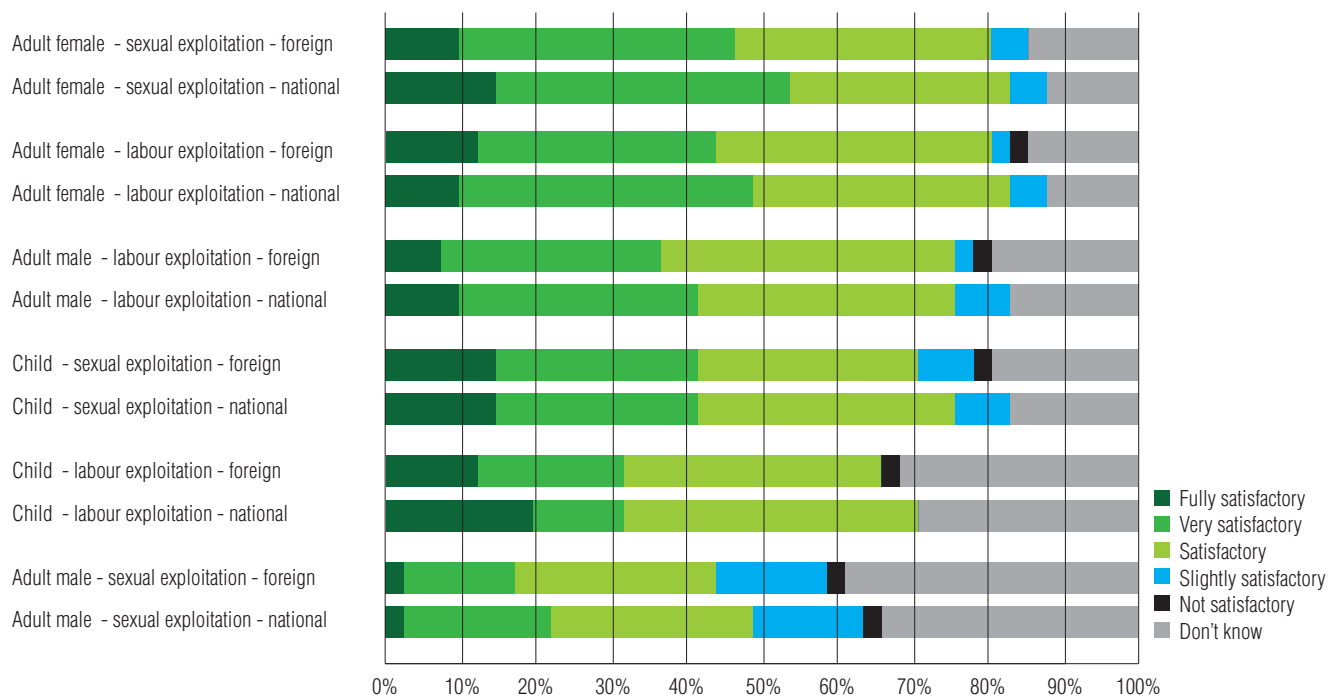
Seventy-one NGOs reported providing assistance to foreign victims of trafficking. Of these, 42 reported having processes in place to follow up with the reintegration of victims after being returned to their country of origin – 15 reported that they have these processes for all cases and 27 for some cases. NGOs reported undertaking this follow-up in various ways: 36 through partners, 19 through direct follow-up and 6 through links with National Referral Mechanisms.

Sixteen countries reported mechanisms in place to collect feedback from victims of trafficking on the services provided to them and one country noted plans for new legislation that would strengthen provisions for victim feedback. Four of these 16 countries, however, described mechanisms for collecting feedback from service providers rather than the victims. Three stated that this was part of the victim support system without providing additional details, and one provided no further information. Where details were provided, respondents noted questionnaires, surveys, exit interviews and feedback boxes as mechanisms in place to collect feedback from victims on the support services provided to them.

The Government of the United Kingdom described its Quality Management Framework (QMF), a tool to measure the effectiveness of service providers in service delivery as well as their compliance with contractual obligations. It also identifies good practices that can be shared across the service. Within the QMF, the Involvement and Empowerment Unit has looked specifically at whether and how victims were consulted about service delivery, and sought evidence that their views were being taken into account, as for example, through changes to a service or improved scores from satisfaction surveys. It was also possible to collate feedback from complaints, which were logged, investigated and analysed for trends, correctives or improvement actions. The Government further noted that actions resulting from victim feedback tended to be remedies in disagreements with an individual worker, a service provider's failure to deliver in accordance with entitlement, or clarification of eligibility.

⁶⁰ GRETA advises that such legislation also exists elsewhere, but this was not mentioned in any other survey response.

Figure 19: Quality of services by victim type
State perspectives on quality of victim support services



Forty-five NGOs from 26 countries stated that they collected feedback from the trafficked persons they assist, mainly through feedback forms or direct interviews. One NGO reported collecting client feedback through a combination of: (1) client satisfaction forms, (2) clients' oral feedback to staff, (3) social service inspectors, and (4) the use of a box for anonymous suggestions and complaints. Only five NGOs (from five countries) specifically stated that this feedback was used to inform the development of new services or the improvement of existing ones.

One NGO stated that findings from client feedback were also used for advocacy purposes, while another reported that "every five years our organization does an Impact Evaluation Survey where we receive the feedback of the women who we have supported." As with some government responses, some NGOs (nine in five countries) appeared to confuse the issue of in-service client feedback with the monitoring of clients' reintegration.

E.2 Discussion and recommendations

In terms of services provided to victims, return assistance was considered by the highest number of governments to be fully or very satisfactory. This is interesting in relation to the differing views expressed by NGOs, as well as concerns that return, when obligatory, can be a barrier to trafficked persons access-

ing support.⁶¹ In addition to return, governments most commonly highlighted legal support, as well as mental and psychological assistance, as fully or very satisfactory.

Services perceived as fully or very satisfactory by the fewest governments were job placement, legal assistance to obtain compensation, education, and vocational and business training. In general, respondents rated services associated with more immediate assistance – such as accommodation and healthcare – as more satisfactory than services related to longer-term reintegration, such as reintegration assistance, vocational training and job placement.⁶² A number of governments also highlighted gaps in, and lack of funding for, longer-term reintegration programmes in their open responses. Several of the services considered less satisfactory were those sometimes associated with trafficking prevention, such as vocational and business training and job placement. Where appropriate, consideration might be given to linking victim support programmes with THB prevention initiatives to increase the access of victims to these types of services.

61 For a discussion of mandatory return, see: ODIHR Anti-Trafficking Programme, Side Event Report, Human Rights Protection in the Return of Trafficked Persons to Countries of Origin, Human Dimension Implementation Meeting 1 October 2009, Warsaw, <http://www.osce.org/odihr/40795?download=true> accessed 9 October 2016.

62 Data from GRETA reports suggest that access to health care may in fact be problematic in some countries, where victims may not have health insurance.

With regard to gaps in services, governments most commonly cited issues related to accommodation for trafficked persons, including lack of specialized shelters, lack of shelters for men, limited shelter capacity and a lack of long-term options for people needing ongoing assistance. Two countries specifically mentioned alternatives to institutionalization. It would be interesting to understand the extent to which trafficked persons themselves considered the lack of shelters to be a major concern.

Survey responses suggest that mechanisms for generating and acting on victim feedback are currently limited across the OSCE region, which also reflects the lack of such data globally. NGOs appeared to have more mechanisms in place than governments to seek feedback from victims, although only five specifically linked this to changes in service provisions.

Overall, the survey data in the area of support for trafficked persons and its analysis have resulted in six recommendations for participating States (**Table 10**). There are three further recommendations for participating States and the OSCE included from complementary OSCE initiatives (marked with asterisks).

Table 10:
Recommendations on support for trafficked persons

Recommendations for participating States

1. Take further steps to secure sufficient funding for long-term reintegration measures and programmes.
2. Develop uniform standards for victim support to ensure the victims' psychological, physical and social recovery and reintegration.
3. Ensure that victims have access to the same quality and standards of services throughout the entire country.
4. Put in place a system for assessing, on a regular basis, the quality of services provided to trafficked persons. In particular, strengthen measures for seeking and considering feedback from victims on the services provided to them.
5. Ensure that victims are provided, on a voluntary basis, with appropriate and secure accommodation during their assistance. States should open separate shelters for male victims of trafficking and child victims of trafficking.
6. Ensure that all victims have access to the formal labour market and, as needed and appropriate, income generation support, such as job placement and training and/or assistance with developing a small business.
7. Strengthen co-operation between government authorities and NGOs in the identification and assistance of trafficked persons through regular and co-ordination meetings and memorandums of understanding.*

Recommendations for the OSCE

8. Continue to assist participating States to develop and enhance National Referral Mechanisms, especially in those countries that indicated that they do not have NRMs.*
9. Continue to support participating States in their efforts to provide assistance and recovery services to trafficked persons, including considering the updating of the NRM Handbook.*

F Support for victims in the criminal justice process

The OSCE Plan of Action and its 2013 Addendum recommend a detailed set of actions aimed at enhancing the criminal justice response to THB while ensuring victims are treated in a manner that respects their human rights and fundamental freedoms. These recommendations include: (1) ensuring that victims are not penalized for their involvement in unlawful activities to the extent that they have been compelled to do so (non-punishment); (2) providing for a reflection delay; (3) granting temporary or, where applicable, permanent residence permits to victims of THB; (4) facilitating access to legal counselling and legal assistance, including in relation to seeking compensation; (5) facilitating access to a State compensation fund or other relevant mechanism; and (6) permitting NGOs to support victims in court hearings.⁶³

In addition, the Action Plan and 2013 Addendum include a series of recommendations with regard to the security of victims, family members and witnesses. These cover measures to protect victims and their families from retaliation, and measures to ensure the victim's right to privacy, including in relation to data collection and analysis.⁶⁴

F.1 The rights of victims of trafficking within the criminal justice system

Non-punishment

The OSR/CTHB has placed strong emphasis on non-punishment provisions for trafficked persons, including through its 2013 publication *Policy and Legislative Recommendations Towards the Effective Implementation of the Non-Punishment Provision with Regard to Victims of Trafficking*. A non-punishment provision prohibits imposing penalties on victims for their involvement in unlawful activities (such as crossing state borders illegally, working without a work permit or involvement in prostitution) where they have been compelled to do so. As noted by the Special Representative:

- ▶ The emerging issue of trafficking for forced criminality adds a new dimension to the topic of non-punishment of victims of trafficking, which becomes more relevant and tangible as an increasing number of victims first come to the attention of authorities in relation to crimes that they have been forced to commit. Without a clear and widespread understanding of this issue, those above the age of criminal liability risk being charged with crimes that often carry significant penalties, while minors may simply be released back into the hands of traffickers.⁶⁵

⁶³ Action Plan III.1.7, III.4.5, III.4.6, V.3, V.8.1, V.8.2; Addendum II.1.2, III.2.6, IV.2.1, IV.2.2, IV.2.3.

⁶⁴ Action Plan III.4.1, III.4.3, III.4.4, V.4.3; Addendum III.2.4.

⁶⁵ M. Jarbussynova, Remarks to OSCE Conference on Combating Trafficking in Human Beings for the Purpose of Forced Criminality, Vienna, 11–12 April 2016

Forty-one countries reported non-punishment provisions in their legislation on trafficking in human beings (Figure 20). Of the nine countries reporting that they did not have non-punishment provisions in their laws, two noted that they had guidelines on the issue. None of the other seven countries reported plans to introduce such provisions.

Figure 20:
Non-punishment provisions
Does the country have a non-punishment provision in the relevant legislation?

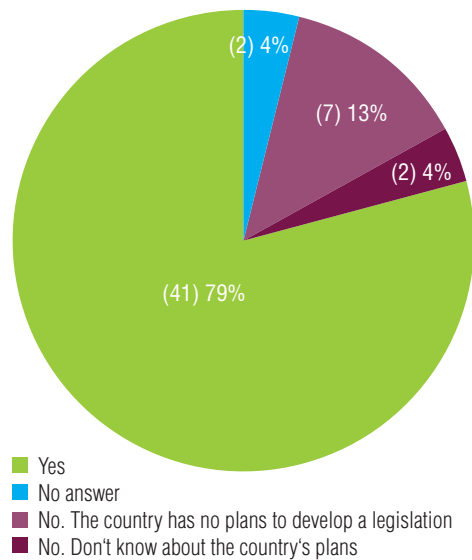
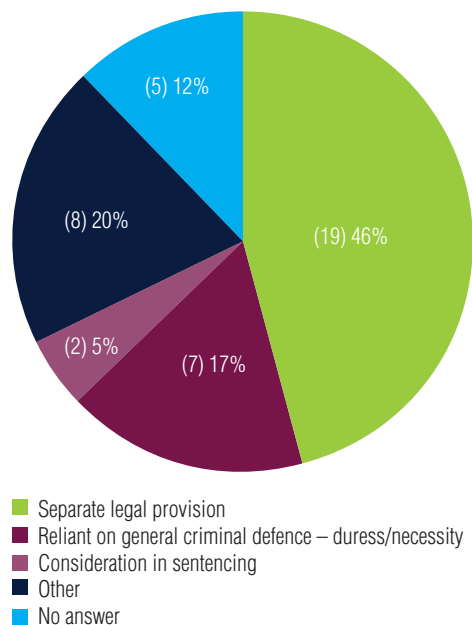


Figure 21:
Implementation of non-punishment provisions
Application of non-punishment provision



Nineteen of the 41 countries with a non-punishment provision reported that they implement this via a separate legal provision in the criminal legislation, seven that this is reliant on general criminal defences, and two that it is taken into consideration during sentencing (Figure 21). Eight countries signified that the non-punishment provision is implemented through other means. These included: (1) by-laws and circulars; (2) overarching federal legislation; (3) prosecutorial discretion; and (4) a combination of specific legal provision, prosecutorial discretion and consideration during sentencing.

NGO responses highlighted a range of concerns with respect to the implementation of non-punishment provisions in practice. Indicative quotes included:

- ▶ Non-punishment is provided through guidelines to public prosecutors but it is seldom applied. Victims are systematically charged with immigration and prostitution related offences.
- ▶ The legal system is set up so that cases are often rushed through, focusing on punishment and deportation not on the background of the person, which may lead to the discovery of trafficking.
- ▶ Children trafficked for the purpose of forced criminality are strongly identified by authorities as authors of delinquent acts. Although indicators of trafficking are obvious ... those children are condemned instead of being protected.
- ▶ Prostituted persons are treated as criminals and may be fined if they are prostituted against said regulations.

Another NGO noted that its country has no provision allowing retrospective expunging of criminal records arising from a trafficked persons being forced or led to commit an offence.

Access to redress

In terms of protection and redress, the ODIHR published a study in 2008 on compensation for trafficked persons. The aim was to highlight the importance of compensation for all victims of trafficking. The study provided an analysis of the right to compensation in international law and looked at the implementation of this right in a number of OSCE participating States. Based on the gaps and shortcomings identified in the national systems, the study provided a lengthy list of concrete recommendations to assist countries in improving their national laws and practices regarding the rights of trafficked persons.

Continuing this work, the survey asked participating States about legal provisions relating to redress. Forty-six countries reported legal provision for compensation of victims through criminal proceedings and 45 for compensation through civil proceedings (Table 11). At the same time, only 35 countries reported provision for compensation of victims from the State. This was the second least reported provision, after the appointment of a victim/witness coordinator to ensure the protection of victim rights (29 countries).

Table 11:
Protections and redress provided by legislation

Protections provided by legislation	Currently provided	Planned to provide	No plans to provide	No answer
Compensation through criminal proceedings	46	1	1	4
Compensation for victims through civil proceedings	45	0	0	7
Free legal counselling when deciding whether to testify	44	0	3	5
Free legal aid in seeking criminal compensation	43	0	5	4
Issuance of residence permits for foreign victims	41	0	4	7
Free legal aid for victims in seeking civil compensation	40	0	4	8
Permitting NGOs to support victims in court hearings	36	4	5	7
Full costs of support services to be met by the State	36	1	6	9
Issuance of work permits to foreign victims	36	1	4	11
Compensation for victims – from the State	35	4	5	8
Full support services regardless of co-operation in criminal proceedings	35	2	6	9
Reflection period to give time to decide whether to act as witness	35	1	6	10
Appointment of victim/witness coordinator to ensure protection of rights	29	2	11	10

Forty countries provided additional information on how victims are informed of their options as listed in Table 11. Most commonly, responses highlighted the role of law enforcement and criminal justice actors, primarily police but also border officials, prosecutors and lawyers. Countries also reported that the obligation to inform victims of their rights is often contained in the relevant law.

Countries also described, in general terms, the role of social welfare agencies and NGOs in informing victims of their rights. The Government of Denmark, for example, reported that when a person is identified as a victim of trafficking, the

Danish Centre against Human Trafficking appointed a contact person whose role is to inform the victim about their rights. Belgium and Bulgaria also highlighted the role of specialized centres in ensuring that victims are aware of their rights and the services available to them. In Croatia, the Government reported that police officers provide victims with a leaflet detailing their rights that they can keep, and also explain these rights verbally. Greece mentioned that an information sheet in 14 different languages is provided by the police to trafficked persons. Belgium, Ireland and Portugal also specified providing information in a range of different languages.

Government responses on the availability, in practice, of protection provided by legislation are summarized in Table 12. The order of responses on the availability of protections largely followed those on the existence of legislation summarized in Table 11 above. In no case did every country consider a provision in legislation to be available to all or most victims. Most noticeably, while 34 countries in theory provide compensation by the State, only 17 said this was available to all victims in practice. In this regard, the Netherlands and Portugal provided examples of how they have increased the likelihood that victims receive the compensation owed to them (Box 8).

Nineteen countries provided additional information about limitations in the availability of services to victims. The most common restriction reported by countries related to legal aid, noted by nine countries, generally based on income. Six countries stated that some services were contingent on co-operation with the criminal justice system. One other country noted that co-operation with the criminal justice system is legally required, and thus no reflection period is provided.

Two NGOs raised additional problems with respect to legal aid. One noted that its country's legal aid programme is used mainly by perpetrators, that is, legislation facilitates access for suspected criminals, but not for victims. An NGO from another country noted that lawyers of NGOs or free legal aid centres cannot represent their clients nor address the court during court proceedings, as neither the victim (the injured party) nor their lawyer is considered a party to the criminal proceedings.

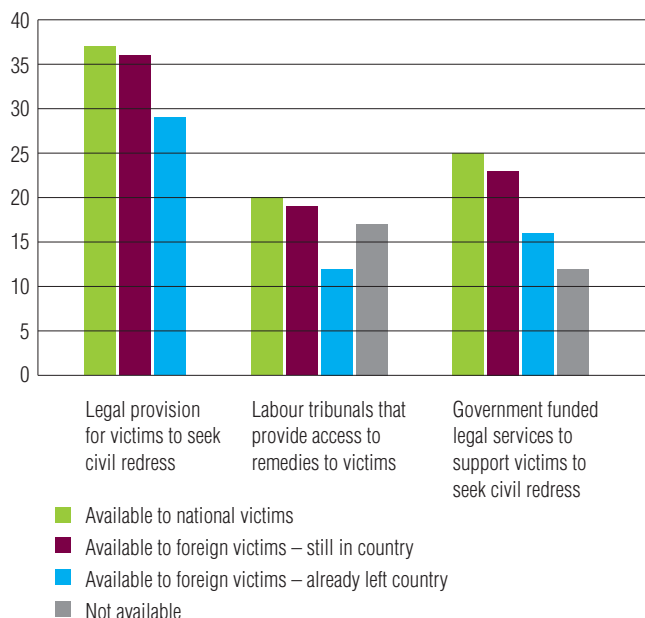
Table 12:
Availability of protections provided by legislation

Protections provided by legislation	Legal provision	Available to all victims	Available to most victims	Available to some victims	Available to few victims	Not available to victims	Don't know/NA
Compensation for victims through civil proceedings	45	38	1	2	1	0	10
Compensation through criminal proceedings	46	37	1	3	1	1	9
Non-punishment	41	36	4	2	1	1	8
Full support services regardless of co-operation in criminal proceedings	35	36	2	1	1	3	9
Free legal counselling when deciding whether to testify	44	36	2	1	0	1	12
Permitting NGOs to support victims in court hearings	36	34	3	3	0	5	7
Issuance of residence permits for foreign victims	41	31	2	7	0	0	12
Reflection period to give time to decide whether to act as witness	35	31	1	4	0	4	12
Free legal aid in seeking criminal compensation	43	30	5	5	2	0	10
Free legal aid for victims in seeking civil compensation	40	30	4	5	1	3	9
Full costs of support services to be met by the State	36	29	4	5	1	0	13
Issuance of work permits to foreign victims	36	22	5	5	1	3	16
Compensation for victims – from the State	35	17	7	7	2	5	14

F.2 Access to redress for victims of trafficking for labour exploitation

Thirty-seven countries reported having a legal provision for national victims of trafficking for labour exploitation to seek civil redress. Twenty countries reported having a legal provision for labour tribunals that provide access to remedies, and 25 reported provision for government funded legal services to support victims of labour trafficking to seek civil redress (Figure 22). These figures are slightly lower for foreign nationals and significantly lower for foreign victims of trafficking who have already left the country, with 29 having access to civil redress, 12 to labour tribunals and 16 to government funded legal services.

Figure 22:
Civil redress for victims of trafficking for labour exploitation



Eighteen countries reported cases of trafficking for labour exploitation where the victim(s) have received compensation for unpaid wages – either from employers or government. Of these countries, nine provided no further information on case numbers or details. Two other respondents said that they were unable to provide information due to limited access to police files.

The country example involving the largest number of victims came from the United States, where the Equal Employment Opportunities Commission (EEOC) settled its case against four farms in September 2014 for \$2.4 million and comprehensive equitable relief for approximately 500 Thai farmworker victims for national origin discrimination and retaliation. The settlement encompassed monetary relief, options for jobs and benefits, housing, other reimbursement of expenses, and sweeping injunctive relief remedies. The total settlement in this case at the time of the response was \$3.5 million. Another major case was in the United Kingdom, where Operation Netwing realized over £2 million in proceeds of crime for forced labour. Nineteen victims were awarded civil damages, in addition to compensation from criminal proceedings.

Kazakhstan and Poland both provided examples in which an individual and a couple respectively trafficked individual victims for labour exploitation and were forced to provide compensation in the form of material damages. Azerbaijan mentioned a case in which compensation involved both lost wages and moral damage. Moldova instanced compensation in an international case of trafficking for labour exploitation involving ten victims. Finally, Austria and Switzerland both provided examples of compensation for women trafficked for domestic servitude. In the case of Austria, the perpetrator enjoyed functional immunity and was exonerated. On the basis of a compromise agreement, the victim received compensation of €7,000 due to the fact that the employer of the perpetrator, an international organization, refused to garnish the wages.

Box 8:
Case Study: Moving the burden from victims to governments – the Netherlands and Portugal

The Netherlands survey response highlighted two interesting facets of the Netherlands legal system. First, under this system it is possible for victims to put forth a request for indemnity from the suspect as part of the criminal court case. In June 2013 a suspect was convicted by a Court of Appeal to six years imprisonment for trafficking in human beings. The victim was his own girlfriend. For six years and nine months, the suspect used violence against the victim, made her undergo an abortion, forced her to give him the money she earned from her work in prostitution and isolated her from her family and friends. The Court of Appeal calculated that the victim had earned €891,000 in the time that she worked for the suspect and determined the financial compensation for the material damage to the victim amounted to €823,500. A request for financial compensation of €20,000 for immaterial damage was also granted.

The second distinctive aspect of the Netherlands system is that the State pays the compensation in advance to the victim. The State then tries to get the money back from the perpetrator. As a result, the victim is assured of compensation and the State has a strong incentive to pursue the compensation from the perpetrator.

Portugal reported that its legislation provides for two forms of compensation for trafficked persons. The first is through criminal proceedings, where compensation is claimed by the victim from the perpetrator. The second arises where the perpetrator does not have financial means to compensate the victim. In such cases, the victim may request compensation from the State. The State assigns to the victim a portion of the amount of the compensation to which the perpetrator was sentenced in court.

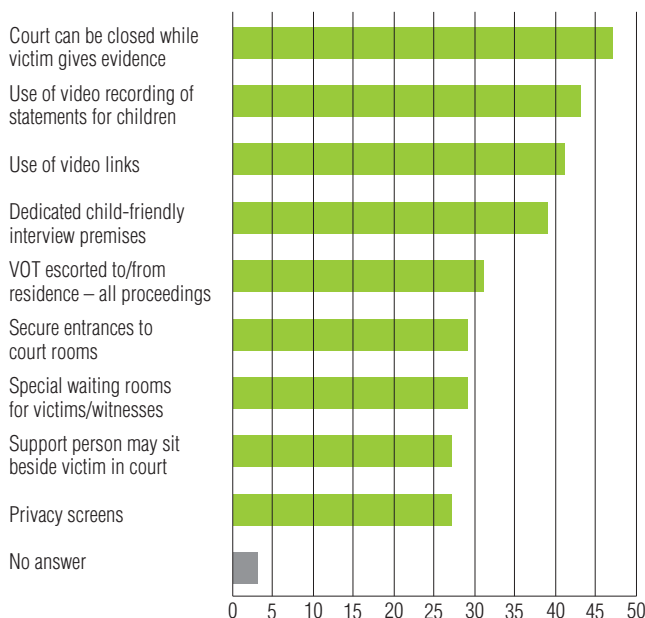
In more severe cases, where the victim has suffered damages putting them in a situation of severe economic deprivation, the victim can apply for immediate State compensation. In 2014, two victims made such requests to the State. In one case, the State assumed payment of 50 per cent of the damages established by the court. The second case involved a foreign victim who managed to escape from a trafficking network and was staying in a shelter. The victim was awarded an amount equivalent to the national minimum wage, paid monthly, for a period of one year.

F.3 Security of victims of trafficking and related persons

Forty-nine countries responded to the question on procedures that countries had in place to protect witnesses and victims when they went to court. Of these countries, 46 (93 per cent) allowed the court to be closed while a victim gives evidence, 37 (76 per cent) for the use of video recording of statements for children, and 36 (73 per cent) for the use of video links.

The least commonly reported measure to protect victims was privacy screens, allowed by 27 countries (55 per cent). This may reflect a preference for alternatives, however. Of the 23 countries reporting that they did not have privacy screens, for example, 17 reported allowing the use of video links, which makes the use of screens unnecessary. Other less commonly reported measures included: a support person to accompany the victims in court (27 countries, 55 per cent) – a measure that was specifically identified as a gap in NGO responses– and special waiting rooms (29 countries, 59 per cent).

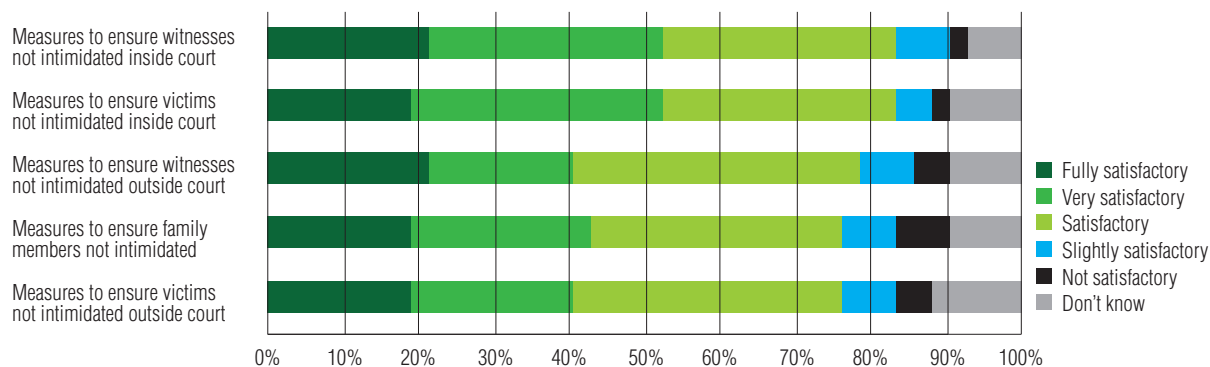
Figure 23:
Procedures to protect victims/witnesses when they go to court



Forty-six countries responded to the question on procedures they have in place to protect witnesses and victims from intimidation and threats *outside* of court. Most commonly, countries reported providing protection to witnesses travelling to and from court (43 countries, 93 per cent), safe houses (41 countries, 89 per cent), and provision for victim relocation (39 countries, 85 per cent). Least commonly, States reported providing victims with bodyguards or other forms of personal security (29 countries, 63 per cent). Just 35 countries reported procedures to avoid the use of identifying information for victims/witnesses (76 per cent). One country stated that victims of trafficking are protected only if they are essential witnesses in criminal proceedings.

Forty-two countries provided a response regarding their satisfaction with the functioning of protection mechanisms. Responses were clustered into three groups: mechanisms inside the court, mechanisms outside the court, and mechanisms for family members. In the first category, twenty-three countries considered mechanisms to ensure victims are not intimidated inside the court to be fully or very satisfactory, the same number as for witnesses. At the other end of the scale, 17 countries considered the measures outside the court to be fully satisfactory for victims, again the same number as for witnesses. Six countries considered measures to ensure family members are not intimidated are slightly satisfactory or not satisfactory, more than for any other category.

Figure 24:
Satisfaction with protection mechanisms
Government perspectives on protection



In Romania, the New Criminal Procedure Code foresees special measures to protect the aggrieved party, the civil party and the witnesses, distinguishing between threatened and vulnerable witnesses. For injured persons with specific need for protection, the court may order one or more of the following measures, when possible and when it is considered that there will be no prejudice to the proper conduct of the trial or to the rights and interests of the parties: 1) holding their hearing in premises designed or adapted for this purpose; 2) holding their hearing through or in the presence of a psychologist or other specialist in advising victims.

Other amendments to the New Criminal Code include ensuring that court hearings in cases of trafficking in minors and child pornography are not public. In addition, in such cases it is mandatory for a psychologist from the Directorate of Social Assistance and Child Protection to be involved when a child under 14 years of age is being questioned.

F.4. Discussion and recommendations

Notwithstanding the increased use of financial instruments (Section III) and other proactive approaches to investigating and prosecuting cases of trafficking, many criminal jurisdictions remain heavily dependent on the testimony of victims to secure the successful prosecution of traffickers. In this context, appropriate treatment of victims by the criminal justice system is not only highly important in ensuring their rights are respected throughout the process of recovery and reintegration, but also in implementing effective prosecutorial responses.

The issue of non-punishment of victims for their involvement in unlawful activities where they have been compelled to do so has gained greater importance with the emergence of trafficking for forced criminality in many countries. Of the 50 countries responding to the question on non-punishment, 41 reported non-punishment provisions in their legislation while at least two others have guidelines on non-punishment.

Thirty-six countries considered that all victims have access to this provision. NGO feedback, however, suggests that there may be gaps in the full application of this provision, highlighting victims of forced criminality, irregular migrants and women in prostitution as being particularly vulnerable to punishment for crimes they have been forced or coerced to commit.

In terms of other provisions for victims of trafficking, while 46 countries reported legal provision for compensation of victims through criminal proceedings and 45 for compensation through civil proceedings, only 35 countries reported provision for compensation of victims from the State, of whom only 17 said this is available to all or most victims. This may suggest that victim compensation is often contingent on the ability of the State to extract payment from traffickers, including by means of freezing and confiscating illegally obtained assets.

Government and NGO responses also suggested that other gaps remain between the legal provisions for victim support and protection and the implementation of these provisions. Further, six countries and a number of NGOs stated that some services are contingent on co-operation with the criminal justice system, which is not consistent with the 2013 Addendum recommendation III.1.1, “Ensuring that assistance is not made conditional on the victim’s willingness to participate in legal proceedings”

Forty-six countries responded to the question on procedures in place to protect witnesses and victims outside of the court. Perhaps most notably in this regard, just 35 countries reported procedures to avoid identifying information for victim/witness. In terms of the functioning of protection mechanisms for victims and witnesses inside and outside the court, fewer than 20 per cent of countries considered these measures to be fully satisfactory, suggesting room for improvement.

The survey data in the area of support for trafficked persons in the criminal justice process and its analysis have resulted in seven recommendations for participating States and the

OSCE. There are four further recommendations for participating States and the OSCE included from complementary OSCE initiatives (marked with asterisks).

Table 13: Recommendations on support for trafficked persons in the criminal justice process

Recommendations for participating States

1. Ensure that the commitment not to punish victims of trafficking for their involvement in unlawful activities is effectively implemented in national criminal justice systems and practices. This includes providing victims of trafficking with access to adequate assistance as well as legal counselling, and suspending any deportation order while the process of verification of a person's status as a victim of trafficking is underway.
2. Develop guidance for police officers, prosecutors and judges on the implementation of the non-punishment provision.
3. For States that restrict services for victims who do not co-operate with the criminal justice system, consider lifting these restrictions
4. Regularly monitor and evaluate national compensation systems with a view to assessing effective access for trafficked persons.
5. Ensure that statistics gathered on trafficking criminal cases include information on whether a compensation claim was made, whether it was granted, the amount of the award, whether it was paid, any steps to seize traffickers' assets, and the length of time taken to carry out these steps.
6. Ensure that compensation from the State is available to all victims of trafficking irrespective of their residency status and ensure that all types of damages (moral and material) are available through the State compensation scheme.
7. Provide training for all law enforcement officers, prosecutors and judges on the rights of trafficked persons and their role in realizing the trafficked persons' right to compensation.*
8. Increase the knowledge of professional communities of lawyers about legal standards and practice in realizing trafficked persons' rights to compensation.*

Recommendations for participating States and the OSCE

9. Consider measures to increase victim access to compensation through both civil and criminal means, including in relation to enforcement of compensation judgements.
10. Assist participating States in implementing the recommendations from the ODIHR Study on the Compensation of Trafficked and Exploited Persons with the aim of making effective the trafficked persons' right to compensation.⁶⁶
11. Prepare practical guidance and tools for officials to use in the implementation of victims' rights to compensation in the form of information sheets or questionnaires to facilitate the implementation of these rights.*

⁶⁶ OSCE, Compensation for Trafficked and Exploited Persons in the OSCE Region (2008) <http://www.osce.org/odihr/32023> accessed 9 October 2016.

SECTION III – INVESTIGATION, LAW ENFORCEMENT AND PROSECUTION

This section covers parts F and G of the government survey, with a specific focus on the use of financial instruments to combat trafficking.

G Targeting the assets of traffickers

To date, most of the global effort to stem THB has focused on the THB crime itself and not on the proceeds derived from and invested in THB. This trend is due to several factors. Too often, the communities involved in anti-trafficking and in anti-money laundering work in isolation from one another. Law enforcement agencies are often unaware of, or unequipped to handle, THB-related financial activity, whereas financial investigators generally lack knowledge of THB operations. Interagency and international co-operation on THB is particularly limited with respect to THB-related financial investigations. National legislation on THB is often insufficient and no country has been rated as “compliant” with all of the Financial Action Task Force Recommendations on combating money laundering.⁶⁷

Recent years have, however, seen an increased focus on the use of financial techniques and approaches to combat trafficking in human beings. This section discusses progress made by participating States in using such approaches, which can be divided broadly into two types. The first set of financial approaches targets the assets of criminal groups through the criminal justice system. The second involves the use of tools available within the financial sphere to identify possible cases of trafficking and/or to hinder the operations of trafficking networks. Financial investigation techniques can also play an important role in allowing law enforcement officials to link together different parts of criminal networks. Taken together, these approaches and techniques complement the targeting of goods and services produced by trafficked persons to reduce the profits that represent the core motivation of traffickers and trafficking networks (discussed in Part A of this report).

G.1 Targeting the assets of traffickers

The successful targeting of the assets of traffickers and trafficking networks has the dual benefit of reducing the rewards available to criminal groups and providing funds that can potentially be used to compensate trafficked persons and support other anti-trafficking initiatives. The OSCE recommended actions for participating States relating to the tracing and use of assets include considering legislative provision and enhancing capacity for tracing, freezing and confiscating the proceeds of THB.⁶⁸ The OSCE further recommends that, where possible,

confiscated assets be used to fund anti-trafficking initiatives and victim support initiatives, including the possibility of obtaining compensation.⁶⁹

Forty-four participating States reported having THB as a predicate offence for money laundering, that is, an offence whose proceeds may become the subject of a money-laundering offence. This number may be understated, since four of the remaining eight countries did not provide a response to this question. Making trafficking a predicate offence for money laundering is an important step in being able to identify and target the proceeds of trafficking.

Forty-seven countries reported having laws in place to provide for tracing, freezing and confiscating the proceeds of trafficking. Only one country stated that it did not have such laws in place, with four countries not responding. Of the 47 countries reporting laws in place, 37 stated that the laws specified how these confiscated assets were to be used. This information is included in Figure 25, along with information on how confiscated assets are used in actual practice. Funds were to be returned to the government’s general fund in 33 countries. Thirteen of these countries reported that funds were to be returned exclusively to the government budget, with the others allocating funds to a range of different categories. Twenty-three countries reported having provisions for using funds to compensate victims, six to fund other victim support activities, and five for other anti-trafficking initiatives.

Just five countries reported allowing a proportion of the funds confiscated from traffickers to be used to support the work of investigating units. It is worth noting that this can be a useful motivation for these units to devote resources to investigating the challenging crime of trafficking in human beings.

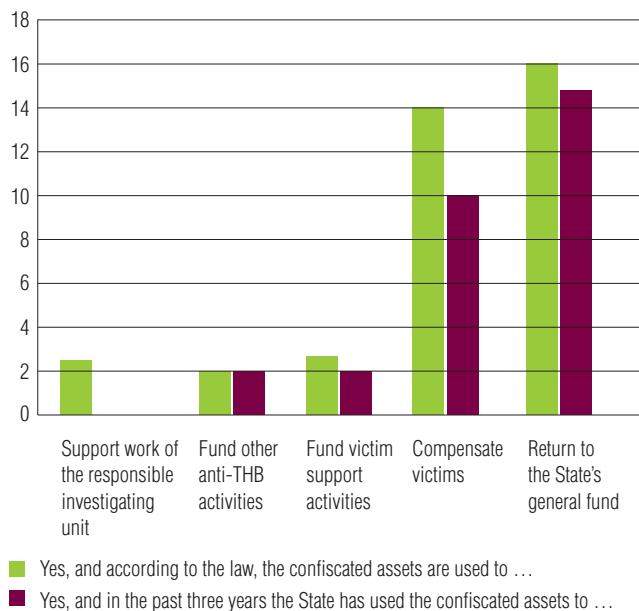
Twenty-three countries reported cases in the past three years in which the State had confiscated the proceeds of human trafficking and/or the assets of human traffickers. Nine countries reported that the funds went exclusively back into government funds, six that they were divided between a government fund and victim compensation, and two exclusively for victim compensation (Figure 25). The remaining three countries noted multiple uses for assets confiscated from traffickers.

67 OSCE, *Leveraging Anti-Money Laundering Regimes to Combat Trafficking in Human Beings* (2014) <http://www.osce.org/secretariat/121125?download=true> accessed 9 October 2016.

68 Action Plan III.1.5, Addendum II.2.1.

69 Action Plan V.6.2, Addendum II.2.1.

Figure 25:
Use of confiscated assets
Does the country's legislation covering tracing, freezing and confiscating proceeds of THB specify how confiscated assets are to be used?



Thirteen of the twenty countries that had confiscated proceeds from trafficking provided additional details. Among the eight countries that listed information on the number of cases, Uzbekistan stated that it has confiscated assets in 1426 cases in the past three years, totalling the equivalent of €623,000. The United Kingdom reported 56 cases in the past three years, with approximately £3 million confiscated in that time.⁷⁰ Belgium reported securing 82 convictions involving asset confiscation in 2013–14, while Belarus reported initiating asset confiscation procedures against 52 persons “as part of additional punishment related to the commission of human trafficking crimes.”⁷¹

Apart from the United Kingdom and Uzbekistan, countries reporting the highest levels of confiscated assets were: Switzerland (€651,771) and the Czech Republic (€273,878). The Netherlands reported 39 cases in the past three years totalling €2,110,200 in assets, of which €198,737 had been confiscated to date (see further discussion of the Dutch system in **Box 8**). Albania and the former Yugoslav Republic of Macedonia reported that they have had cases in which cars and houses have been confiscated, but not yet funds.

Eighteen countries reported cases in the past three years in which the State had seized but not yet confiscated the proceeds of human trafficking and/or the assets of human traffickers. This included five countries that were not among the 23 reporting cases of asset confiscation, meaning that at least 28 OSCE countries reported either or both (1) confiscating proceeds from trafficking in the past three years, and (2) seizing assets with a view to confiscation.

While not directly comparable, since not all countries provided data for both questions, the sums of money identified as being seized but not yet confiscated were considerably greater than those that had been confiscated to date. The Netherlands, for example, reported that assets totalling €5,536,232 had been seized in 106 cases, more than twice the amount subject to a compensation order. Moldova, which reported confiscating approximately €1,887 in the past three years, also reported having seized €184,378 in five cases in 2014. Italy, Greece and Slovenia, all of which reported no completed cases of asset confiscation, reported that they had seized assets of €40.3 million, €2,136,598 and €2,005,625, respectively. Twelve countries provided additional case information on the confiscation of assets. **Box 9** provides three specific examples.

Box 9:
Confiscating the assets of traffickers

Serbia: In one case, the competent public prosecution office signed a plea agreement with a defendant who was accused of human trafficking, fraud and money laundering. Regarding THB, the defendant was accused of sexual exploitation of one female victim in the period December 2011–September 2012, committed by abusing a dependency relationship. According to the plea agreement, the defendant was sentenced to four years and two months in prison. Six luxury vehicles and €3,193.64 were confiscated.

Moldova: Moldova reported on three separate cases in which cash was confiscated in a total of seven different currencies, highlighting the range of different countries involved. Moldova noted that “as a country of origin and transit, the law enforcement bodies of the Republic of Moldova have to deal, in most cases, with actions committed by recruiters and transporters of victims, and less with actions of persons who directly exploit victims, getting bigger revenues from this illegal activity.” This comment reinforces the importance of strong co-operation between countries to ensure the maximum possible targeting of the proceeds of THB.

United Kingdom: In October 2014, Police stopped a person suspected to be trafficking Polish builders to the UK for the purpose of forced labour. The Police seized £263,000 cash found in the suspect’s car. The subject claimed the cash was from sale of scrap metal. This was subsequently linked to industrial works where the forced labourers were alleged to have been employed. Upon release from custody the subject attempted to withdraw the contents of a safety deposit box held in his name. The bank staff became suspicious and contacted the police, whereupon a further cash seizure of £10,000 was made.

70 The United Kingdom noted that this amount did not necessarily correlate to the 56 cases, since monies might be paid on orders in a different year to when the order itself was made. Compensation was not included in this amount.

71 Information was not available on the total assets involved in the processes in Belgium and Belarus.

H Financial investigations

The second type of financial responses to trafficking in human beings is connected to the use of financial investigative techniques. These techniques build on foundations developed to address terrorism, as well as other forms of organized crime, with a view to identifying potential trafficking cases and/or hindering the operations of trafficking networks. OSCE recommended actions for participating States relating to financial investigations include: (1) encouraging co-operation between law enforcement authorities, other relevant State structures and the private sector to combat THB-related money-laundering activities; (2) strengthening the capacity of anti-money-laundering authorities and other relevant structures to identify financial activities linked to THB; and (3) encouraging the private sector – including the banking sector, credit card companies, ICT companies and Internet service providers – to contribute to the prevention of all forms of THB and the disruption of trafficking networks.⁷²

One of the key mechanisms in targeting the proceeds of transnational organized crime is identifying suspicious transactions in the financial system. Red flag indicators are used by financial institutions to help identify such suspicious transactions, which are then submitted to the appropriate authorities in the form of suspicious transaction reports (STRs). A list of possible financial indicators of human trafficking activity is included in **Box 10**.

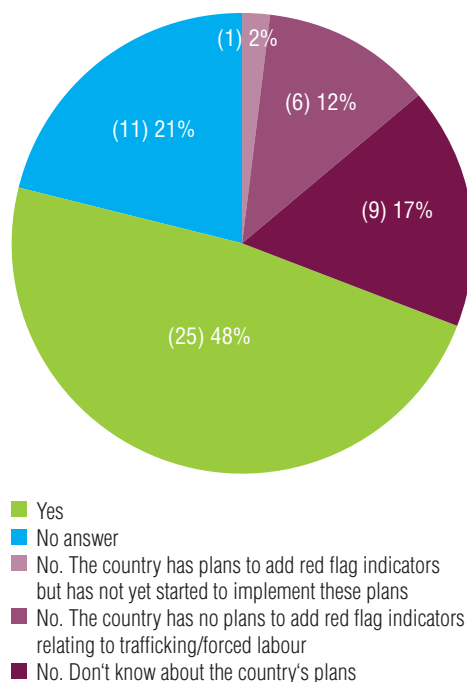
Box 10: Red flag indicators of possible THB activity

1. Business accounts that have low payroll expenditures that are inconsistent with their business size and activity;
2. Business accounts with apparent deductions in employee wages under various cost types such as housing and food;
3. Cashed payroll checks where the majority of the funds are either deposited back into the employer's account or kept by the employer;
4. Customer visits to the branch with third party escorts who may act as an interpreter and may keep the customer's ID in their possession;
5. Recurrent business transactions outside official hours of operation (which may indicate transactions relating to illegal prostitution);
6. Cross-border transfer of funds inconsistent with the account holder's stated business;
7. A high number of individual accounts opened and closed simultaneously

As per Figure 26, 25 countries reported having indicators related to trafficking and forced labour in their list of red flag indicators that could trigger suspicious transaction reports. The actual number may be higher, since 11 countries did not provide a response to this question. Of the responding 25 countries, 13 reported launching investigations on trafficking/forced labour based on suspicious transaction reports. These

countries provided rich additional information, as reflected in the case studies in Box 11. Countries reporting the highest number of investigations in the past three years were Germany (72), Greece (52), Belarus (43) and Armenia (31).

Figure 26:
Red flag indicators on trafficking
Does the country's list of red flag indicators that can trigger suspicious transaction reports include indicators relating to THB/forced labour?



Among all of the surveyed countries, only Armenia, with 22 convictions, provided a specific number of convictions in the last three years arising from THB investigations based on suspicious transaction reports. Other countries, however, provided case examples in which THB convictions had been achieved following investigations based on STRs. It appears, as specifically stated by one country, that THB conviction statistics may not necessarily include data on the use of STRs. The lack of data on convictions may also reflect the fact that the use of STRs to identify potential cases of trafficking is still relatively new. This possible explanation is consistent with the case examples provided by various States, all of which refer to incidents in the past four years.

72 Action Plan III.2.5, Addendum II.2.1, II.4.1, V.4, V.6.

Box 11.
Identifying trafficking in human beings through suspicious transaction reports

Responding States provided a number of examples illustrating how various financial indicators had been used successfully to identify THB cases. This Box provides four examples of such success stories, which might provide useful guidance for other participating States.

Azerbaijan: A large sum of cash was transferred to a citizen of the Republic of Azerbaijan from a company operating offshore. This information was transmitted to law enforcement agencies due to the following suspicious signs: (1) transfer of large amounts from juridical person to a physical person; (2) lack of information about the source and destination of transferred funds; (3) funds disproportionate to the customer's daily operations; and (4) contradictory explanations by the customer about the transaction. The person receiving the funds is suspected of human trafficking.

Malta: A couple were convicted of trafficking in human beings from Malta to Sicily, following a suspicious transaction report made by the bank where funds were deposited in their daughter's account. The bank viewed the deposit as suspiciously large given that the daughter was a student.

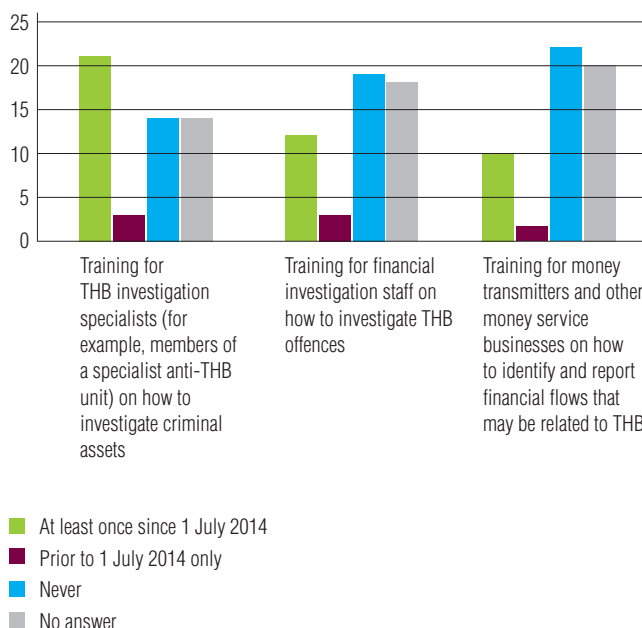
Switzerland. The reporting bank became aware of a suspicious business relationship due to a newspaper article describing the arrest of a client suspected of involvement in forced prostitution, human trafficking and illegal immigration. The bank therefore had strong reason to believe that its client's money emanated from illegal activities and filed a suspicious activity report to the appropriate authority. It became apparent that the bank client had enticed women from South America to travel to Switzerland in the belief that they would obtain regular employment. The client then confiscated their passports and forced them to work in the client's brothel. The client was convicted and sentenced to imprisonment for THB.

Ukraine: A suspicious operation was identified by a bank in relation to an attempt to transfer assets from the account of a non-resident company to the account of a Ukraine company without stating the purpose of the transfer. This operation was stopped and information directed to the State Financial Monitoring Agency. The Agency linked this transaction to a group that was trafficking young women for sexual exploitation using its own tourist agency. The State Ministry stopped further operations of company and transferred the assets to the Ministry of Internal Affairs.

Financial investigation training

A special feature of the Swiss case in **Box 11** is that the bank was proactive in responding to the newspaper report, rather than just following standard procedures. This is an example of the benefits of ensuring that financial institutions are aware of the role they can play and of motivating them to help identify the proceeds of trafficking in human beings. Despite this, only 11 countries reported having provided training for money transmitters to date, with one of these not having done so in the past two years (Figure 27). Twenty-four countries reported training being provided for THB investigation specialists on how to investigate criminal assets and 15 for financial investigation staff on how to investigate THB offences. Three more countries reported plans to implement this type of training. A high proportion of countries (11) did not respond to questions on financial training.

Figure 27:
Financial investigation training
Which of the following types of financial investigation training have been provided in the country?



H.1 Discussion and recommendations

As highlighted in the introduction to this section, the use of financial instruments is a comparatively new area of focus in the anti-trafficking field. The responses of OSCE participating States reflect this in a number of ways. Most positively, 47 of the 48 countries responding to the question reported laws in place on tracing, freezing and confiscating the proceeds of THB. Twenty-one countries reported provisions for using confiscated funds to compensate victims. These numbers may be higher, since 12 countries did not provide responses to these questions. Data provided by 20 countries on cases where assets had been confiscated showed a similar breakdown of fund allocation in practice to that provided for by law.

In total, 28 countries reported that they had confiscated and/or seized the proceeds of human trafficking or the assets of human traffickers. Notably, the figures quoted by countries on seized assets were generally much higher than those for confiscated assets. As it takes time for cases to proceed through the judicial process, this may reflect an increase in attention being paid by participating States to targeting the assets of traffickers.

With regard to financial investigative techniques, overall responses suggested that these are also at a nascent stage. At the same time there was an increasing number of positive examples from participating States upon which other countries can draw. At present, 25 countries reported having red flag indicators for suspicious transaction reports that relate to trafficking. Twenty-four countries reported providing financial training for THB investigation specialists but only ten reported providing recent training for money transmitters in line with the 2013

Addendum recommendations to strengthen co-operation with the private sector in this area. The case examples provided by respondents highlight the potential benefits of such co-operation.

One other notable feature of this part of the survey was the number of countries that did not respond to questions relating to financial instruments. This may suggest either gaps in data availability or a lack of links between central co-ordinating bodies for THB and agencies responsible for financial investigation.

With these considerations in mind, the survey data regarding the use of financial instruments to combat trafficking in human beings and its analysis resulted in six recommendations for participating States and the OSCE (Table 14).

Table 14:
Recommendations on use of financial instruments to combat trafficking in human beings

Recommendations for participating States

1. For countries that have not already done so, consider making provision for the use of confiscated proceeds to fund compensation for trafficked persons, victim support and other anti-trafficking initiatives.
2. Build on existing efforts to target the proceeds of trafficking and the assets of traffickers.
3. Increase training for relevant actors on the use of financial investigation techniques linked with THB related cases and, in particular, the exchange of positive examples within and across borders.
4. Increase emphasis on co-operation with money transmitters and other money service businesses in order to identify and report financial flows that may be related to THB.
5. Intensify measures to disrupt trafficking networks, including by means of financial investigations, investigations of money laundering connected to human trafficking, and the freezing or confiscation of the assets of human traffickers.

Recommendations for the OSCE

6. Consider providing a list of red flag indicators related to trafficking of human beings for consideration by participating States.

I Concluding Comments

The survey of efforts to implement OSCE commitments and recommended actions to prevent and combat trafficking in human beings has generated a vast amount of data from 53 participating States and 90 non-government organizations from across the OSCE region. As well as informing this survey report, these data will be used as a baseline against which to assess further progress by participating States in implementing OSCE commitments and recommended actions. The data will help inform all aspects of the work of the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, including future country visits, and will be shared with key partners, including the Council of Europe and the UNODC, to inform also their activities and assist in reducing the ongoing reporting burden on participating States.

Overall, the survey has revealed strong progress by participating States in implementing OSCE commitments and recommended actions, including in relation to emerging areas of the THB response, notably those aiming to make THB an unprofitable criminal enterprise. These involve (1) addressing demand and eliminating markets for goods and services produced by trafficked labour, and (2) targeting the profits of this crime. At the same time, both government and non-government responses highlighted areas for potential improvement across all surveyed areas, particularly in relation to (1) the identification of trafficked persons and ensuring they are not punished for crimes they were forced or coerced to commit as a consequence of being trafficked and (2) facilitating access to compensation.

With regard to government and private sector procurement of goods and services which – there is reason to believe – have been produced by trafficked or exploited labour, survey responses suggested that participating States have made a strong start toward implementing key OSCE commitments and recommendations. Measures identified in the survey included (1) strengthening of public procurement policies by governments, (2) increased requirements for the business sector to report on measures to identify THB and forced labour in their supply chains, and (3) the promotion of sector-wide collaboration between businesses to set and maintain standards relating to labour practices in their supply chains. The priority now in this area is to extend these types of initiatives throughout the OSCE region, taking advantage of the huge collective purchasing power of participating States to eliminate markets for goods and services produced by trafficked labour.

As the focus on product supply chains has increased, governments and businesses have recognized that due diligence on labour practices must extend beyond the immediate workplace to the processes by which migrant workers are recruited and managed. In this regard, States have taken measures to implement the 2013 Addendum recommendations on strengthened oversight of recruitment and placement agencies and the possible removal of recruitment fees charged to employees. To further strengthen the oversight of recruitment practices, survey responses suggested that more attention might be needed with regard to establishing and enforcing prohibitions on (1), withholding of travel documents (2) limiting freedom of movement and, ideally, (3) the use of subcontracted brokers.

In terms of responding to child trafficking, survey responses suggested that participating States generally locate child trafficking prevention activities within a wider child protection framework, both through ensuring basic services such as access to birth registration and education, and through providing assistance to children in difficult circumstances. The majority of participating States also reported providing training for police who might come into contact with children trafficked and exploited in begging and for forced criminality.

Survey responses with regard to ensuring the best interests of the child were uneven, often focusing on the general provision of services for trafficked children, rather than the specific concept of best interests. This may suggest an area for more in-depth enquiry into practices with regard to the best interests of trafficked children and other vulnerable children, including unaccompanied minors. Other issues for consideration with regard to the prevention of child trafficking include the importance of ensuring that programmes are informed by available data, and the need for more States to put measures in place related to the 2013 Addendum on recommended action for preventing the sexual exploitation of children associated with the tourism industry.

Survey questions relating to THB for the purpose of organ removal focused primarily on initiatives to reduce the market for trafficked organs through narrowing the gap between demand for organs and the legally available supply. One-third of participating States reported an opt-out system of organ donation, where a person is assumed to be a donor unless they specifically request not to be. Spain, recognized as having the highest rate of deceased organ donation worldwide, has an opt-out system, but its success is attributed to a wider number of activities that may provide examples for other States.

Overall, States reported a broad range of measures to increase the supply of organs from both living and deceased donors, as well as checks and balances to ensure transplants do not involve organs obtained through force or coercion. In order to ensure that a tightening of domestic transplant systems does not increase the likelihood of citizens obtaining illicit organs offshore, countries that do not currently have extra-territorial legislation in place against transplant tourism should consider implementing such legislation.

The prompt and accurate identification of trafficked persons is central to the anti-trafficking response. Overall, government and non-government survey responses suggest that, while progress has been made in this area, there is still more work to be done. Responses suggested data gaps in this area, with only 20 participating States able to provide information on the avenues through which trafficked persons have been identified. Where information was available, it highlighted low levels of identification through labour, health and safety inspections. Further, labour inspectors appeared to have limited access to training on THB in comparison to other respondent groups. This area appears to require more attention.

NGO responses also highlighted concerns about (1) victims choosing not to come forward because they do not perceive services as appropriate or feared mandatory return to their countries of origin, (2) failure to identify THB victims among groups in breach of the law, (3) gaps in processes to identify trafficked persons among asylum seekers, and (4) inconsistent access of NGOs to detention facilities for the purpose of identifying trafficked persons.

NGOs also identified gaps in relation to the provision of support for victims, citing a range of barriers, in particular, the continued linking in a number of countries of access to support services with cooperation with the criminal justice sector. Available evidence suggests that such policies not only do not contribute to satisfactory outcomes for trafficked persons, but that they also do not support an effective criminal justice response. The elimination of policies and practices that make access to support services conditional on cooperation with the criminal justice system should be an extremely high priority across the OSCE region. Other priorities emerging from the survey responses include (1) increased support for longer-term reintegration initiatives for trafficked persons, and (2) increased opportunity for trafficked persons to express their views about the services provided to them and to have these views reflected in future service provisions.

With regard to the rights of trafficked persons within the criminal justice system, NGO responses in particular highlighted concerns about the application of the non-punishment provision, especially as it relates to irregular migrants, children in forced criminality and women in prostitution. There is a need for increased commitment to ensure that the involvement of victims of trafficking in unlawful activities does not preclude their identification and access to support, nor lead to their punishment through either criminal charges or summary deportation.

Government and NGO responses also suggested that there remains a gap between the legal provisions for victim support and implementation of these provisions. As well as issues related to the protection of victims and witnesses in criminal justice proceedings, responses highlighted a range of barriers to victims obtaining compensation. These included difficulties with obtaining legal assistance, the length of legal processes and the inability of the state to recover assets from perpetrators. Increased access to compensation is important not only from a justice point of view, but because it appears to be significant in reducing the trauma trafficked persons have experienced.⁷³ This is an area for further attention, and there are a growing number of possible examples on which to draw, including those from the Netherlands and Portugal, where the government plays an active role in compensating victims.

The use of financial techniques and approaches is an emerging and very promising area in the response to trafficking in human beings. With regard to the confiscation of assets, all but one of the 48 States responding to the question indicated laws in place on tracing, freezing and confiscating the proceeds of trafficking in human beings, and 28 States reported that they had confiscated and/or seized the proceeds of human traffick-

⁷³ C. Zimmerman, Presentation to the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) Expert Group Meeting, Using accumulated knowledge and a shared approach to monitoring, evaluation and learning to build effective counter-trafficking response, Vienna, 3–4 July 2016.

ing or the assets of human traffickers. At the time of the survey, however, only ten countries reported the use of these confiscated assets to compensate victims.

Survey responses on the use of financial investigations to combat THB suggested that this approach is at an early stage. A significant number of countries did not respond to questions in this area. Where States did respond, they were able to provide a series of insightful examples of how suspicious transaction reports on financial dealings have led to the identification and apprehension of human traffickers. Increased co-operation with money transmitters and other money service businesses will facilitate more progress in this area. This should incorporate increased implementation of the 2013 Addendum recommendation on joint trainings, which survey responses suggest are currently limited.

In conclusion, the survey has yielded a wealth of information on the nature and depth of responses to trafficking in human beings. Significant gaps and challenges remain with ensuring that OSCE participating States are able to (1) identify and provide appropriate support to a higher proportion of victims, including compensation, (2) prevent new cases of trafficking in persons, and (3) utilize the full range of measures at their disposal to make trafficking an uneconomic criminal business. These measures include targeting the markets for goods and services produced by trafficked persons (including organs), raising the risks and penalties for traffickers through stronger criminal justice action, and targeting the rewards of this crime type through a range of possible financial instruments.

In the face of these challenges, the survey responses have shown that participating States are acting on OSCE recommendations and moving forward in their commitments through a range of innovative and progressive responses. If these responses are implemented systematically across the OSCE region, it can be expected that they will have a significant impact on the problem of trafficking in human beings in the coming years.

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APPENDIX

APPENDIX 1: GOVERNMENT SURVEY

Organization for Security and Co-operation in Europe

OSCE Special Representative on
Combating Trafficking in Human Beings

Survey on the implementation of the OSCE Action Plan
to Combat Trafficking in Human Beings (2003) and the
Addendum to the OSCE Action Plan on Combating
Trafficking in Human Beings: One Decade Later (2013)

INTRODUCTION AND INSTRUCTIONS

Thank you for helping with this important study, funded by the Organization for Security and Cooperation in Europe (OSCE). In compliance with MC Dec. N. 7/13 the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR CTHB) is engaged in promoting the implementation of OSCE anti-trafficking commitments and in assisting participating States in their implementation upon request.

OSR CTHB has developed this survey to assess the implementation of selected aspects of the OSCE Action Plan to Combat Trafficking in Human Beings (2003); and the Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings: One Decade Later (2013).

This survey is designed to complement other data collection initiatives. It emphasizes areas of work that the OSR CTHB is specifically supporting, as well as emerging areas of the response to trafficking in human beings (THB) in which information is currently limited.

Your input on this survey will help us to understand how your government is responding to human trafficking and implementing OSCE's counter trafficking commitments. This survey asks questions about: (1) the measures your country is taking to identify, prevent and respond to trafficking for the purpose of labour exploitation, child trafficking, and trafficking for the purpose of organ removal; (2) your country's efforts to identify and support victims of trafficking; and (3) your country's use of financial instruments to combat human traffickers.

Please give your most honest and complete answers so that your views and information can help provide a better understanding of OSCE participating States' current responses to trafficking, their level of implementation, how they are operating, and how best to strengthen them.

If a question asks about an issue for which your country has no information, please select the "don't know" or "N/A" (Not applicable) option. If you have a comment or a question about the survey or would like to clarify or amend an answer in any way, we have included a space at the end of the survey where you can record your additional thoughts or comments.

Use of survey data

The results of the survey will be used to collate data on OSCE-wide progress on different aspects of the Action Plan and Addendum, with a view to identifying both areas of strong progress and areas in which more attention may be required.

Unless an explicit objection is raised by a participating State upon providing such data for the purposes of compiling this survey, the data will be shared with the Council of Europe (CoE) and United Nations Office on Drugs and Crime (UNODC) with a view to promoting information exchange and collaboration, as well as avoiding duplication.⁷⁴

OSCE, CoE and UNODC will not use the information provided to assess the performance of individual participating States, or to rank them. The person or agency that provided data will not be identified.

Please ensure that data included in this survey neither contain references or information that would infringe upon privacy or other legally protected rights.

If you have a comment or a question about the survey or would like to qualify an answer in any way, please contact at info-cthb@osce.org.

PRIVACY

Your responses will be kept private. Your identity and/or organizational affiliation will not be revealed in reports, presentations, or articles and will not be recognizable to anyone beyond the research team. We will use a study identification number to track responses and follow up with non-respondents.

In any reporting, we will not include your name or title. All responses will be reported by country or region only, for example, "Most OSCE members . . ." or "In Belgium . . ."

COMPENSATION AND FREEDOM TO WITHDRAW

Completion of this survey is voluntary. There is no compensation for completing this survey. You may refuse to answer specific questions or discontinue your participation at any time without any penalty. There are no right or wrong answers to these questions.

Thank you for your participation!

⁷⁴ Sharing of data contained in the present survey falls within the existing co-operation frameworks of OSCE with the CoE and UNODC respectively.

BACKGROUND INFORMATION

1. Name of State body/agency responsible for co-ordinating and collecting the replies to this survey.
2. Contact person with the State body/agency responsible for this questionnaire (This information is for OSCE follow-up only. The name of this person will not be passed to other organisations or appear in any reports produced on this survey.)
3. Name of government agencies contributing to the response to this questionnaire.
4. Name of civil society entities contributing to this questionnaire.

SECTION 1: PREVENTION OF TRAFFICKING IN HUMAN BEINGS

This section addresses the prevention of trafficking in human beings (Section IV of the OSCE Action Plan and Section III of the Addendum). The section asks you about your country's efforts to respond to three forms of trafficking in human beings: (1) trafficking for the purpose of labour exploitation, including through labour recruitment practices, government procurement and supply chain regulation; (2) trafficking in children; and (3) trafficking for organ removal.

A. Identifying and addressing trafficking for labour exploitation Labour recruitment

A.1. Does your country have legislation, regulations⁷⁵ or other policies that regulate the operation of labour recruitment and placement agencies for foreign nationals working in your country?

- Yes (Please provide reference and date of introduction for these measures) (Skip to A3)
- No

A.2. Does your country have plans to introduce legislation, regulations or other policies that regulate the operation of labour recruitment and placement agencies for foreign nationals working in your country? (Please select one only)

- My country is currently in the process of approving legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for foreign nationals (Please state expected date of completion)
- My country is currently in the process of developing legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for foreign nationals (Please state expected date of completion)
- My country has plans to develop legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for foreign nationals but has not yet started to implement these plans.

⁷⁵ For example in line with ILO C181, Private Employment Agencies Convention, 1997 or Article 19 of the DIRECTIVE 2014/36/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (Seasonal Workers Directive)

- My country currently has no plans to develop legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for foreign nationals.
- Don't know
(Skip to A6)

**A.3. Which of the following requirements are included in your country's laws or policies that regulate labour recruitment and placement agencies for foreign nationals working in your country?
(Please select all that apply)**

- Require recruitment and placement agencies to register as a commercial business in order to operate in your country
- Require recruitment and placement agencies to obtain a license in order to operate in your country
- Require recruitment and placement agencies to adhere to a code of conduct/practice
- Require recruitment and placement agencies to be covered by a bilateral agreement between the sending country and your country
- Require recruitment and placement agencies to provide written contracts on working conditions to workers in a language that they understand
- Prohibit the use of sub-contracted brokers to recruit foreign workers
- Prohibit recruitment and placement agencies from charging fees to workers
- Limit the level of fees that recruitment and placement agencies may charge to workers (drop-down: Please state limit (e.g. up to one month's wages) _____)
- Prohibit recruitment and placement agencies and employers from withholding the travel documents of workers
- Prohibit recruitment and placement agencies from limiting the freedom of movement of migrant workers
- Allow foreign workers to change employers without requiring a new visa or work permit
- My country's laws or policies that regulate labour recruitment and placement agencies for foreign nationals working in my country do not include any of the above requirements
- Don't know

A.4. Does your country take measures to monitor or ensure compliance with laws and regulations on labour recruitment and placement for foreign nationals working in your country?

- Yes (Which agency is responsible for monitoring/ensuring compliance with laws/regulations on labour recruitment and placement?)
- No

A.5. Please describe the processes in place for monitoring or ensuring compliance with laws and regulations on recruitment and placement agencies for foreign nationals working in your country. Please include any penalties for violating these laws or regulations

2000 characters

A.6. Does your country have legislation, regulations⁷⁶ or other policies that regulate the operation of labour recruitment and placement agencies for your country's nationals working abroad?

- Yes (Please provide reference and date of introduction for these measures) (Skip to A8)
- No

A.7. Does your country have plans to introduce legislation, regulations or other policies that regulate the operation of labour recruitment and placement agencies for your country's nationals working abroad? (Please select one only)

- My country is currently in the process of approving legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for our nationals working aboard (Please state expected date of completion)
- My country is currently in the process of developing legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for our nationals working aboard (Please state expected date of completion)
- My country has plans to develop legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for our nationals working aboard but has not yet started to implement these plans.
- My country currently has no plans to develop legislation, regulations or other measures that regulate the operation of labour recruitment and placement agencies for our nationals working aboard.
- Don't know
(Skip to A11)

⁷⁶ For example in line with ILO C181, Private Employment Agencies Convention, 1997 or Article 19 of the DIRECTIVE 2014/36/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (Seasonal Workers Directive)

A.8. Which of the following requirements are included in the laws or policies regulating labour recruitment and placement agencies for your country's nationals working abroad? (Please select all that apply)

- Require recruitment and placement agencies to register as a commercial business in order to operate in your country
- Require recruitment and placement agencies to obtain a license in order to operate in your country
- Require recruitment and placement agencies to adhere to a code of conduct/practice
- Require recruitment and placement agencies to be covered by a bilateral agreement between the receiving country and your country
- Require recruitment and placement agencies to provide written contracts on working conditions to workers in a language that they understand
- Prohibit the use of sub-contracted brokers to recruit workers
- Require recruitment and placement agencies to provide written contracts on working conditions to workers in a language that they understand
- Prohibit recruitment and placement agencies from charging fees to workers
- Limit the level of fees that recruitment and placement agencies may charge to workers (drop-down: Please state limit (e.g. up to one month's wages) _____)
- Prohibit recruitment and placement agencies from withholding the travel documents of workers
- Prohibit recruitment and placement agencies from limiting the freedom of movement of migrant workers (for example, in pre-departure training centres)
- My country's laws or policies that regulate labour recruitment and placement agencies for our nationals working abroad do not include any of the above requirements
- Don't know

A.9. Does your country take measures to monitor or ensure compliance with laws or regulations on labour recruitment and placement for your country's nationals working abroad?

- Yes (Drop-down: Which agency is responsible for monitoring/ensuring compliance with laws/regulations on labour recruitment and placement? _____)
- No (Skip to A11)

A.10. Please describe the processes in place for monitoring or ensuring compliance with laws or regulations on recruitment and placement agencies for your country's nationals working abroad. Please include a description of the penalties for violating these laws or regulations

2000 characters

Government procurement

A.11. Does your government have public procurement policies to minimize the risk of purchasing products which there is reason to believe have been produced by trafficked or exploited labour?

- Yes (Please provide reference and date of introduction for these measures) (Skip to A13)
- No

A.12. Does your country have plans to introduce public procurement policies to minimize the risk of purchasing products which there is reason to believe have been produced by trafficked or exploited labour? (Please select one only)

- My country is currently in the process of approving public procurement policies to minimize the risk of purchasing products tainted by trafficked/forced labour (Please state expected date of completion)
- My country is currently in the process of developing public procurement policies to minimize the risk of purchasing products tainted by trafficked/forced labour (Please state expected date of completion)
- My country has plans to develop public procurement policies to minimize the risk of purchasing products tainted by trafficked/forced labour but has not yet started to implement these plans.
- My country currently has no plans to develop public procurement policies to minimize the risk of purchasing products tainted by trafficked/forced labour.
- Don't know (Skip to A16)

A.13. Which organisation is responsible for monitoring adherence to these public procurement policies?

A.14. Does your country produce a public report on the implementation of public procurement policies?

- Yes (Please provide a reference to the most recent copy of this report)
- No

A.15. Please identify which of the following processes are in place to monitor your country's public procurement policies. (Please select all that apply)

My government requires . . .

- Procurement processes include a review of blacklists of potential suppliers⁷⁷
- Self-certification⁷⁷ by suppliers on labour conditions in their supply chain
- Suppliers have a code of conduct to uphold labour standards and address instances of exploitation
- Suppliers provide access to factory names and addresses in its supply chain
- Suppliers provide access to audits on working conditions conducted by contractors or subcontractors
- Other (Please specify)

Supply chains/private sector

A.16. Has your government adopted laws or regulations that require businesses operating in its territory to report on measures they are undertaking to identify and eliminate trafficking or exploited labour from their supply chains?

- Yes (Please provide reference and date of introduction for these measures) (Skip to A18)
- No

A.17. Does your country have plans to introduce laws or regulations that require businesses to report on measures they are undertaking to identify and eliminate trafficking or exploited labour from their supply chains? (Please select one only)

- My country is currently in the process of approving laws or regulations that require businesses to report on measures to identify and eliminate trafficking/forced labour in their supply chains (Please state expected date of completion)
- My country is currently in the process of developing laws or regulations that require businesses to report on measures to identify and eliminate trafficking/forced labour in their supply chains (Please state expected date of completion)
- My country has plans to develop laws or regulations that require businesses to report on measures to identify and eliminate trafficking/forced labour in their supply chains but has not yet started to implement these plans.
- My country currently has no plans to develop laws or regulations that require businesses operating in its territory to report on measures they are undertaking to identify and eliminate trafficking/forced labour in their supply chains.
- Don't know
(Skip to B1)

A.18. Do your country's laws or regulations addressing trafficking or exploited labour in supply chains require companies to do any of the following? (Please select all that apply)

- Report publicly on efforts to identify and address trafficking/forced labour in their supply chains
- Act on any cases of trafficking/forced labour in their supply chain
- Provide training to key staff, for example, staff responsible for procurement
- Include clauses in their own procurement contracts specifically prohibiting the use of trafficked/forced labour
- Verify that practices amounting to trafficking/forced labour are not present in their supply chains (for example, through independent audits)
- Other. (Please specify)
- Don't know

A.19. Please describe any penalties that companies face for violating laws or regulations prohibiting trafficking or exploited labour in their supply chains.

900 characters

⁷⁷ Such as the World Bank Debarred List <http://web.worldbank.org/external/default/main?contentMDK=64069844&menuPK=116730&pagePK=64148989&piPK=64148984&querycontentMDK=64069700&theSitePK=84266>

A.20. Please describe any monitoring or enforcement of laws prohibiting the use of trafficked or exploited labour in supply chains that your country undertakes. Please include any examples of cases where you have taken action against companies for violating the laws or regulations.

2000 characters

B. Measures to prevent and respond to trafficking in children

B.1. Which of the following types of children at-risk are included in your country's child trafficking prevention legislation and policies? (Please select all that apply)

- Unaccompanied or separated minors
- Asylum seeking children
- Children in institutional care
- Children without citizenship
- Children without birth registration
- Children from minority groups
- Disabled children
- Street children
- Child beggars
- Missing children
- Runaway youth
- Other (Please specify)
- My country's child trafficking prevention legislation and policies do not mention any categories of specific children at-risk
- Don't know

B.2. Are any of the following provisions specifically named in your country's legislation and policies that seek to prevent trafficking in children? (Please select all that apply)

- Measures to ensure access to education and health care for vulnerable children, including minority groups
- Measures to ensure access to education for children of migrant workers
- Measures to prevent sexual exploitation of children associated with the tourism industry
- Measures to ensure vulnerable children understand how to reduce the risk of being trafficked
- Measures to ensure vulnerable children understand how to seek help if they are at risk of being, or have been trafficked
- Birth registration for all children born in my country (to help reduce vulnerability to trafficking)
- Other (Please specify)
- My country's laws and policies that seek to prevent child trafficking do not name any specific provisions
- Don't know

B.3. Are any of the following provisions specifically named in your country's legislation and policies that seek to identify and respond to trafficking in children? (Please select all that apply)

- Training for police who may come into contact with children trafficked and exploited in begging to ensure a prompt and appropriate response to their needs
- Training for police who may come into contact with children trafficked and exploited for forced criminality to ensure a prompt and appropriate response to their needs
- Appointment of a legal guardian for all unaccompanied minors
- Appointment of a legal guardian for children presumed to be victims of trafficking
- Appointment of a legal guardian for children formally designated as victims of trafficking
- Accommodation for child victims of trafficking that is child-friendly and separate from adult victims of trafficking
- Support and services tailored to the child's level of age and maturity
- Treatment in accordance with each child's best interests
- Other (Please specify)
- My country's laws and policies that seek to identify and respond to child trafficking do not name any specific provisions
- Don't know

B.4. Please outline the specific and practical measures that your country takes to prevent trafficking among the categories of children at-risk selected in B1.

3500 characters

B.5. Please outline the specific and practical measures that your country takes to ensure that all child victims of trafficking are treated in accordance with their best interests?

2000 characters

C. Trafficking for the purpose of organ removal

C.1. What information does your country have on suspected or actual cases of trafficking for the purpose of organ removal? (Please select all that apply)

- No information
- Unconfirmed reports
- Cases currently under investigation
- Cases in the judicial process
- Completed cases ending in conviction
- Completed cases – not ending in conviction

C.2. Are any of the following provisions directly included in your country's measures/mechanisms to address trafficking for the purpose of organ removal? (Please select all that apply)

- Written guidance on preventing trafficking for the purpose of organ removal
- Written guidance on how to identify and report cases of trafficking for the purpose of organ removal
- Training and technical assistance to relevant professionals to prevent trafficking for the purpose of organ removal
- Measures to increase legal donation of organs – deceased donors
- Measures to increase legal donation of organs – living donors
- Criteria for authorizing centres for living donations
- Extra—territorial legislation in place against transplant tourism⁷⁸
- Direct assistance to people who have experienced trafficking for the purpose of organ removal
- Other (Please specify)
- My country's mechanisms that address trafficking for the purpose of organ removal do not include any specific provisions
- My country has not developed any mechanisms that address trafficking for the purpose of organ removal
- Don't know

C.3. What type of donor registration system exists in your country? (Choose one answer only)

- My country has an opt-in donor registration systems (that is, a person must actively give consent to donate their organs after death) (Which agency is responsible for maintaining this?)
- My country has an opt-out donor registration system (a person is considered an organ donor unless s(he) specifically requests not to be a donor) (Which agency is responsible for maintaining this?)
- My country does not have an organ donor system (Skip to C5)
- Don't know (Skip to C5)

C.4. What proportion of your countries adult population are registered donors? Please state percentage or write N/A if not available _____

C.5. Please describe the measures your country has taken to promote legal organ donation, including the promotion of donor permission and promotion of live donations.

2000 characters

⁷⁸ Transport tourism is the practice of travelling to another country to purchase an organ transplant

SECTION 2: PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING

This section addresses protection and assistance for victims of trafficking (Section V of the Action Plan and Section IV of the Addendum).

The section asks you about your country's efforts to support victims of trafficking through (1) prompt and accurate identification; (2) comprehensive victim support services; and (3) specific support for victims throughout the criminal justice process.

D. Prompt and accurate identification of victims Victim identification processes

D.1. Do your country's legislation or policies contain specific criteria for identifying victims of trafficking?

- Yes (Please provide reference to the legislation or policy)
 No

D.2. Do your country's legislation or policies contain provision for the category of presumed victim, allowing a victim to be provided with assistance without or prior to a formal determination?

- Yes (Please provide reference to the legislation or policy)
 No

D.3. What are the grounds for victim status to be terminated? (Please select all that apply)

- Victim status claimed improperly
 Victim's refusal to co-operate with the authorities
 Return to the country of origin
 Request of the victim
 Other (Please specify)
 My country does not specify grounds for victim status to be terminated
 Don't know

D.4. In your country, which groups are able to identify victims of trafficking? (Please select all that apply.)

Referring agency/personal	Identify as a presumed victims of trafficking	Formally designate a person as a victim of trafficking
Police	<input type="checkbox"/>	<input type="checkbox"/>
Border control officers	<input type="checkbox"/>	<input type="checkbox"/>
Immigration officers	<input type="checkbox"/>	<input type="checkbox"/>
Customs officers	<input type="checkbox"/>	<input type="checkbox"/>
Social welfare agencies	<input type="checkbox"/>	<input type="checkbox"/>
Labour inspectors	<input type="checkbox"/>	<input type="checkbox"/>
Labour attachés	<input type="checkbox"/>	<input type="checkbox"/>
Diplomatic/consular staff	<input type="checkbox"/>	<input type="checkbox"/>
Medical practitioners	<input type="checkbox"/>	<input type="checkbox"/>
International Organisations (including Humanitarian agencies and staff)	<input type="checkbox"/>	<input type="checkbox"/>
Approved non-government organisations (e.g. NGOs who are part of the National Referral Mechanism)	<input type="checkbox"/>	<input type="checkbox"/>
Other non-government or civil society organisations	<input type="checkbox"/>	<input type="checkbox"/>
Trade Unions	<input type="checkbox"/>	<input type="checkbox"/>
Other (Please specify)	<input type="checkbox"/>	<input type="checkbox"/>

D.5. In your country, which groups are able to refer victims of trafficking to support measures? (Please select all that apply)

Referring agency/personal	Refer victims to support services
Police	<input type="checkbox"/>
Border control officers	<input type="checkbox"/>
Immigration staff	<input type="checkbox"/>
Customs officers	<input type="checkbox"/>
Social welfare agencies	<input type="checkbox"/>
Labour inspectors	<input type="checkbox"/>
Labour attachés	<input type="checkbox"/>
Diplomatic/consular staff	<input type="checkbox"/>
Medical practitioners	<input type="checkbox"/>
International Organisations (including Humanitarian agencies and staff)	<input type="checkbox"/>
Approved NGOs (e.g. NGOs who are part of the National Referral Mechanism)	<input type="checkbox"/>
Other non-government or civil society organisations	<input type="checkbox"/>
Trade Unions	<input type="checkbox"/>
Other (Please specify)	<input type="checkbox"/>

D.6. In your country, do non-government organisations (NGOs) or other civil society organisations (CSOs) have access to state facilities (including, for example, social service and immigration reception centres, prisons and detention facilities) and assist with the timely identification of victims of trafficking?

- Yes
- No (Skip to D7)

D.7. Please provide details on NGO/CSO access to State facilities to contribute to the identification of trafficked persons, including the names of the NGOs and the frequency of access allowed to these facilities.

2000 characters

D.8. Which of the following groups have access to the following training resources related to working with cases of human trafficking? (Please select all that apply)

	Guidelines on victim identification and referral	E-training resources on victim identification	Other training materials (such as manuals on victim identification)	Government-sponsored training		Training through professional academies	Don't know/not applicable
				Once in the past 12 months	More than once in past 12 months		
Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Border control officers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immigration officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Customs officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social welfare agency staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour inspectors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour attachés	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diplomatic/ consular staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tourism authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical practitioners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NGO staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
International Organisation staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade Union staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flight attendants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other staff of commercial carriers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Port authority staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hotel staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Victim Identification Practices

D.9. Please provide the number of (1) presumed cases of human trafficking and (2) officially designated cases of human trafficking identified in the past three years.

Victims identified in last three years	2012		2013		2014	
	National	Foreign	National	Foreign	National	Foreign
Presumed victims)						
Presumed victims – adult female						
Presumed victims – adult male						
Presumed victims – child female (under 18)						
Presumed victims – child male (under 18)						
Not known						
Formally identified victims – total						
Formally identified victims – adult female						
Formally identified victims – adult male						
Formally identified victims – child female (under 18)						
Formally identified victims – child male (under 18)						
Not known						

D.10. Please provide the number of cases of trafficking identified by type of trafficking in the past three years

Victims identified in last three years	2012	2013	2014
Total victims (presumed and formally identified) – total			
Trafficking for labour exploitation			
Trafficking for sexual exploitation			
Trafficking for domestic servitude			
Trafficking for forced criminality			
Trafficking for organ removal			
Trafficking for other purposes (please specify)			
Trafficking for more than one purpose ⁷⁹			
Not available			

D.11. Which agency is responsible for collecting data on victims?

D.12. Does your country keep records on the number of cases of trafficking referred to services each year?

- Yes
 No (Skip to D14)

D.13. Please complete the following table on the number of the victims identified and referred through different means in your country over the past three years.

Means of Identification	Number of THB victims referred through this means (including presumed and formally identified)
Through hotline (s)	
Through screening in immigration detention centres	
During entry to country	
During exit from country	
By social services	
Through police intelligence, tip-offs	
By NGOs	
During health and safety inspections	
By medical professionals	
Walk-ins/self-identification	
Returned from another country	
Other (please add details)	
Not known/not recorded	
Total	

D.14. Please rate how effective you find your country's processes for identifying cases of trafficking in the following groups of national victims (for EU countries, please include all EU nationals in this category).

Identification of ...	Fully effective	Very effective	Moderately effective	Slightly effective	Ineffective	Don't know /NA
Adult female victims of trafficking for the purpose of sexual exploitation - national	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of labour exploitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁷⁹ For any victim that has been trafficked for more than one purpose, please include the person in this category only to avoid double counting.

D.15. Please rate how effective you consider your country's processes for identifying cases of trafficking in the following groups of foreign victims.

Identification of ..	Fully effective	Very effective	Moderately effective	Slightly effective	Ineffective	Don't know /NA
Adult female victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of labour exploitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D.17. Please elaborate on any specific gaps or weaknesses in victim identification processes in your country, including with regard to any areas not mentioned in D16. If you do not consider that there are any gaps or weaknesses, please write "None".

2500 characters

D.16. Please provide your view on the following statements concerning the identification of trafficked persons in your country.

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Don't know /NA
My country has clear criteria for the identification of trafficked persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Those people likely to come into contact with victims of trafficking are familiar with these criteria	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Front line law enforcement officials (police, border and immigration officials) have the knowledge and skills necessary to identify possible victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other front-line respondents (e.g. social workers, medical practitioners) have the knowledge and skills necessary to identify possible victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My country regularly undertakes efforts to identify trafficked persons in places they are likely be found (e.g. immigration detention centres, sectors dominated by migrant labour)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My country has a functioning hotline with staff trained to provide assistance to victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
This hotline is able to provide assistance in a language understood by the majority of foreign victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims of trafficking are aware that they have the right to assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims of trafficking are aware of realistic options for accessing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Some victims choose not to come forward because they perceive that services are not suitable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Some victims choose not to come forward because they do not wish to return to their own country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D.18. What information do you have on the following emerging patterns, forms and flows of trafficking in human beings for which data is currently limited?

Trafficking for the purpose of ...	No reports	Unconfirmed reports	Cases under investigation	Cases reaching the judicial process (including completed cases)	Don't know
Forced begging	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forced criminality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forced marriage for the purpose of labour/ sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sham marriage ⁸⁰	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adoption for the purpose of labour/ sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtaining human tissues and cells	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recruiting foreign fighters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recruiting child soldiers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Claiming social benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual exploitation in relation to sex tourism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other emerging pattern(s) (Please provide details)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E. Victim support

Victim support services

E.1. Of the total victims reported in question D9, how many have/had access to the following services?

Victim support services	Adult female		Adult male		Child female (under 18)		Child male (under 18)		Total victims	
	National	Foreign	National	Foreign	National	Foreign	National	Foreign	National	Foreign
Accommodation										
Medical and psychological assistance										
Legal support (For example, to regularize status, obtain residence or work permit, or obtain documentation for stateless persons)										
Legal assistance to obtain compensation										
Education										
Training (vocational and business)										
Job placement										
(Re)integration assistance										
Return assistance										
Individual risk and security assessment prior to return										
Individual risk and security assessment prior to possible family reunification										

⁸⁰ Sham marriage involves a person being forced to marry a non-national in order for the latter to gain residency

E.2. How satisfactory do you find the quality of these services in addressing the needs of victims of THB?

	Fully satisfactory	Very satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know /NA
Accommodation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical and psychological assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal support ⁸¹	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal assistance to obtain compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Education	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training (vocational and business)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Job placement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Re)integration assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Return assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual risk and security assessment prior to return	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is an individual risk and security assessment prior to possible family reunification?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.3. Please identify any key gaps in support services available to people who have experienced trafficking in your country.

2000 characters

E.4. Please assess the quality of victim support services overall, in terms of addressing the needs of specific types of national victims of trafficking. (For EU countries, please include all EU nationals in this answer.)

	Fully Satisfactory	Very Satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know/NA
Adult female victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the labour of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purposes of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.5. Please assess the quality of victim support services overall, in terms of addressing the needs of specific types of foreign victims of THB.

	Fully Satisfactory	Very Satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know / NA
Adult female victims of trafficking for the purposes of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purposes of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purposes of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purposes of labour exploitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purposes of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.6. Are there mechanisms in place in your country to collect feedback from victims of trafficking on the services provided to them?

- Yes
- No (Skip to F1)

E.7. Please list the mechanism in place to collect feedback from victims on the support services provided to them. Please describe how this feedback is used in developing future services (if applicable).

2000 characters

⁸¹ For example, to regularize status, obtain residence or work permit, or obtain documentation for stateless persons

F. Support for victims throughout the criminal justice process

Treatment of victims by criminal justice system

F.1. Does your country have a non-punishment provision in its relevant legislation?⁸²

- Yes
- No (Skip to F3)

F.2. Does your country have plans to develop a non-punishment provision? (Please select one only)

- My country is currently in the process of approving legislation containing a non-punishment provision. (Please state expected date of completion)
- My country is currently in the process of developing legislation containing a non-punishment provision. (Please state expected date of completion)
- My country has plans to develop legislation containing a non-punishment provision but has not yet started to implement these plans.
- My country currently has no plans to develop legislation containing a non-punishment provision
- Don't know (Skip to F4)

F.3. Is the non-punishment principle: (Please select one answer only)

- Implemented via a separate legal provision in the criminal legislation;
- Reliant on general criminal defences of duress and necessity;
- Taken into consideration in sentencing
- Other (Please provide details)

F.4. Which of the following protections are provided for by your country's legislation on cases of trafficking? (Please select all that apply)

	Currently provided for by legislation	Planned to provide for in legislation	No plans to provide for in legislation
A reflection period to give the victim due time to decide whether or not to act as a witness (How long is this reflection period?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuance of residence permits for foreign victims during their stay in your country (How long is the maximum permissible stay?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuance of work permits to foreign victims during their stay in your country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provision of free legal counselling for victims when they are in the process of deciding whether or not to testify in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appointment of victim/witness coordinator assigned to victim to ensure protection of their rights at all stages of the legal process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Permitting NGOs to support victims in court hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims through criminal proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims through civil proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims – from the State (Does a specific State fund exist for this purpose?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free legal aid for victims in seeking criminal compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free legal aid for victims in seeking civil compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full costs of support services for victims to be met by the State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full range of support services provided to victims regardless of whether they choose to cooperate in criminal proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

F.5. How are victims informed of the options listed in the preceding table in F4?

1000 characters

⁸² A non-punishment provision prohibits imposing penalties on victims for their involvement in unlawful activities (such as migrating illegally, working without a work permit or involvement in prostitution) where they have been compelled to do so.

F.6. Please assess the availability of the following provisions to victims of trafficking.

	Available to all victims	Available to most victims	Available to some victims	Available to few victims	Not available to victims	Don't know /NA
Non-punishment – not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A reflection period to give the victim due time to decide whether or not to act as a witness.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuance of residence permits for foreign victims during their stay in your country.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuance of work permits to foreign victims during their stay in your country.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provision of legal counselling for victims when they are in the process of deciding whether or not to testify in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Permitting NGOs to support victims in court hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims through criminal proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims through civil proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims – from the State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free legal aid for victims in seeking criminal compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free legal aid for victims in seeking civil compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full costs of support services for victims to be met by the State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full range of support services provided to victims regardless of whether they choose to cooperate in criminal proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

F.7. Where you have marked in question F6 that services are not available to all victims, please identify any particular categories of victims that are being excluded (e.g. foreign victims, male victims, minors).

1500 characters

Access to redress for victims of trafficking for labour exploitation

F.8. How can victims of trafficking for labour exploitation seek civil redress in your country? (Please select all that apply)

Form of Civil Redress	Available to ...		
	National victims of trafficking for labour exploitation	Foreign victims of trafficking for labour exploitation (still in the country)	Foreign victims of trafficking for labour exploitation who have already left the country (including through deportation)
Legal provision for victims of trafficking for labour exploitation to seek civil redress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour tribunals that provide access to remedies for victims of trafficking for labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Government funded legal services to support victims of trafficking for labour exploitation to seek civil redress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

F.9. Are there cases of trafficking for labour exploitation that have received compensation for unpaid wages, either from employers or your government?

- Yes
- No (Skip to F12)

F.10. Please provide information on compensation payments to victims of trafficking for labour exploitation for unpaid wages in the past three years.

Number of cases where compensation was sought for wages lost by victims of trafficking for labour exploitation	
Number of these cases that have been concluded through trial	
Number of these cases that have been concluded through settlement	
Number of cases in which compensation was received	
Number of cases in which compensation was paid entirely by government	
Number of cases in which compensation was paid entirely by employers	
Number of cases in which compensation was paid by both government and employers	
Total number of workers receiving compensation	
Total compensation received by workers/trafficked persons	

F.11. Please provide up to three examples where compensation was sought by victims of trafficking for labour exploitation. Please include information about any compensation that was awarded.

2000 characters

Security of Victims of Trafficking and related persons

F.12 Which procedures does your country have in place to protect witnesses and victims when they go to court? (Please select all that apply)

- Use of video links
- Privacy screens⁸³
- Special waiting rooms for victims/witnesses who feel vulnerable when waiting to go into the courtroom
- A support person is permitted to sit beside the victim in court while they give evidence.
- The victim is accompanied to and from their place of residence for all legal proceedings
- Secure entrances to court rooms

- The court room can be closed to the public while the victim gives evidence
- Dedicated child friendly interview premises
- Use of video recording of statements for children
- Other (Please specify)

F.13. Which procedures does your country have in place to protect witnesses and victims from intimidation and threats outside of court? (Please select all that apply)

- Witness protection (e.g. in travelling to and from court)
- Provision for victim relocation
- Safe houses
- Body guards/security
- Protection for family members
- Avoidance of identifying information for victims/witness on official documents (such as through use of initials, redaction from indictments)
- Other (Please specify)

F.14. How satisfactory do you think these protection mechanisms are?

Mechanisms to ensure ...	Fully satisfactory	Very satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know /NA
Victims are not intimidated inside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Witnesses are not intimidated inside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims are not intimidated outside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Witnesses are not intimidated outside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family members are not intimidated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁸³ Privacy screens allow victims who are required to testify in court to avoid facing the accused while doing so.

SECTION 3: INVESTIGATION, LAW ENFORCEMENT AND PROSECUTION

This section addresses investigation, law enforcement and prosecution of cases of human trafficking (Section III of the Action Plan and Section II of the Addendum).

The section asks you about your country's use of financial instruments to combat human traffickers through (1) targeting the assets of traffickers; and (2) conducting financial investigations.

G. Targeting the assets of traffickers

G.1. In your country, is trafficking in human beings a predicate offence for money laundering?

- Yes (skip to G3)
- No

G.2. Does your country have plans to make trafficking in human beings a predicate offence for money laundering? (Please select one only)

- My country is currently in the process of making trafficking in human beings a predicate offence for money laundering (please state expected date of completion)
- My country has plans to make trafficking in human beings a predicate offence for money laundering but has not yet started to implement these plans.
- My country currently has no plans to make trafficking in human beings a predicate offence for money laundering
- Don't know

G.3. Do your government's laws and bylaws provide for tracing, freezing and confiscating the proceeds of THB?

- Yes (Please provide reference and date of introduction for these measures) (Skip to G5)
- No

G.4. Does your country have plans to introduce/modify laws to provide for tracing, freezing and confiscating the proceeds of THB? (Please select one only)

- My country is currently in the process of finalising legal changes to provide for tracing, freezing and confiscating the proceeds of THB (Please state expected date of completion)
- My country is currently in the process of developing legal changes to provide for tracing, freezing and confiscating the proceeds of THB (Please state expected date of completion)
- My country has plans to develop legal changes to provide for tracing, freezing and confiscating the proceeds of THB but has not yet started to implement these plans.
- My country currently has no plans to develop legal changes to provide for tracing, freezing and confiscating the proceeds of THB.

(Skip to H1)

G.5. Does your country's legislation covering tracing, freezing and confiscating proceeds of THB specify how confiscated assets are to be used?

- Yes
- No (Skip to G7)

G.6. According to the law, how are confiscated assets to be used ... (Please select all that apply)

- Returned to the government's general fund
- Used to compensate victims
- Used to fund victim support activities
- Used to fund other anti-THB activities
- Used to support the work of the investigating unit responsible for the case
- Other (Please specify)

G.7. Have there been any cases in the past three years where the state has confiscated the proceeds of human trafficking and/or the assets of human traffickers?

- Yes
- No (Skip to G10)

G.8. Please specify the number of cases in the past three years where the state has confiscated the profits or assets of human traffickers.

Number _____

Please specify, in local currency the total amount of assets confiscated.

Currency _____ Amount _____

G.9. For what purposes have the confiscated assets been used?

- Returned to general government fund (Percentage, if available)
- Used to compensate victims (Percentage, if available)
- Used to fund victim support activities (Percentage, if available)
- Used to fund other anti-THB activities (Percentage, if available)
- Used to support the work of the investigating unit responsible for the case (Percentage, if available)
- Other (Please specify) (Percentage, if available)

G.10. In addition to the information provided under questions G7-G9, have there been any other cases in the past three years where the State has seized (but not yet confiscated) the proceeds of human trafficking and/or the assets of human traffickers?

- Yes
- No (Skip to G12)

G.11. Please specify the number of cases in the past three years where the state has seized (but not yet confiscated) the profits or assets of human traffickers.

Number _____

Please specify, in local currency the total amount of assets seized.

Currency _____ Amount _____

G.12. Please provide up to three THB case examples involving seizure or confiscation of assets – OPTIONAL

2000 characters

H. Financial investigations

H.1 Does the list of red flag indicators that can trigger suspicious transaction reports⁸⁴ in your country include indicators relating to trafficking/forced labour. Examples of such red flag indicators might include:⁸⁵

Financial turnover of a company incommensurate with its commercial turnover

Migrant workers transferring small sums to relatives and exchanging large sums in cash (indicating potential payments to traffickers)

A common mobile number, a common address and/or common employment references are used to open multiple accounts in different names

- Yes (Skip to H3)
- No

H.2. Does your country have plans to introduce indicators relating to trafficking/forced labour as red flag indicators for suspicious transaction reports? (Please select one only)

- My country is currently in the process of adding red flag indicators relating to trafficking/forced labour (Please state expected date of completion)
- My country has plans to add red-flag indicators relating to trafficking/forced labour but has not yet started to implement these plans
- My country currently has no plans to add red flag indicators relating to trafficking/forced labour
- Don't know

⁸⁴ Suspicious transaction reports (STRs), are reports on suspicious financial transactions aimed at identifying the laundering of the proceeds of crime.

⁸⁵ These examples are drawn from a more detailed list contained in Annex B of the report of the Financial Action Task Force, 2011. Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants, FATF Report (July 2011), accessible at <http://www.fatf-gafi.org/media/fatf/documents/reports/Trafficking%20in%20Human%20Beings%20and%20Smuggling%20of%20Migrants.pdf>

H.3. Which of the following types of financial investigation training have been provided in your country?

Type of Training	At least once since 1 July 2014	Prior to 1 July 2014 only	Never
Training for THB investigation specialists (for example, members of a specialist anti-THB unit) on how to investigate criminal assets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training for financial investigation staff on how to investigate THB offences	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training for money transmitters and other money service businesses (commonly used to transfer proceeds of THB) on how to identify and report financial flows that may be related to THB.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

H.4. In the past three years, has your government launched any investigations on trafficking/forced labour based on suspicious transaction reports?

- Yes
- No (Skip to I1)

H.5. Please complete the following table on suspicious transaction reports.⁸⁶

THB Investigations based on suspicious transaction reports	Number
Total cases investigated in past three years	
Cases currently under investigation	
Cases in the judicial process	
Cases in which an initial conviction is currently under appeal	
Completed cases ending in conviction	
Completed cases not ending in conviction	

H.6. Please provide up to 3 case examples of THB investigations based on suspicious transaction reports.⁸⁷

3000 characters

SECTION 4: ADDITIONAL COMMENTS

I.1. Please provide any additional comments or points of clarification on your responses as appropriate.

5000 characters

⁸⁶ If your government has this information but cannot release it (for example, because it is sensitive or relates to an ongoing investigation), please note this in the text box.

⁸⁷ If your government has this information but cannot release it (for example, because it is sensitive or relates to an ongoing investigation), please note this in the text box.

APPENDIX 2: NGO SURVEY

Organization for Security and Co-operation in Europe

OSCE Special Representative and Co-ordinator for
Combating Trafficking in Human Beings

Survey on the implementation of the OSCE Action
Plan to Combat Trafficking in Human Beings (2003)
and the Addendum to the OSCE Action Plan on
Combating Trafficking in Human Beings:
One Decade Later (2013)

NGO Version

Final
July 2015

INTRODUCTION AND INSTRUCTIONS

Thank you for helping with this important study, funded by the Organization for Security and Co-operation in Europe (OSCE). The Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR CTHB) has developed this survey to assess the implementation of selected aspects of the OSCE Action Plan to Combat Trafficking in Human Beings (2003); and the Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings: One Decade Later (2013). OSR CHTB has designed this survey for nongovernmental and civil society organisations in parallel with a survey for the governments of OSCE participating States.

This survey is designed to complement the government survey as well as other data collection initiatives. It emphasizes areas of work that the OSR CTHB is specifically supporting, as well as emerging areas of the response to trafficking in human beings (THB) in which information is currently limited.

Your input on this survey will help us to understand non-governmental perspectives on how States are responding to human trafficking and implementing the OSCE's counter trafficking commitments. This survey asks questions about the measures each country is taking to identify, prevent and respond to trafficking with a primary focus on efforts to identify and support victims of trafficking.

PRIVACY

Your responses to this survey will be kept private. Your identity and organizational affiliation will not be revealed in reports, presentations, or articles and will not be recognizable to anyone beyond the independent research team conducting this survey. The research team will use a study identification number to track responses and follow up with non-respondents. In any reporting, we will not include the name of your organization. All responses will be reported as a group response only, for example, “Many stakeholders reported that . . .”

Please give your most honest and complete answers so that your views and information can help provide a better understanding of the OSCE participating States’ current responses to trafficking, their level of implementation, how they are operating, and how best to strengthen them.

If a question asks about an issue for which your organisation has no information, please select the “don’t know” or “N/A” (Not applicable) option. If you have a comment or a question about the survey or would like to clarify or amend an answer in any way, we have included a space at the end of the survey where you can record your additional thoughts or comments.

Please ensure that data included in this survey neither contain references or information that would infringe upon privacy or other legally protected rights.

If you have a comment or a question about the survey or would like to report a technical problem, please contact rcgglobal-research@gmail.com.

Thank you for your participation!

GENERAL INSTRUCTIONS

Please mark all answers within the white boxes provided

Please read each question carefully. there are different ways to answer the questions in this survey. it is important that you follow the instructions when answering each kind of question. here are some examples.

Are you male or female?
(Please mark (X) one)

- Male
- Female

If you are a male, you would mark (X) in the first box as shown.

Please rate how much you agree or disagree with the following statements. (Please mark (X) one for each question):

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
I love pizza	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you strongly agree, you would mark (X) in the last box as shown.

BACKGROUND INFORMATION

This first section of questions asks you about the role of your organization, including participation in inter-agency mechanisms, involvement in training and sources of funding.

1. In which country is your organisation based? If your organisation is based in more than one country, please select the country of the office that is responding to this survey.

- | | |
|---|---|
| <input type="checkbox"/> Albania | <input type="checkbox"/> Lithuania |
| <input type="checkbox"/> Andorra | <input type="checkbox"/> Luxembourg |
| <input type="checkbox"/> Armenia | <input type="checkbox"/> Malta |
| <input type="checkbox"/> Austria | <input type="checkbox"/> Moldova |
| <input type="checkbox"/> Azerbaijan | <input type="checkbox"/> Monaco |
| <input type="checkbox"/> Belarus | <input type="checkbox"/> Mongolia |
| <input type="checkbox"/> Belgium | <input type="checkbox"/> Montenegro |
| <input type="checkbox"/> Bosnia and Herzegovina | <input type="checkbox"/> Netherlands |
| <input type="checkbox"/> Bulgaria | <input type="checkbox"/> Norway |
| <input type="checkbox"/> Canada | <input type="checkbox"/> Poland |
| <input type="checkbox"/> Croatia | <input type="checkbox"/> Portugal |
| <input type="checkbox"/> Cyprus | <input type="checkbox"/> Romania |
| <input type="checkbox"/> Czech Republic | <input type="checkbox"/> Russian Federation |
| <input type="checkbox"/> Denmark | <input type="checkbox"/> San Marino |
| <input type="checkbox"/> Estonia | <input type="checkbox"/> Serbia |
| <input type="checkbox"/> Finland | <input type="checkbox"/> Slovakia |
| <input type="checkbox"/> France | <input type="checkbox"/> Slovenia |
| <input type="checkbox"/> Georgia | <input type="checkbox"/> Spain |
| <input type="checkbox"/> Germany | <input type="checkbox"/> Sweden |
| <input type="checkbox"/> Greece | <input type="checkbox"/> Switzerland |
| <input type="checkbox"/> Holy See | <input type="checkbox"/> Tajikistan |
| <input type="checkbox"/> Hungary | <input type="checkbox"/> the former Yugoslav
Republic of Macedonia |
| <input type="checkbox"/> Iceland | <input type="checkbox"/> Turkey |
| <input type="checkbox"/> Ireland | <input type="checkbox"/> Turkmenistan |
| <input type="checkbox"/> Italy | <input type="checkbox"/> Ukraine |
| <input type="checkbox"/> Kazakhstan | <input type="checkbox"/> United Kingdom |
| <input type="checkbox"/> Kyrgyzstan | <input type="checkbox"/> United States |
| <input type="checkbox"/> Latvia | <input type="checkbox"/> Uzbekistan |
| <input type="checkbox"/> Liechtenstein | |

2. What types of services does your organisation provide for victims of trafficking? (Please select all that apply)

- Shelter for victims of trafficking
- Recovery services for victims of trafficking, such as medical services, counselling
- Reintegration services for victims of trafficking (such as job placement and training, income support, housing support)
- Free legal support for victims of trafficking – criminal cases
- Free legal support for victims of trafficking – civil cases
- Other free legal support for victims of trafficking – such as accessing residency permits, work visas
- Assistance for foreign victims of trafficking returning home
- Other support services (Please specify)
- My organisation does not provide services for victims of trafficking (Skip to 5)
- Don't know

3. To what types of victims is your organisation able to provide assistance? (Please select all that apply)

- Adult female victims of trafficking for the purpose of sexual exploitation
- Adult male victims of trafficking for the purpose of sexual exploitation
- Child victims of trafficking for the purpose of sexual exploitation
- Adult female victims of trafficking for the purpose of labour exploitation
- Adult male victims of trafficking for the purpose of labour exploitations
- Child victims of trafficking for the purpose of labour exploitation
- Other (Please specify)
- Don't know

4. To what types of victims has your organisation provided assistance in the past three years?
(Please select all that apply)

- Adult female victims of trafficking for the purpose of sexual exploitation
- Adult male victims of trafficking for the purpose of sexual exploitation
- Child victims of trafficking for the purpose of sexual exploitation
- Adult female victims of trafficking for the purpose of labour exploitation
- Adult male victims of trafficking for the purpose of labour exploitations
- Child victims of trafficking for the purpose of labour exploitation
- Other (Please specify)
- Don't know

5. Is your organisation able to provide assist to both foreign and national victims of trafficking?
(Please select one only)

- Both foreign and national victims of trafficking
- National victims of trafficking only
- Foreign victims of trafficking only
- Don't know

6. What other types of activities has your organisation been involved with in the past three years?
(Please select all that apply)

- Hotline for reporting cases of trafficking in persons
- Hotline for seeking information to prevent trafficking (e.g. migrant information hotline)
- Services to victims of crimes other than trafficking in persons
- Communications programmes on safe migration
- Communications programmes on risks of trafficking
- Communications programmes targeting goods and services produced by trafficking persons
- Outreach to vulnerable populations in formal settings (e.g. detention centres, workplaces)
- Outreach to vulnerable populations in informal settings (e.g. entertainment venues, public places)
- Support for vulnerable populations (e.g. education support)
- Advocacy to government
- Participation on investigations of TIP cases
- Provision of assistance during counter-trafficking raids
- Other (Please specify)
- My organisation does not provide any other services
- Don't know

7. What sources of funding have you received in the past three years? (Please select all that apply)

- Sub-contract from national or local government
- Other funding support from national or local government
- Funding support from international organisation
- Funding support from foreign government
- Funding support from private donor
- Other (Please specify)
- Don't know

8. Does your organisation currently participate in any of the following coordination processes?

Mechanism	Formal member	Informal member/observer	No participation	Mechanism does not exist	Don't know
National Referral Mechanism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operation task force for victim support/referral	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NGO coordination group/task force	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Plan monitoring group/committee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National policy development forum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National response coordination mechanism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. Is your NGO called upon to provide training to any of the following groups? (Please select all that apply)

	Government-sponsored training		Non-government-sponsored training		Training through professional academies	Don't know/not applicable
	Once in past 12 months	More than once in past 12 months	Once in past 12 months	More than once in past 12 months		
Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Border control officers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immigration officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Customs officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social welfare agency staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour inspectors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour attachés (labour specialists attached to diplomatic mission)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diplomatic/consular staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tourism authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical practitioners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other NGO staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
International Organization staff (including Humanitarian agencies)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade Union staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flight attendants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other staff of commercial carriers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Port authority staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hotel staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 1: PREVENTION OF TRAFFICKING IN HUMAN BEINGS

This section addresses the prevention of trafficking in human beings. The section asks you about your organization's efforts to support efforts to prevent and address two forms of trafficking in human beings: (1) trafficking for the purpose of labour exploitation, including through labour recruitment practices, government procurement and supply chain regulation; and (2) trafficking in children.

A. Identifying and addressing trafficking for labour exploitation

A.1. Please identify which, if any, of the following activities your organisation is involved in with regard to the regulation of labour recruitment and placement practices (Please select all that apply)

- Advocacy to government or consultations on increased regulation of labour and recruitment practices for foreign nationals working in your country
- Monitoring of labour and recruitment practices for foreign nationals working in your country
- Advocacy to government or consultations on increased regulation of labour and recruitment practices for your nationals working abroad
- Monitoring of labour and recruitment practices for your nationals working abroad
- Provision of pre-departure information to potential labour migrants
- Other (Please specify)
- My organisation is not involved in any activities with regard to labour recruitment and placement practices
- Don't know

A.2. Please identify which, if any, of the following activities your organisation is involved in with regard to reducing the risk of purchasing products which – there is reason to believe – have been produced by trafficked labour. (Please select all that apply)

- Advocacy to government or consultations on strengthening of government procurement practiced to reduce the risks of purchasing products which – there is reason to believe – have been produced by trafficked labour.
- Advocacy to government or consultations on introducing laws or regulations that require business operating in its territory to report on measures they are undertaking to identify and eliminate trafficking or exploited labour from their supply chains
- Monitoring of business reporting on measures they are undertaking to identify and eliminate trafficking or exploited labour from their supply chains
- Providing advice to businesses on addressing the potential for trafficking or exploited labour in their supply chains.
- Organisation of, or support for, consumer action against businesses associated with trafficking or exploited labour in their supply chains.
- Organisation of, or support for, consumer action to support businesses taking action to address the potential for trafficking or exploited labour in their supply chains.
- Other (Please specify)
- My organisation is not involved in any activities with regard to reducing the risk of purchasing products which – there is reason to believe – have been produced by trafficked labour.
- Don't know

A.3. How can victims of trafficking for labour exploitation seek civil redress in your country? (Please select all that apply)

Form of Civil Redress	Available to ...			Don't know
	National victims of trafficking for labour exploitation	Foreign victims of trafficking for labour exploitation (still in the country)	Foreign victims of trafficking for labour exploitation who have already left the country (including through deportation)	
Legal provision for victims of trafficking for labour exploitation to seek civil redress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour tribunals that provide access to remedies for victims of trafficking for labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Government funded legal services to support victims of trafficking for labour exploitation to seek civil redress	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A.4. Has your NGO been involved in any cases where compensation was sought for victims of trafficking for labour exploitation for unpaid wages in the past three years.

- Yes
- No (Skip to B.1)

A.5. Please provide up to three examples where compensation was sought by victims of trafficking for labour exploitation. Please include information about any compensation that was awarded.

2000 characters

B. Measures for the prevention of trafficking in children

B.1. Does your country take specific and practical measures to prevent trafficking among the following categories of children at-risk? (Please check all that apply)

- Unaccompanied or separated minors
- Asylum seeking children
- Children in institutional care
- Children without citizenship
- Children without birth registration
- Children from minorities
- Disabled children
- Street children
- Missing children
- Runaway youth
- Other (Please specify)

B.2. Please outline the specific and practical measures that your country takes to prevent trafficking among the following categories of children at-risk selected in B1.

3500 characters

B.3. Does your legislation require the appointment of a legal guardian for unaccompanied minors?

- Yes, for all unaccompanied minors
- Only for certain categories of minors (e.g. victims of trafficking) (dropdown: please list categories)
- No

B.4. What specific and practical measures do you take to ensure that all child victims of trafficking have equal access to accommodation that is: (1) safe; (2) child-friendly; and (3) separate from adult victims of trafficking?

2000 characters

B.5. What specific and practical measures do you take to ensure that all child victims of trafficking have equal access to comprehensive and appropriate assistance services according to their individual needs, and towards commensurate their age and level of maturity.

2000 characters

B.6. What specific and practical measures do you take to ensure that all child victims of trafficking are treated in accordance with their best interests?

2000 characters

B.7. Is birth registration provided to all children born in your country?

- Yes (Skip to C1)
- No

B.8. Please outline the reasons that not all children born in your country are provided with birth registration

1500 characters

SECTION 2: PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING

This section addresses protection and assistance for victims of trafficking (Section V of the Action Plan and Section IV of the Addendum). The section asks you about your country's and your organizations' efforts to support victims of trafficking through (1) identification and referral; (2) comprehensive victim support services; and (3) specific support for victims throughout the criminal justice process.

C. Victim Identification and Referral

C.1. Which groups in your country are able to refer victims of trafficking to support measures? (Please select all that apply)

Referring agency/personal	Refer victims to support services
Police	<input type="checkbox"/>
Border control officers	<input type="checkbox"/>
Immigration staff	<input type="checkbox"/>
Customs officers	<input type="checkbox"/>
Social welfare agencies	<input type="checkbox"/>
Labour inspectors	<input type="checkbox"/>
Labour attachés	<input type="checkbox"/>
Diplomatic/consular staff	<input type="checkbox"/>
Medical practitioners	<input type="checkbox"/>
International Organizations (including Humanitarian agencies and staff)	<input type="checkbox"/>
Approved non-government organizations (e.g. NGOs who are part of the National Referral Mechanism)	<input type="checkbox"/>
Other non-government or civil society organizations	<input type="checkbox"/>
Trade Unions	<input type="checkbox"/>
Other please specify:	<input type="checkbox"/>

C.2. In your country, do you or other non-governmental organizations (NGOs) or other civil society organizations (CSOs) have access to state facilities (including, for example, social service and immigration reception centres, prisons and detention facilities) and assist with the timely identification of victims of trafficking? (Please select one only)

- Only our organisation
- Our organisation and other NGO(s) or CSO(s)
- Other NGO(s) or CBO(s), not our organisation (Skip to C.4)
- No NGO(s) or CBO(s) (Skip to C.4)
- Don't know (Skip to C.4)

C.3. Please provide details on NGO/CSO access to State facilities to contribute to the identification of trafficked persons, including the names of the NGOs and the frequency of access allowed to these facilities.

2000 characters

C.4. Does your NGO keep records on the number of cases of trafficking referred to your organisation each year?

- Yes
- No (Skip to C.7)
- My organisation does not work with victims of trafficking (Skip to C.7)

C.5. Is the data collected by your NGO included in a national system of data collection? (Please select one only)

- Yes
- No
- There is no national system of data collection
- Don't know

C.6. By which means have victims (presumed and formally identified) been identified and referred to your organisation over the past three years. (Please select all that apply)

- Through hotline (s)
- Through screening in immigration detention centres
- During entry to country
- During exit from country
- By social services
- Through police intelligence, tip-offs
- By NGOs
- During labour inspections
- During health and safety inspections
- By medical professionals
- Walk-ins/self-identification
- Returned from another country
- Other (please provide details _____)
- Not known/not recorded

C.7. Please rate how effective you find your country's processes for identifying cases of trafficking in the following groups of national victims (for EU countries, please include all EU nationals in this category).

Identification of ...	Fully effective	Very effective	Moderately effective	Slightly effective	Ineffective	Don't know /NA
Adult female victims of trafficking for the purpose of sexual exploitation - national	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of labour exploitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.8. Please rate how effective you consider your country's processes for identifying cases of trafficking in the following groups of foreign victims.

Identification of ...	Fully effective	Very effective	Moderately effective	Slightly effective	Ineffective	Don't know /NA
Adult female victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of labour exploitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.9. Please provide your view on the following statements concerning the identification of trafficked persons in your country.

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Don't know /NA
My country has clear criteria for the identification of trafficked persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Those people likely to come into contact with victims of trafficking are familiar with these criteria	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Front line law enforcement officials (police, border and immigration officials) have the knowledge and skills necessary to identify possible victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other front-line respondents (e.g. social workers, medical practitioners) have the knowledge and skills necessary to identify possible victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My country regularly undertakes efforts to identify trafficked persons in places they are likely be found (e.g. immigration detention centres, sectors dominated by migrant labour)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My country has a functioning hotline with staff trained to provide assistance to victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
This hotline is able to provide assistance in a language understood by the majority of foreign victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims of trafficking are aware that they have the right to assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims of trafficking are aware of realistic options for accessing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Some victims choose not to come forward because they perceive that services are not suitable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Some victims choose not to come forward because they do not wish to return to their own country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.10. Please elaborate on any specific gaps or weaknesses in victim identification processes in your country, including with regard to any areas not mentioned in D.16. If you do not consider that there are any gaps or weaknesses, please write "None".

2500 characters

C.11. What information do you have on the following emerging patterns, forms and flows of trafficking in human beings for which data is currently limited?

Trafficking for the purpose of ...	No reports	Unconfirmed reports	Cases under investigation	Cases reaching the judicial process (including completed cases)	Don't know
Forced begging	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forced criminality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forced marriage for the purpose of labour/ sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sham marriage ⁸⁸	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adoption for the purpose of labour/ sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtaining human tissues and cells	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recruiting foreign fighters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recruiting child soldiers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Claiming social benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual exploitation in relation to sex tourism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other emerging pattern(s) Please provide details:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.12. Does any of the information you have on the emerging, patterns, forms and flows of trafficking in human beings come from prior to 1 January 2012?

- Yes
- No (Skip to D.1)
- Don't know (Skip to D.1)

C.13. On which emerging, patterns, forms and flows of trafficking in human beings do you have information from prior to 1 January 2012? (Please select all that apply)

- Forced begging
- Forced criminality
- Forced marriage for the purpose of labour/ sexual exploitation
- Sham marriage⁸⁹
- Adoption for the purpose of labour/ sexual exploitation
- Obtaining human tissues and cells
- Recruiting foreign fighters
- Recruiting child soldiers
- Claiming social benefits
- Sexual exploitation in relation to sex tourism
- Other emerging pattern(s)
- Other (please provide details _____)

D. Victim support services

D.1. How satisfactory do you find the quality of the following services in addressing the needs of victims of THB in your country?

	Fully Satisfactory	Very Satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know /NA
Accommodation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical and psychological assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal support ⁹⁰	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal assistance to obtain compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Education	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training (vocational and business)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Job placement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Re)integration assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Return assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual risk and security assessment prior to return	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individual risk and security assessment prior to possible family reunification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁸⁸ Sham marriage involves a person being forced to marry a non-national in order for the latter to gain residency

⁸⁹ Sham marriage involves a person being forced to marry a non-national in order for the latter to gain residency

⁹⁰ For example, to regularize status, obtain residence or work permit, or obtain documentation for stateless persons

D.2. Please identify any key gaps in support services available to people who have experienced trafficking in your country.

2000 characters

D.3. Please assess the quality of victim support services overall, in terms of addressing the needs of specific types of national victims of trafficking. (For EU countries, please include all EU nationals in this answer.)

	Fully Satisfactory	Very Satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know /NA
Adult female victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purpose of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the labour of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purposes of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D.4. Please assess the quality of victim support services overall, in terms of addressing the needs of specific types of foreign victims of THB.

	Fully Satisfactory	Very Satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know /NA
Adult female victims of trafficking for the purposes of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purpose of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purposes of sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult female victims of trafficking for the purposes of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adult male victims of trafficking for the purposes of labour exploitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child victims of trafficking for the purposes of labour exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D.5. Does your organisation provide assistance to foreign victims of trafficking?

- Yes
- No (Skip to D.8)

D.6. Does your organisation have processes in place to follow up with the reintegration of victims after return to their country of origin? (Please select one only)

- Yes, in all cases
- Yes, in some cases
- No (Skip to D.8.)
- Don't know (Skip to D.8.)

D.7. How do you follow up the reintegration of victims of trafficking in their country or origin, or a third country? (Please select all that apply)

- Directly, for example, through country visits or phone calls to counterpart organizations
- Through partner organisations
- Through links between National Referral Mechanisms
- Maintaining a case follow up file that is shared between different referring organizations
- Other (Please specify)

D.8. Are there mechanisms in place in your country to collect feedback from victims of trafficking on the services provided to them? (Please select all that apply)

- Our organisation has mechanisms in place to collect feedback from victims of trafficking on the services provided to them
- Other organisations have mechanisms in place to collect feedback from victims of trafficking on the services provided to them
- There are no mechanisms in place to collect feedback from victims of trafficking to them (Skip to E.1)
- Don't know (Skip to E.1)

D.9. Please list the mechanism in place to collect feedback from victims on the support services provided to them. Please describe how this feedback is used in developing future services (if applicable).

2000 characters

E. Support for victims throughout the criminal justice process

E.1. Please assess the availability of the following provisions to victims of trafficking.

	Available to all victims	Available to most victims	Available to some victims	Available to few victims	Not available to victims	Don't know /NA
Non-punishment – not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A reflection period to give the victim due time to decide whether or not to act as a witness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuance of residence permits for foreign victims during their stay in your country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issuance of work permits to foreign victims during their stay in your country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provision of legal counselling for victims when they are in the process of deciding whether or not to testify in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Permitting NGOs to support victims in court hearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims through criminal proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims through civil proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compensation for victims – from the State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free legal aid for victims in seeking criminal compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free legal aid for victims in seeking civil compensation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full costs of support services for victims to be met by the State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full range of support services provided to victims regardless of whether they choose to cooperate in criminal proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.2. Where you have marked in question E.1 that services are not available to all victims, please identify any particular categories of victims that are being excluded (e.g. foreign victims, male victims, minors).

1500 characters

E.3. Which procedures does your country have in place to protect witnesses and victims when they go to court? (Please select all that apply)

- Use of video links
- Privacy screens⁹¹
- Special waiting rooms for victims/witnesses who feel vulnerable when waiting to go into the courtroom
- A support person is permitted to sit beside the victim in court while they give evidence
- The victim is accompanied to and from their place of residence for all legal proceedings
- Secure entrances to court rooms
- The court room can be closed to the public while the victim gives evidence
- Dedicated child-friendly interview premises
- Use of video recording of statements for children
- Other (Please specify)

⁹¹ Privacy screens allow victims who are required to testify in court to avoid facing the accused while doing so.

E.4. Which procedures does your country have in place to protect witnesses and victims from intimidation and threats outside of court? (Please select all that apply)

- Witness protection (e.g. in travelling to and from court)
- Provision for victim relocation
- Safe houses
- Body guards/security
- Protection for family members
- Avoidance of identifying information for victims/witness on official documents (such as through use of initials, redaction from indictments)
- Other (Please specify)

E.5. How satisfactory do you think these protection mechanisms are?

Mechanisms to ensure ...	Fully Satisfactory	Very Satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know /NA
Victims are not intimidated inside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Witnesses are not intimidated inside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims are not intimidated outside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Witnesses are not intimidated outside the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family members are not intimidated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 4: ADDITIONAL COMMENTS

F.1. Please provide any additional comments or points of clarification on your responses as appropriate.

5000 characters

APPENDIX 3: NGO SURVEY RESPONSES

Background Information

1. In which country is your organisation based?

Albania	5	Ireland	3
Armenia	2	Italy	6
Austria	3	Kazakhstan	5
Azerbaijan	1	Kyrgyzstan	1
Belarus	4	Latvia	1
Belgium	2	Lithuania	1
Bosnia and Herzegovina	4	Moldova	1
Bulgaria	1	Netherlands	1
Canada	1	Portugal	2
Croatia	1	Russian Federation	2
Cyprus	1	Serbia	1
Czech Republic	1	Slovenia	1
Denmark	2	Spain	3
Estonia	1	Switzerland	1
Finland	1	Tajikistan	5
France	2	The former Yugoslav Republic of Macedonia	1
Georgia	1	Turkey	1
Germany	1	Ukraine	6
Greece	1	United Kingdom	3
Hungary	2	United States of America	4
Iceland	2	Uzbekistan	2
		TOTAL	90

2. What types of services does your organisation provide for victims of trafficking?

	n	%
Shelter for victims of trafficking	49	54.4
Recovery services for victims of trafficking, such as medical services, counselling	60	66.7
Reintegration services for victims of trafficking (such as job placement and training, income support, housing support)	51	56.7
Free legal support for victims of trafficking – criminal cases	49	54.4
Free legal support for victims of trafficking – civil cases	50	55.6
Other free legal support for victims of trafficking – such as accessing residency permits, work visas	43	47.8
Assistance for foreign victims of trafficking returning home	42	46.7
Other support services (see written responses)	34	37.8
My organisation does not provide services for victims of trafficking	12	13.3
Don't know	2	2.2
TOTAL	90	

3. To what types of victims is your organisation able to provide assistance?

	n	%
Adult female victims of trafficking for the purpose of sexual exploitation	65	83.3
Adult male victims of trafficking for the purpose of sexual exploitation	46	59.0
Child victims of trafficking for the purpose of sexual exploitation	51	65.4
Adult female victims of trafficking for the purpose of labour exploitation	66	84.6
Adult male victims of trafficking for the purpose of labour exploitations	56	71.8
Child victims of trafficking for the purpose of labour exploitation	46	59.0
Other (see written responses)	30	38.5
Don't know	1	1.3
TOTAL	78	

4. To what types of victims has your organisation provided assistance in the past three years?

	n	%
Adult female victims of trafficking for the purpose of sexual exploitation	64	82.0
Adult male victims of trafficking for the purpose of sexual exploitation	23	29.5
Child victims of trafficking for the purpose of sexual exploitation	43	55.1
Adult female victims of trafficking for the purpose of labour exploitation	58	74.4
Adult male victims of trafficking for the purpose of labour exploitations	53	67.9
Child victims of trafficking for the purpose of labour exploitation	31	39.7
Other (see written responses)	24	30.8
Don't know	1	1.3
TOTAL	78	

5. Is your organisation able to provide assist to both foreign and national victims of trafficking?

	n	%
Both foreign and national victims of trafficking	64	81.0
National victims of trafficking only	3	3.8
Foreign victims of trafficking only	11	13.9
Don't know	1	1.3
TOTAL	79	

6. What other types of activities has your organisation been involved with in the past three years?

	n	%
Hotline for reporting cases of trafficking in persons	43	47.8
Hotline for seeking information to prevent trafficking (e.g. migrant information hotline)	28	31.1
Services to victims of crimes other than trafficking in persons	33	36.7
Communications programmes on safe migration	40	44.4
Communications programmes on risks of trafficking	67	74.4
Communications programmes targeting goods and services produced by trafficking persons	26	28.9
Outreach to vulnerable populations in formal settings (e.g. detention centres, workplaces)	49	54.4
Outreach to vulnerable populations in informal settings (e.g. entertainment venues, public places)	44	48.9
Support for vulnerable populations (e.g. education support)	54	60.0
Advocacy to government	76	84.4
Participation on investigations of TIP cases	44	48.9
Provision of assistance during counter-trafficking raids	23	25.6
Other (see written responses)	23	25.6
My organisation does not provide any other services	2	2.2
Don't know	1	1.1
TOTAL	90	

7. What sources of funding have you received in the past three years?

	n	%
Sub-contract from national or local government	32	35.6
Other funding support from national or local government	47	52.2
Funding support from international organisation	55	61.1
Funding support from foreign government	29	32.2
Funding support from private donor	45	50.0
Other (see written responses)	18	20.0
Don't know	2	2.2
TOTAL	90	

8. Does your organisation currently participate in any of the following coordination processes?

Mechanism	Formal member	Informal member/ observer	No participation	Mechanism does not exist	Don't know	TOTAL
National Referral Mechanism	47	10	9	20	2	88
Operation task force for victim support/referral	39	12	15	11	2	79
NGO coordination group/task force	59	7	7	12	1	86
National Plan monitoring group/committee	32	10	19	20	1	82
National policy development forum	23	22	13	18	4	80
National response coordination mechanism	21	14	18	20	9	82

9. Is your NGO called upon to provide training to any of the following groups?

	Government-sponsored training		Non-government -sponsored training		Training through professional academies	Don't know/ not applicable
	Once in past 12 months	More than once in past 12 months	Once in past 12 months	More than once in past 12 months		
Police	19	20	14	20	14	15
Border control officers	10	5	8	9	6	29
Immigration officials	8	16	9	10	5	27
Customs officials	6	2	7	3	3	33
Social welfare agency staff	17	12	18	31	7	15
Labour inspectors	10	5	12	11	4	28
Labour attachés (labour specialists attached to diplomatic mission)	3	0	1	2	1	38
Diplomatic/ consular staff	3	3	5	2	1	32
Tourism authorities	3	2	6	1	1	38
Medical practitioners	9	8	15	17	3	24
Other NGO staff	8	13	22	34	3	11
International Organization staff (including Humanitarian agencies)	3	5	11	6	1	33
Trade Union staff	2	3	7	3	1	35
Flight attendants	1	1	2	1	1	39
Other staff of commercial carriers	1	1	2	2	1	38
Port authority staff	1	2	3	1	1	38
Hotel staff	3	2	5	2	1	38

SECTION 1: PREVENTION OF TRAFFICKING IN HUMAN BEINGS

A. Identifying and addressing trafficking for labour exploitation

A.1. Please identify which, if any, of the following activities your organisation is involved in with regard to the regulation of labour recruitment and placement practices

	n	%
Advocacy to government or consultations on increased regulation of labour and recruitment practices for foreign nationals working in your country	34	37.8
Monitoring of labour and recruitment practices for foreign nationals working in your country	16	17.8
Advocacy to government or consultations on increased regulation of labour and recruitment practices for your nationals working abroad	29	32.2
Monitoring of labour and recruitment practices for your nationals working abroad	19	21.1
Provision of pre-departure information to potential labour migrants	29	32.2
Other (see written responses)	14	15.6
My organisation is not involved in any activities with regard to labour recruitment and placement practices	26	28.9
Don't know	2	2.2
TOTAL	90	

A.2. Please identify which, if any, of the following activities your organisation is involved in with regard to reducing the risk of purchasing products which – there is reason to believe – have been produced by trafficked labour.

	n	%
Advocacy to government or consultations on strengthening of government procurement practiced to reduce the risks of purchasing products which – there is reason to believe – have been produced by trafficked labour	11	12.2
Advocacy to government or consultations on introducing laws or regulations that require business operating in its territory to report on measures they are undertaking to identify and eliminate trafficking or exploited labour from their supply chains	14	15.6
Monitoring of business reporting on measures they are undertaking to identify and eliminate trafficking or exploited labour from their supply chains	10	11.1
Providing advice to businesses on addressing the potential for trafficking or exploited labour in their supply chains	16	17.8
Organisation of, or support for, consumer action against businesses associated with trafficking or exploited labour in their supply chains	8	8.9
Organisation of, or support for, consumer action to support businesses taking action to address the potential for trafficking or exploited labour in their supply chains	11	12.2
Other (see written responses)	9	10.0
My organisation is not involved in any activities with regard to reducing the risk of purchasing products which – there is reason to believe – have been produced by trafficked labour	58	64.4
Don't know	4	4.4
TOTAL	90	

A.3. How can victims of trafficking for labour exploitation seek civil redress in your country?

Form of Civil Redress	Available to...			
	National victims of trafficking for labour exploitation	Foreign victims of trafficking for labour exploitation (still in the country)	Foreign victims of trafficking for labour exploitation who have already left the country (including through deportation)	Don't know
Legal provision for victims of trafficking for labour exploitation to seek civil redress	62	51	20	14
Labour tribunals that provide access to remedies for victims of trafficking for labour exploitation	25	21	7	30
Government funded legal services to support victims of trafficking for labour exploitation to seek civil redress	35	32	8	28

A.4. Has your NGO been involved in any cases where compensation was sought for victims of trafficking for labour exploitation for unpaid wages in the past three years.

	n	%
Yes	32	35.6
No	58	64.4
TOTAL	90	

B. Identifying and addressing trafficking of children

B.1. Which of the following types of children at-risk are included in your country's child trafficking prevention legislation and policies?

	n	%
Unaccompanied or separated minors	44	48.9
Asylum seeking children	31	34.4
Children in institutional care	29	32.2
Children without citizenship	22	24.4
Children without birth registration	26	28.9
Children from minority groups	22	24.4
Disabled children	24	26.7
Street children	28	31.1
Child beggars	28	31.1
Missing children	18	20.0
Runaway youth	19	21.1
Other (see written responses)	10	11.1
My country's child trafficking prevention legislation and policies do not mention any categories of specific children at-risk	19	21.0
Don't know	15	16.7
TOTAL	90	

B.2. Are any of the following provisions specifically named in your country's legislation and policies that seek to prevent trafficking in children?

	n	%
Measures to ensure access to education and health care for vulnerable children, including minority groups	45	50.0
Measures to ensure access to education for children of migrant workers	37	41.1
Measures to prevent sexual exploitation of children associated with the tourism industry	24	26.7
Measures to ensure vulnerable children understand how to reduce the risk of being trafficked	40	44.4
Measures to ensure vulnerable children understand how to seek help if they are at risk of being, or have been trafficked	41	45.6
Birth registration for all children born in my country (to help reduce vulnerability to trafficking)	39	43.3
Other (see written responses)	5	5.6
My country's laws and policies that seek to prevent child trafficking do not name any specific provisions	13	14.4
Don't know	19	21.1
TOTAL	90	

B.3. Are any of the following provisions specifically named in your country's legislation and policies that seek to identify and respond to trafficking in children?

	n	%
Training for police who may come into contact with children trafficked and exploited in begging to ensure a prompt and appropriate response to their needs	46	51.1
Training for police who may come into contact with children trafficked and exploited for forced criminality to ensure a prompt and appropriate response to their needs	48	53.3
Appointment of a legal guardian for all unaccompanied minors	50	55.6
Appointment of a legal guardian for children presumed to be victims of trafficking	40	44.4
Appointment of a legal guardian for children formally designated as victims of trafficking	37	41.1
Accommodation for child victims of trafficking that is child-friendly and separate from adult victims of trafficking	50	55.6
Support and services tailored to the child's level of age and maturity	40	44.4
Treatment in accordance with each child's best interests	39	43.3
Other (see written responses)	5	5.6
My country's laws and policies that seek to prevent child trafficking do not name any specific provisions	6	6.7
Don't know	16	17.8
TOTAL	90	

C. Victim Identification and Referral

C.1. Which groups in your country are able to refer victims of trafficking to support measures?

Referring agency/personal	Refer victims to support services
Police	84
Border control officers	65
Immigration staff	66
Customs officers	45
Social welfare agencies	69
Labour inspectors	48
Labour attachés	27
Diplomatic/consular staff	50
Medical practitioners	57
International Organizations (including Humanitarian agencies and staff)	66
Approved non-government organizations (e.g. NGOs who are part of the National Referral Mechanism)	70
Other non-government or civil society organizations	66
Trade Unions	34
Other (see written responses)	9

C.2. In your country, do you or other non-governmental organizations (NGOs) or other civil society organizations (CSOs) have access to state facilities (including, for example, social service and immigration reception centres, prisons and detention facilities) and assist with the timely identification of victims of trafficking?

	n	%
Only our organisation	2	2.2
Our organisation and other NGO(s) or CSO(s)	47	52.2
Other NGO(s) or CBO(s), not our organisation	20	22.2
No NGO(s) or CBO(s)	10	11.1
Don't know	11	12.2
TOTAL	90	

C.4. Does your NGO keep records on the number of cases of trafficking referred to your organisation each year?

	n	%
Yes	75	83.3
No	2	2.2
My organization does not work with victims of trafficking	13	14.4
TOTAL	90	

C.5. Is the data collected by your NGO included in a national system of data collection?

	n	%
Yes	42	56.0
No	12	16.0
There is no national system of data collection	17	22.7
Don't know	4	5.3
TOTAL	75	

C.6. By which means have victims (presumed and formally identified) been identified and referred to your organisation over the past three years.

	n	%
Through hotline(s)	42	56.0
Through screening in immigration detention centres	21	28.0
During entry to country	19	25.3
During exit from country	10	13.3
By social services	39	52.0
Through police intelligence, tip-offs	52	69.3
By NGOs	61	81.2
During labour inspections	8	10.7
During health and safety inspections	7	9.3
By medical professionals	19	25.3
Walk-ins/self-identification	43	57.3
Returned from another country	24	31.0
Other (see written responses)	13	17.3
Not known/not recorded	1	1.3
TOTAL	75	

C.7. Please rate how effective you find your country's processes for identifying cases of trafficking in the following groups of national victims (for EU countries, please include all EU nationals in this category).

Identification of...	Fully effective	Very effective	Moderately effective	Slightly effective	Ineffective	Don't know/NA	TOTAL
Adult female victims of trafficking for the purpose of sexual exploitation	4	14	36	15	12	8	89
Adult male victims of trafficking for the purpose of sexual exploitation	0	3	16	16	31	21	87
Child victims of trafficking for the purpose of sexual exploitation	2	10	26	21	17	12	88
Adult female victims of trafficking for the purpose of labour exploitation	0	11	26	19	23	9	88
Adult male victims of trafficking for the purpose of labour exploitations	2	8	27	18	22	10	87
Child victims of trafficking for the purpose of labour exploitation	2	5	17	17	30	18	89

C.8. Please rate how effective you consider your country's processes for identifying cases of trafficking in the following groups of foreign victims.

Identification of...	Fully effective	Very effective	Moderately effective	Slightly effective	Ineffective	Don't know/NA	TOTAL
Adult female victims of trafficking for the purpose of sexual exploitation	3	11	22	28	14	9	87
Adult male victims of trafficking for the purpose of sexual exploitation	0	2	11	20	32	20	85
Child victims of trafficking for the purpose of sexual exploitation	1	7	22	20	22	14	86
Adult female victims of trafficking for the purpose of labour exploitation	0	6	26	15	27	14	88
Adult male victims of trafficking for the purpose of labour exploitations	0	8	26	15	24	15	88
Child victims of trafficking for the purpose of labour exploitation	0	7	17	12	30	23	89

C.9. Please provide your view on the following statements concerning the identification of trafficked persons in your country.

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Don't know/NA	TOTAL
My country has clear criteria for the identification of trafficked persons	10	37	14	22	4	1	88
Those people likely to come into contact with victims of trafficking are familiar with these criteria	2	17	18	39	10	2	88
Front line law enforcement officials (police, border and immigration officials) have the knowledge and skills necessary to identify possible victims of trafficking	5	21	23	31	6	2	88
Other front-line respondents (e.g. social workers, medical practitioners) have the knowledge and skills necessary to identify possible victims of trafficking	1	17	22	30	15	3	88
My country regularly undertakes efforts to identify trafficked persons in places they are likely be found (e.g. immigration detention centres, sectors dominated by migrant labour)	5	9	27	30	8	9	88
My country has a functioning hotline with staff trained to provide assistance to victims of trafficking	21	33	11	12	9	2	88
This hotline is able to provide assistance in a language understood by the majority of foreign victims	11	28	15	13	12	9	88
Victims of trafficking are aware that they have the right to assistance	2	11	24	34	14	3	88
Victims of trafficking are aware of realistic options for accessing assistance	2	12	25	35	11	3	88
Some victims choose not to come forward because they perceive that services are not suitable	8	49	12	9	2	8	88
Some victims choose not to come forward because they do not wish to return to their own country	16	40	15	8	0	10	89

C.11. What information do you have on the following emerging patterns, forms and flows of trafficking in human beings for which data is currently limited?

Trafficking for the purpose of...	No reports	Unconfirmed reports	Cases under investigation	Cases reaching the judicial process (including completed cases)	Don't know	TOTAL
Forced begging	19	29	11	17	17	93
Forced criminality	18	17	17	13	26	91
Forced marriage for the purpose of labour/ sexual exploitation	19	23	15	12	22	91
Sham marriage	25	18	8	5	33	89
Adoption for the purpose of labour/ sexual exploitation	32	13	4	1	37	87
Obtaining human tissues and cells	33	11	3	3	35	85
Recruiting foreign fighters	35	7	2	2	39	85
Recruiting child soldiers	37	7	1	0	40	85
Claiming social benefits	23	12	7	1	40	83
Sexual exploitation in relation to sex tourism	22	16	13	10	30	91
Other emerging pattern(s) (see written responses)	6	4	2	1	30	43

C.12. Does any of the information you have on the emerging patterns, forms and flows of trafficking in human beings listed in C.11 come from prior to 1 January 2012?

	n	%
Yes	38	63.3
No	22	36.7
Don't know	0	0.0
TOTAL	60	

C.13. On which emerging, patterns, forms and flows of trafficking in human beings do you have information from prior to 1 January 2012?

	n	%
Forced begging	23	60.5
Forced criminality	18	47.4
Forced marriage for the purpose of labour/ sexual exploitation	16	42.1
Sham marriage (involving a person being forced to marry a non-national in order for the latter to gain residency)	9	23.7
Adoption for the purpose of labour/ sexual exploitation	5	13.2
Obtaining human tissues and cells	6	15.8
Recruiting foreign fighters	1	2.6
Recruiting child soldiers	1	2.6
Claiming social benefits	6	15.8
Sexual exploitation in relation to sex tourism	16	42.1
Other emerging pattern(s)	3	7.9
TOTAL	38	

D. Victim support services

D.1. How satisfactory do you find the quality of the following services in addressing the needs of victims of THB in your country?

	Fully satisfactory	Very satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know/NA	TOTAL
Accommodation	6	20	18	19	19	7	89
Medical and psychological assistance	3	17	30	22	11	5	88
Legal support (for example, to regularize status, obtain residence or work permit, or obtain documentation for stateless persons)	2	10	34	17	18	7	88
Legal assistance to obtain compensation	2	4	20	19	38	6	89
Education	3	8	28	19	22	9	89
Training (vocational and business)	4	9	26	17	23	7	86
Job placement	1	3	18	28	30	8	88
(Re)integration assistance	1	10	24	25	22	7	89
Return assistance	4	10	29	25	11	10	89
Individual risk and security assessment prior to return	3	8	20	20	23	13	87
Individual risk and security assessment prior to possible family reunification	3	10	22	13	24	18	90

D.3. Please assess the quality of victim support services overall, in terms of addressing the needs of specific types of national victims of trafficking. (For EU countries, please include all EU nationals in this answer.)

	Fully satisfactory	Very satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know/NA	TOTAL
Adult female victims of trafficking for the purpose of sexual exploitation	2	22	16	29	5	13	87
Adult male victims of trafficking for the purpose of sexual exploitation	0	8	10	14	22	32	86
Child victims of trafficking for the purpose of sexual exploitation	1	17	12	18	18	20	86
Adult female victims of trafficking for the purpose of labour exploitation	1	16	19	22	14	14	86
Adult male victims of trafficking for the purpose of labour exploitation	2	10	18	23	17	16	86
Child victims of trafficking for the purposes of labour exploitation	0	12	11	18	19	27	87

D.4. Please assess the quality of victim support services overall, in terms of addressing the needs of specific types of foreign victims of THB.

	Fully satisfactory	Very satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know/NA	TOTAL
Adult female victims of trafficking for the purpose of sexual exploitation	1	15	13	28	10	21	88
Adult male victims of trafficking for the purpose of sexual exploitation	0	6	11	16	20	34	87
Child victims of trafficking for the purpose of sexual exploitation	0	8	16	19	16	28	87
Adult female victims of trafficking for the purpose of labour exploitation	1	8	16	24	15	22	86
Adult male victims of trafficking for the purpose of labour exploitation	2	7	14	22	20	22	87
Child victims of trafficking for the purposes of labour exploitation	1	6	14	15	21	31	88

D.5. Does your organization provide assistance to foreign victims of trafficking?

	n	%
Yes	72	80.0
No	18	20.0
TOTAL	90	

D.6. Does your organization have processes in place to follow up with the reintegration of victims after return to their country of origin?

	n	%
Yes, in all cases	15	20.8
Yes, in some cases	27	37.5
No	28	38.9
Don't know	2	2.8
TOTAL	72	

D.7. How do you follow up the reintegration of victims of trafficking in their country or origin, or a third country?

	n	%
Directly, for example, through country visits or phone calls to counterpart organizations	19	45.2
Through partner organizations	36	85.7
Through links between National Referral Mechanisms	6	14.3
Maintaining a case follow up file that is shared between different referring organizations	5	11.9
Other	6	14.3
TOTAL	42	

D.8. Are there mechanisms in place in your country to collect feedback from victims of trafficking on the services provided to them?

	n	%
Our organization has mechanisms in place to collect feedback from victims of trafficking on the services provided to them	45	50.0
Other organizations have mechanisms in place to collect feedback from victims of trafficking on the services provided to them	22	24.4
There are no mechanisms in place to collect feedback from victims of trafficking on the services provided to them	16	17.8
Don't know	21	23.3
TOTAL	90	

E. Support for victims throughout the criminal justice process

E.1. Please assess the availability of the following provisions to victims of trafficking in practice.

	Available to all victims	Available to most victims	Available to some victims	Available to few victims	Not available to victims	Don't know/NA	TOTAL
Non-punishment – not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so	22	14	14	13	11	14	88
A reflection period to give the victim due time to decide whether or not to act as a witness	32	19	5	9	10	13	88
Issuance of residence permits for foreign victims during their stay in your country	19	15	14	10	9	21	88
Issuance of work permits to foreign victims during their stay in your country	11	9	10	13	16	29	88
Provision of legal counselling for victims when they are in the process of deciding whether or not to testify in court	29	18	8	13	10	10	88
Permitting NGOs to support victims in court hearings	30	13	19	8	8	10	88
Compensation for victims through criminal proceedings	18	6	13	21	15	13	86
Compensation for victims through civil proceedings	19	1	15	22	12	19	88
Compensation for victims – from the State	11	5	7	17	26	22	88
Free legal aid for victims in seeking criminal compensation	27	13	9	11	13	14	87
Free legal aid for victims in seeking civil compensation	23	8	12	13	19	13	88
Full costs of support services for victims to be met by the State	20	10	10	8	23	17	88
Full range of support services provided to victims regardless of whether they choose to cooperate in criminal proceedings	28	5	12	8	23	13	89

E.3. Which procedures does your country have in place to protect witnesses and victims when they go to court?

	n	%
Use of video links	31	40.3
Privacy screens (allowing victims who are required to testify in court to avoid facing the accused while doing so)	24	31.2
Special waiting rooms for victims/witnesses who feel vulnerable when waiting to go into the courtroom	27	35.1
A support person is permitted to sit beside the victim in court while they give evidence	36	46.8
The victim is accompanied to and from their place of residence for all legal proceedings	38	49.4
Secure entrances to court rooms	25	32.5
The court room can be closed to the public while the victim gives evidence	50	64.9
Dedicated child-friendly interview premises	35	45.5
Use of video recording of statements for children	41	53.2
Other (see written responses)	12	15.6
Don't know	5	6.5
TOTAL	77	

E.4. Which procedures does your country have in place to protect witnesses and victims from intimidation and threats outside of court?

	n	%
Witness protection (e.g. in travelling to and from court)	53	66.8
Provision for victim relocation	27	33.8
Safe houses	55	68.8
Body guards/security	14	17.5
Protection for family members	15	18.8
Avoidance of identifying information for victims/witness on official documents (such as through use of initials, redaction from indictments)	34	44.5
Other (see written responses)	10	12.5
Don't know	6	7.5
TOTAL	80	

E.5. How satisfactory do you think these protection mechanisms are?

	Fully satisfactory	Very satisfactory	Satisfactory	Slightly satisfactory	Not satisfactory	Don't know/NA	TOTAL
Victims are not intimidated inside the court	9	8	14	23	15	19	88
Witnesses are not intimidated inside the court	8	8	17	20	15	20	88
Victims are not intimidated outside the court	4	4	16	18	25	21	88
Witnesses are not intimidated outside the court	4	5	14	16	28	21	88
Family members are not intimidated	2	2	14	16	30	25	89



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