



TRACE

Trafficking as A Criminal Enterprise



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Author(s): Angelos Constantinou, Maria Georgiou (Cyprus Police),
Suzanne Hoff (La Strada International), Adelina Tamas,
Adrian Petrescu, Ionuț LUPAȘCU (Agentia Nationala
Impotriva Traficului De Persoane) Mirela Saykovska
(Animus Association Foundation)

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Chapter	Main authors responsible	Contributors
Chapter A	Adelina Tamas Angelos Constantinou Maria Georgiou Suzanne Hoff Mirela Saykovska	
Chapter B	Angelos Constantinou Suzanne Hoff Ionuț LUPAȘCU Maria Georgiou Mirela Saykovska	
Chapter C	Adrian Petrescu Angelos Constantinou Suzanne Hoff Adelina Tamas Maria Georgiou Mirela Saykovska	

EXECUTIVE SUMMARY

This report sets out to fulfil a three-fold task. One, to delineate the geographical routes of trafficked persons. Two, to explore the modus operandi of human traffickers, and three to examine the traffickers' responses to law enforcement policies. In order to do so, four country desk studies were conducted in Bulgaria, Cyprus, Romania, and the Netherlands by the Animus Association Foundation, Cyprus Police, National Agency against Trafficking in Persons and the International La Strada Association (La Strada International), respectively.

The flows of human trafficking at a global and European level are presented in the introduction snapshot of chapter A, dedicated to the routes of human trafficking. As shown, human trafficking routes are spread all over the world. European nationals, but also nationals coming from other continents, are vulnerable for human trafficking at the European continent.

Bulgaria and Romania are major countries of origin for human trafficking in Europe, while the Netherlands and Cyprus are in particular destination countries for human trafficking, mainly for persons coming from Central and Eastern Europe, but also from Asian, African or South-American countries.

In the subchapters analyzing the routes of human trafficking for sexual exploitation, labour exploitation and human trafficking for criminal activities, data and routes identified in each of the four countries, for each type of exploitation were analyzed and presented, starting from 2009. Changes of the routes of human trafficking and new nationalities of trafficked persons and traffickers identified and observed in each country are also presented.

As far as the modus operandi of human traffickers are concerned, it is found that in all three stages of the trafficking process (recruitment, transportation and exploitation) traffickers follow particular patterns. At the recruitment stage, traffickers deceive their victims by offering them various employment positions, which are sometimes tailored to the skills or the profession and education of the targeted person. For recruitment in particular, the abuse of vulnerability is used. A popular method for recruitment for sexual exploitation is the so-called "lover boy method". In order to convince a person, recruiters try to establish a friendly or an intimate relationship with the victim. In most cases, the persons recruited, know their recruiter. Findings of the desk research conducted in the four countries reveal that the majority of victims are recruited by acquaintances or friends.

Persons are recruited either in the country of origin or in the country of destination; in cases they themselves have decided to travel abroad to find employment. Different locations are used to recruit persons and trafficked persons are recruited either directly in person or indirectly (via social media). Those recruited in another country are often forced to decide and leave quickly. As for the transportation phase, persons travel either within their own country, or abroad to the location, where they will be exploited. Activities undertaken by traffickers include, taking care of travel documents, finding persons who will accompany and control the victims on their journey, and planning of who will control the trafficked persons at the recipient countries, so to prevent them from seeking help. In the field of trafficking in persons for sexual exploitation, the activities of transportation and accommodation tend to be more planned and organised than other forms of exploitation, and this, it is argued, could relate to the bigger and more organised criminal groups involved.

It seems that those who can secure a legal entry to the EU do cross the borders of transit and destination countries legally, in possession of their own documents. In cases of trafficking for sexual exploitation, ‘recruiters’ in the country of origin, or persons responsible for the exploitation or who are in contact with the exploiter at the country of destination accompany victims to their journey. This is confirmed by findings in the cases of Cyprus, Bulgaria, and Romania. Also, coercion during the transportation phase is the exception rather than the rule.

The last phase of the human trafficking process is the exploitation. At this phase, the traffickers reveal their real intentions and begin to treat trafficked persons in harsh and coercive ways. Exploitation can comprise many different forms, including: prostitution, forced begging, dangerous and unhealthy jobs, long working hours, under paid or unpaid labour, restriction to own passport, own money or own bank account. Often trafficked persons are not insured, are housed in an industrial building or area or accommodated badly in another way. Control techniques of victims of human trafficking include: threat or use of force, other forms of coercion, abduction, fraud, deception, abuse of power, giving or receiving payments or benefits and physical and psychological violence. It seems that force is used the most in this phase, but still also in this phase, other means to control victims seem to be used too.

In relation to the last chapter, the one dealing with the traffickers’ responses to law enforcement policies, it is shown that anti-trafficking policies do not always bring the desired results. This chapter mainly focusses on Cyprus and Romania. For instance, the case of Cyprus has proved that as a result of part of the implementation of anti-trafficking policies, the crime of human trafficking deviated from its traditional characteristics, and began to occur in different places, at different times, perpetrated by different actors. Also, trafficking in human beings ceased to involve only indigenous male traffickers who used cabarets and pubs as their arenas of exploitation, all year round. Instead, foreign perpetrators (especially female) entered into the picture of human trafficking, and began to undertake illegal activities (sexual exploitation) at private venues (houses and flats).

INTRODUCTION

It is well known that political, economic, and social conditions or changes impact human trafficking flows. Some authors argue that human trafficking routes follow legal product trades routes,¹ others consider that human trafficking routes could be linked to flows of people migrating for work.²

As the focus of this chapter is on the routes and flows of human trafficking from, to, and within Bulgaria, Cyprus, Romania and the Netherlands, it aims to provide a clearer picture of the geographical extent of human trafficking.

Based on current data and figures, sexual exploitation is the most prevalent and encountered form of human trafficking worldwide. The same was noticed for the four countries analysed. It is unclear, whether the extent of each form of exploitation, as presented based on available figures related to human trafficking, reflects the real situation. Due to different national or regional anti-trafficking responses, as well as data collection limits and other factors, the available and reliable data of other forms of exploitation is limited. A multidisciplinary approach for tackling human trafficking in the European Union (EU) is needed for addressing the multiple factors which contribute to human trafficking. Currently, the different criminal codes in place in the EU Member States, and the different interpretation of laws, as well as the different reporting and monitoring systems of human trafficking and sometimes definitions, result into a lack of comparable and reliable data in this field.³

The tactical performance of criminal networks cross the traditional geographic borders. Traffickers mobilize huge financial resources or make use of existing loopholes to design efficient transnational strategies to create, reconfigure and supply a profitable market where the trading of vulnerable persons, living under precarious socio-economic and emotional conditions, becomes a purpose in itself⁴.

The different European regions receive trafficked persons from different source countries⁵. In 2011, Europol identified five effective centers of organized criminal groups for human trafficking, which they called regional hubs:

- I. The North West criminal hub – The Netherlands and Belgium
- II. The North East criminal hub – Lithuania, Estonia, Latvia and the Kaliningrad exclave
- III. The South East criminal hub – Bulgaria, Romania and Greece
- IV. The Southern criminal hub – Southern Italy
- V. South West criminal hub – Spain and Portugal.⁶

In the last UNODC Global Human Trafficking report (2014), a statistical correlation between the Gross Domestic Product (GDP) of the destination country and the share of trafficked persons from other regions was observed⁷. This conclusion was also reflected in another study

¹ Louise Shelley, *Human Smuggling and Trafficking into Europe. A comparative Perspective*, february 2014, Migration Policy, Institute, p.6.

² Within the study regarding child trafficking in Romania, some interviewed experts have considered a possible connection between flows of Romanians working abroad and flows of Romanians victims abroad because of the main destinations countries for both phenomenons, ANITP *Child trafficking in Romania-Study on the recruitment processe*, Alpha Media Print.Buz[u], 2009, p.47.

³ EUROSTAT, *Trafficking in human beings, Methodologies and Working papers*, 2013 edition, pp : 15-16.

⁴ „Transnational Study on the Characteristics of Policie0s in the Field of Trafficking for Labour Exploitation”, - a study performed under the transnational project „Integrated Approach of labour exploitation in origin and destination countries”, 2013, Romania, p7 apud National Agency against Trafficking in Persons, *Annual report on the situation of trafficking in human beings in 2010, 2011*, MAI, Bucharest.

⁵ Louise Shelley, *Human Smuggling and Trafficking into Europe. A comparative Perspective*, february 2014, Migration Policy, Institute, p.5.

⁶ EUROPOL *Knowledge product. Trafficking in Human Beings in the European Union* Europol Public Information, The Hague, 2011, p.12.

⁷ UNODC *Global Report on Trafficking in Persons* United Nations, New York, 2014, p.7.

regarding the characteristics of human trafficking in Europe, in which the identified source countries were considered to be among the poorest nations in Europe⁸. Transit countries serve as transitory locations on the road to destinations countries. In the last Eurostat 2014 report regarding trafficking in human beings in Europe⁹ the top five countries of citizenship of identified trafficked persons within the European Union were Romania, Bulgaria, the Netherlands, Hungary, and Poland, while the top five countries of citizenship of the identified trafficked persons from non-EU Countries were Nigeria, Brazil, China, Vietnam, and Russia.

The earlier mentioned UNODC Report, states that trafficking for sexual exploitation is the major detected form of human trafficking in Europe and Central Asia. ‘More than 65 per cent of the victims detected in this region are trafficked for sexual exploitation. In the sub region of Eastern Europe and Central Asia in particular, sexual exploitation is frequently detected, accounting for 71 per cent of the victims.¹⁰ However, it should be noted that the number of identified trafficked persons for labour exploitation, is not too far behind that figure in these regions.¹¹

⁸ Louise Shelley, *Human Smuggling and Trafficking into Europe. A comparative Perspective*, february 2014, Migration Policy, Institute, p.5.

⁹ Eurostat, *Trafficking in human beings* 2014, p.11

¹⁰ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf

¹¹ National Crime Agency National Referral Mechanism Statistics – End of Year Summary 2014, 2015, available at <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/502-national-referral-mechanism-statistics-end-of-year-summary-2014> accessed 15th February 2015

METHODOLOGY

In order to analyse the routes and flows of human trafficking, the consortium partners were able to rely on a limited sample of sources and data, due to the limited availability of relevant sources at national level and available literature. The available data used includes:

- I. Official statistics related to the dimension of victim's population in Romania starting with 2009 till 2013 collected out of the SIMEV;¹²
- II. Data regarding destination countries from 2009 till 2013 for the Romanian citizens exploited through transnational human trafficking analyzed using the cross tabulation with gender, age or forms of exploitation (sexual, labour, begging or committing crimes)- available also from SIMEV;
- III. Official statistics related to human trafficking registered in the Netherlands by the Dutch NGO, CoMensha and reported by them and the Dutch National Rapporteur, as well as analyses and annual reports from the Dutch National Rapporteur office including the results of their analytical review of 77 investigations received by the Public Prosecutor Office.
- IV. Statistics of Animus Association Foundation on victims of trafficking accommodated in the Crisis Center and official statistics by the Bulgarian National Commission for Combating Trafficking in Human Beings.
- V. Documents in the archives of the Office of Combating Trafficking in Human Beings of the Cyprus Police were thoroughly studied. The analysed data derived from statistics, written statements of victims for the police, and interviews with trafficking victims.
- VI. For all countries additional literature was reviewed (national reports regarding trafficking in persons, GRETA reports, Eurostat reports, other reports of international (governmental) bodies, studies or analysis regarding routes, modus operandi and law enforcement policies).
- VII. Some interviews were conducted with key informants, next to interviews with other relevant stakeholders in the country.

Box: Sources used to analyse geographical routes

For exploring the modus operandi of offenders involved in the crime of human trafficking we relied on the following methods:

- I. The Cyprus Police analysed the scripts of interviews with victims of sex trafficking. Specifically, 100 interviews conducted by the Office of Combating Trafficking in Human Beings (OoCTHB) between 2009 and 2014 were analysed; that is, directed content analysis.¹³ Via the usage of existing theories on the subject in hand, the main categories were created, and as the content analysis was progressing new categories were added. The coding was somewhat predetermined, yet new codes manifested from the analysis of the interview scripts

¹² SIMEV- the National Integrated System to Monitor and Assess Trafficking in Persons was developed by the National Agency Against Human Trafficking (ANITP) for statistical analysis and became fully operational in January 2007. Technically, the national system is based on multi-level software, which uses a central database, a data interrogation application, and a web-type user interface. The access to this system is only permitted to users within ANITP, the Monitoring, Evaluation and Coordination Office, ANITP's Regional Centres, as well as to certain users within the Offices to Combat Organised Crime and within the General Inspectorate of the Romanian Border Police. The data may also originate from other partner institutions besides the Ministry of Internal Affairs, for example NGOs, child protection authorities, school inspectorates and others, in this purpose data being collected by specialist of ANITP's Regional Centres. The data available is strictly related to the victims: socio-demographic indicators, trafficking experience and/or assistance received.

¹³ Hsieh, H. F., & Shannon, S. E. (2005). Three approaches to qualitative content analysis. *Qualitative health research*, 15(9), 1277-1288.

and were added to the original coding scheme. As regards the labour trafficking, 20 interviews with trafficking victims were thoroughly studied.

- II. With regard to Bulgaria we relied on interviews with experts and victims. Specifically, an interview with a police officer from Directorate General Border Police (who has been working with trafficking in human beings for many years), was conducted. In addition, an interview was conducted with the Coordinator of the Crisis Center for accommodating victims of trafficking and other forms of violence of Animus Association Foundation who has been working with victims of trafficking for the past 15 years. Interviews with trafficked persons for sexual exploitation conducted between 2007 and 2012 were also analyzed. Moreover, interviews with the Head of the National Commission for Combating Trafficking in Human Beings in Bulgaria (NCCTHB) and other national and EU authorities were studied.
- III. For collecting data on the Netherlands, literature review was conducted. This included literature on an analysis done by the Dutch National Rapporteur on files of 165 persons who were regarded as suspects in the investigations that were forwarded to the PPS in 2012'. Additionally, interviews were conducted with representatives of the Dutch Coordination centre on trafficking in human beings (CoMensha) and the office of the Dutch National Rapporteur (BNRM). CoMensha¹⁴ is the body responsible for registering possible victims of human trafficking at a national level. Comensha provides its registration figures to the Dutch National Rapporteur on Trafficking in human beings and sexual violence against children. The National Police and the Royal Dutch Marechaussee are agencies required to report possible victims to CoMensha and consequently reported the most possible victims. Other agencies, including government bodies, have no such duty to report currently.¹⁵
- IV. As regards Romania, the same methodology for collecting data on trafficking routes applied to studying the modus operandi of traffickers.

With regard to the section on responses to anti-trafficking policies we relied on the following methods:

- I. For the case of Cyprus the analysis drew mainly from police intelligence, with the view of reaching grounded findings. Specifically, the Office of Combating Trafficking in Human Beings of the Cyprus Police, inter alia, receives and keeps records of all the intelligence, in concern with the offenses of sexual exploitation, human trafficking, and prostitution. The intelligence (N=1103) gathered by the police during the last eleven years (2004-2014) was analysed (univariate statistical analysis), in order to attest whether a particular policy that was implemented in 2009 had any impact on the criminal conduct of sex traffickers/exploiters. It was hypothesized that in 2009 and after, due to the abolition of the artist visa, the crime of human trafficking (including acts of prostitution) changed character; it means a shift in places and time where sexual exploitation/prostitution take place, and also a shift in the actors involved in such criminal endeavours. In total, five predictor and one outcome (number of acts—sexual exploitation/prostitution) variables were tested. Three variables (nationality, season, conduit) are binary variables, and the other three are categorical (venue, sex) and ratio (number of acts), respectively.
- II. Literature review

¹⁴ Comensha is an NGO and the Dutch member of La Strada International and therefore internationally also referred to as La Strada Netherlands.

¹⁵ National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2014). *Trafficking in Human Beings: Visible and Invisible II. Summary of the quantitative report 2008-2012*, p. 5-6

DEFINITIONS

While the focus of this report is on human trafficking as a transnational crime,¹⁶ where relevant, information related to internal trafficking is also included.

Internal trafficking or domestic trafficking is used alternatively to differentiate between victims that were exploited in their country of origin as opposed to others that were exploited in foreign countries.¹⁷

Transnational trafficking is used alternatively with trans-border trafficking in defining the international trafficking or regional trafficking¹⁸ cases which involve border crossing (nationals trafficked in other countries than their country of origin.)

Victims of trafficking who have been formally identified by the relevant authority are considered to be identified victims. Victims who fulfil the definition of trafficking in human beings, but have not been formally identified, are considered to be presumed victims.¹⁹ Where possible we use ‘trafficked persons’ instead of victims of trafficking.

Illegal activities are considered to be all the activities penalised by the Penal Codes in force in each country. Human trafficking for illegal activities comprises committing thefts, petty crimes, frauds, illegal adoption and forced begging, as addressed in the case studies.

Limits of the study

The numbers or figures related to victims or traffickers for each case study varies from police in Cyprus, to NGO and Police in Romania, to the National Commission for Combating Trafficking in Human Beings and the NGO sector in Bulgaria, and the Dutch NGO responsible for registration, CoMensha, which provides its figures to the National Rapporteur on human trafficking in the Netherlands. The figures presented are the figures available for the desk study countries. In case they were reported by NGOs, they have been evaluated and processed by the national competent authorities.

Limited time to undertake the data analysis, correlated with the scarce availability of information of the routes and flows of human trafficking all over Europe, including for the four studied countries, made it difficult to differentiate and present the specific routes for each form of exploitation in human trafficking. Regrettably, in comparison to the data retrieved for analysing the sexual exploitation of persons, the available data on trafficking for labour exploitation is scarce. Nonetheless it was possible to identify certain patterns and draw some conclusions, based on these patterns.

¹⁶ International trafficking is most commonly committed in more than one state. However, trafficking in persons is considered a transnational crime also if it is committed in one state but a substantial part of its preparation, planning, direction or control takes place in another state; if it is committed in one state but involves an organized criminal group that engages in criminal activities in more than one state; and if it is committed in one state but has substantial effects in another state (United Nations Convention against Transnational Organized Crime, art. 3(2)).

¹⁷ Similar to the definition used in TRACE D1.3 final deliverable, p.9 - D1.3: A report concerning the macro and micro analyses of human trafficking

¹⁸ Trafficking within a specific region.

¹⁹ Trafficking in human beings – Eurostat report 2013, p. 30

A. GEOGRAPHICAL ROUTES OF TRAFFICKING TOWARDS, AND WITHIN EUROPE

As reflected in the last UNODC Global Report on Trafficking in Persons of 2014, the crime of trafficking in persons affects virtually every country in every region of the world. Between 2010 and 2012, victims with 152 different citizenships were identified in 124 countries across the globe and at least 510 trafficking flows – imaginary lines that connect the same origin country and destination country of at least five detected victims – criss-cross the world. According to the UNODC Report, most human trafficking flows are intraregional, meaning that the origin and the destination of the trafficked victim is within the same region; often also within the same sub-region. Victims tend to be trafficked from poor countries to more affluent ones (relative to the origin country), often within the same region. Human trafficking flows are usually confined to a geographically limited area, either within a country or between neighbouring or relatively close countries.²⁰

Statistics further show a correlation between the affluence (i.e. GDP) of the destination country and the share of victims trafficked there from other regions. Richer countries attract victims from a variety of origins, including from other continents, whereas less affluent countries are mainly affected by domestic or sub-regional trafficking flows.²¹

According to the same UNODC Report, globally, most victims of human trafficking are foreigners in the country where they are identified as victims. In other words, these victims have been trafficked across at least one national border. That said, many trafficking cases involve limited geographic movement as they tend to take place within a sub region (often between neighbouring countries).²² Nevertheless domestic trafficking is also widely detected, and for one in three trafficking cases, the exploitation took place in the victim's country of citizenship.

When looking at Europe, according to the 2014 Eurostat Report, a majority of 65 per cent of the registered victims come from EU Member States. The top five countries of citizenship within the EU are Romania, Bulgaria, the Netherlands, Hungary, and Poland.²³ If comparing the statistics related to victims, similarities can be observed with their traffickers. Around two thirds of the suspected traffickers were EU citizens (69%) for the three referent years (2010-2012). The top 5 EU countries of trafficker's citizenship were Bulgaria, Romania, Belgium, Germany, and Spain.²⁴ Bulgaria and Romania appear in both lists.

The majority of convicted traffickers are citizens of the country of conviction. These traffickers were convicted for involvement in domestic or transnational trafficking schemes. Dividing countries into those that are more typical countries of origin and those that are more typical destination countries for trafficked persons reveals that origin countries convict mostly their own citizens. Destination countries, on the other hand, convict both their own citizens and foreigners.²⁵

²⁰ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.23

²¹ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.11

²² http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.12

²³ EUROSTAT *Trafficking in Human Beings*, (2014) Statistical working papers, p.11

²⁴ EUROSTAT *Trafficking in Human Beings*, (2014) Statistical working papers, p.12

²⁵ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.12

Within Europe, based on data observed in the UNODC 2014 Global Report, human trafficking flows go to Western European Countries from Eastern and Central European countries. Western Europe is also the destination for human trafficking for victims coming from Asia, Africa, and South America.²⁶

If looking at the trends in geographical routes of human trafficking, it is shown that routes change from time to time, as well as the origin of victims of trafficking. Due to globalisation and the increased possibilities to travel, it seems that persons are trafficked from further away, in comparison with earlier decennia. However as noted still persons are often trafficked to nearby countries and within a region. Further interesting is that geographical routes of human trafficking for sexual exploitation are estimated to be far shorter and simpler than routes of trafficking for labour exploitation.

When it comes to transnational trafficking, Cyprus and the Netherlands are mainly destination countries for trafficking in human beings, but also transit countries for victims travelling to other states (usually EU states), while the Netherlands is also a country of origin for in particular Dutch minors exploited in the sex industry. Bulgaria and Romania are mainly source countries for human trafficking within Europe. Victims exploited in the Netherlands or Cyprus come in particular from Central and Eastern Europe, including Romania, Bulgaria, Hungary, Poland; other (non EU) European countries like Ukraine, Republic of Moldova or Russia, next to third countries as Africa (Nigeria, Uganda, Sierra Leone, or Guinea) or Asia (China, Vietnam, India, Philippines) or South America (Suriname).

Internal trafficking has also been discovered in each country analysed, although there are differences in its extent. The Netherlands and Romania reported that their own nationals form the majority of trafficked persons in their countries. This finding is in line with the general conclusion in an earlier UNODC (2012) report, claiming that one in every four victims between 2007 and 2010 was a national of the country where he or she was exploited.²⁷

As was observed in the Netherlands and Cyprus, persons trafficked for labour exploitation seem to originate from further away, and relates to so-called trans-regional human trafficking. This is in contrast to sexual exploitation, where a more intra-regional trafficking pattern is noted, especially within Western European countries. At the same time, for Romania and Bulgaria, irrespective of the form of exploitation, the intra-regional trafficking - within Europe - was and is still present.

If we look at (data from) transit countries, a report from the Hungarian authorities indicates that *Women from Romania and Ukraine are transported through Hungary to the Netherlands, the United Kingdom, Denmark, Germany, Austria, Italy, Switzerland, France, and the United Arab Emirates where they are subsequently subjected to forced prostitution*".²⁸ Trafficked persons from Romania transit Hungary *en route* to destinations in Western Europe.²⁹ According to the Hungarian authorities, some of these victims may be exploited in Hungary before they reach their final destination country.³⁰ Romanian victims exploited in Austria or Germany or other countries could be transported using the Rhine-Danube corridor, starting from Romania, passing through Hungary and Austria to Germany.

²⁶ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2014*, United Nations, Vienna, 2014, p.7- Sciences Po - Atelier de cartographie, 2014.

²⁷ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2012*, United Nations, Vienna, 2012.

²⁸ US Department of State, *Trafficking in Persons Report*, June 2010 p.168.

²⁹ U.S. Department of State *Trafficking in Persons Report* Printed by A/GIS/GPS, June 2014, p. 200, available at: <http://www.state.gov/documents/organization/226846.pdf>, last accessed on 04.12..2014

³⁰ U.S. Department of State, *Trafficking in Persons Report*, Printed by A/GIS/GPS, June 2010, p.168.

In the 2011 US TIP Report, in which the United States aim to review the global situation of human trafficking, by analyzing the situation in every country, Slovenia is referred to as a country of destination and transit for Romanians to Italy or Germany.³¹ This has been confirmed by other studies and it can be concluded that trafficked persons reach Italy and Spain by passing through Ljubljana/Slovenia whilst relying on land transportation – the so called European drive corridor.³² In order to reach Italy, traffickers are using, in the majority of the cases, buses or minibuses, public international transport or even their own cars. Notwithstanding, flights are also used, but in only few cases. As mentioned above, until this point transit countries have been considered as “drive through” countries, so to date there is no information related to exploitation within the transited countries, while trafficked persons are transported en-route to the destination.

Victims though can be subject to exploitation in more than one country. For example, for the analysed period of time, for a number of Romanian victims exploited in Spain, exploitation took also place in one or more of the following countries: Germany, Austria, Denmark, Portugal, France, United Kingdom, Switzerland, Turkey and the Netherlands.

1. IDENTIFYING SPECIFIC HUMAN TRAFFICKING ROUTES – CASE STUDIES

Bulgaria

Bulgaria is considered to be mainly a country of origin and transit for trafficked persons. According to the 2013 edition of the Eurostat report on Trafficking in Human Beings in Europe,³³ the majority of trafficked persons come from Bulgaria and Romania (for EU countries) or from Nigeria and China (for non-EU countries).

Persons in Bulgaria are subject to both internal and trans-border human trafficking. According to the 2013 Report of the National Commission for Combating Trafficking in Human Beings in Bulgaria (NCCTHB), the main countries of destination for victims of trans-border human trafficking, including minors, in 2013 were Germany, Belgium, Austria, the Netherlands, Italy, Spain, France, Greece, Norway, Sweden, the Czech Republic, and Poland. There are increased numbers of Bulgarians who are trafficked to countries of destination in Central Europe. Also, there is an increased tendency of trafficking for labour exploitation to Scandinavian countries, Sweden in particular, where persons are exploited doing seasonal work (berry picking), in the summer period (May – August). Also, the Bulgarian Roma community, in particular women and children, are regarded to be especially vulnerable to human trafficking abroad.

Internal trafficking in Bulgaria happens mostly for the purpose of sexual exploitation and flows go from small cities and villages to big cities and popular resorts. Small towns and villages, with high unemployment rates and poor living conditions, constitute high risk places for the recruitment of victims. Persons recruited here are usually exploited in big cities, popular winter and Black sea resorts or border regions, or in regions that are popular among foreign tourists.³⁴ In addition, internal human trafficking occurs in the vicinity of road infrastructure objects. Often after the victim has been subjected to internal trafficking, she/he gets trafficked abroad;

³¹U.S. Department of State *Trafficking in Persons Report*, Printed by A/GIS/GPS, June 2011, available at: <http://www.state.gov/j/tip/rls/tiprpt/2011/164233.htm>, last accessed in 27.11.2014.

³² Mediterranean corridor of the European ten t corridors.

³³http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf, accessed December 8th, 2014.

³⁴ US TIP Report 2014, <http://www.state.gov/documents/organization/226845.pdf>, [p.111]; NCCTHB, 2013 National Report

very often internal trafficking is being perceived as “training”³⁵ for the potential victim before she/he gets trafficked outside of the country.

The following statistical overview of the situation in Bulgaria can be provided:

- I. For 2011 the National Commission for Combating Trafficking in Human Beings received 56 signals on human trafficking, involving 144 victims.³⁶
- II. The total number of identified victims in 2011 adds up to 541 (448 of them are women and 93 men).
- III. The large majority of complains, 404 cases, were related to trafficking for sexual exploitation, 91 of the identified victims reported forced labor, 17 were in servitude and 29 who sold their babies. There were no cases of trafficking of body organs.³⁷
- IV. In comparison, for 2012, 648 victims were identified by the NCCTHB. 574 of them were subject to sexual exploitation, 71 were victims of labor exploitation, 1 was a victim of servitude, and 38 were pregnant women selling their babies. Again, there were no cases involving trafficking for harvesting of body organs.³⁸
- V. As presented by the last UNODC’s report, Bulgaria was a country of origin for Germans or Czechs with a number of cases of trafficked person counting less than five for the years 2010-2012.³⁹

Cyprus

The phenomenon of human trafficking is of growing concern to the Cypriot authorities. In 2004, a specialised office of the Cyprus Police was established namely, Office of Combating Trafficking in Human Beings (OoCTHB), and ever since, anti-trafficking efforts have become more concerted.

Statistical analysis shows that the countries of origin of victims trafficked for sexual exploitation in Cyprus vary. Yet, though trafficked persons in Cyprus are both non- and EU nationals, recently an increase is noted in the number of victims coming from EU countries.

Until 2009, countries of origin of victims of trafficking for sexual exploitation comprised mainly Ukraine, Moldova, Russia and the Philippines. However, since 2010, there has been an increase in the number of victims of trafficking coming from Eastern Europe, Bulgaria and Romania, in particular. Illustratively, out of the 81 victims of trafficking for the purpose of sexual exploitation identified in 2006, 23 came from Ukraine, 18 from Moldova, 10 from the Philippines and 6 from Russia. In 2014, out of the 38 human trafficking victims identified by the Cypriot authorities, only three victims were identified from the ‘traditional’ origin countries;

³⁵NCCTHB, *2013 National Report*.

³⁶ NCCTHB, *National Report 2011*

³⁷ Dobрева, Natasha., *Promotion of the Rights of Trafficked Persons in Bulgaria: A Human Rights Based Approach*, Animus Association Foundation, 2013, p. 9.

³⁸ NCCTHB, *2012 Annual Report*.

³⁹ EUROSTAT *Trafficking in the human beings* 2014, p.35- Table 2- Countries reporting victims in 2010 – 2012-EU, EFTA, EU Candidate and Potential Candidate Countries

including one Ukrainian and two Moldovans. This decrease seem mainly caused by the abolition of the “artist visa” in 2009 (an issue that is discussed in the ensuing chapters), which forced traffickers to target persons in other countries, in particular persons that could freely travel.

The Netherlands

In the Netherlands, (presumed) trafficked persons are reported to CoMensha, the Coordination Centre on human trafficking. CoMensha⁴⁰ is the body responsible for registering possible victims of human trafficking at national level. The box below presents a statistical overview of the situation in the Netherlands:

- I. In 2013, a total of 1,437 possible victims of human trafficking were registered at CoMensha. 2013 showed a substantial decline in the number of registered possible victims (1,437 in 2013 compared with 1,711 in 2012).
- II. The registered possible victims by Comensha are generally female (88%) and their average age is 25.4 years.
- III. The largest group of possible victims in the period 2008 – 2012, were aged between 18 and 24 (38%) and around 15% of the registered possible victims are minors. Also, 62% of the reported minors were Dutch.⁴¹
- IV. In 2013, about 32% of the reported trafficked persons had a Dutch nationality.⁴² In the period 2008 – 2012, also most victims (then with an average of 25%) came from the Netherlands.
- V. The group of victims with Dutch nationality is closely followed by victims with a Central and Eastern European country background. 30% of the possible victims in the period 2008-2012 were from Central and Eastern Europe, including Bulgaria (18%), Hungary (13%) and Romania (8%).⁴³ Most of the trafficked persons identified in the Netherlands come from the European Union countries.⁴⁴ A quarter of the victims come from Africa,⁴⁵ in particular Nigeria.⁴⁶
- VI. The top 10 countries where possible trafficked persons originated from, registered in 2013⁴⁷ in Netherlands were: Netherlands 455 (trafficked persons0; Romania 193; Hungary 172; Bulgaria 123; Nigeria 54; Guinea 51; Sierra Leone 33; China 31; Poland 22; Philippines 16; Uganda 14.

The fact that the largest group in the Netherlands are victims with Dutch nationality, which is partly a result of Dutch interpretation of the human trafficking law and Dutch prostitution law (any minor working in the Netherlands in the sex industry, is once identified given the indication of a possible trafficked person) is acknowledged by various stakeholders. The Dutch Rapporteur reports that a persistent area of concern is the recognition and protection of Dutch

⁴⁰ Comensha is an NGO and the Dutch member of La Strada International and therefore internationally also referred to as La Strada Netherlands.

⁴¹ <http://www.dutchrapporteur.nl/current/news/archief/rapporteur-generate-more-insight-into-networks-facilitators-and-money.aspx>.

⁴² Comensha – Mensenhandel in beeld. Jaarcijfers CoMensha. Het beeld van 2013, p. 4.

⁴³ National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2014). Trafficking in Human Beings: Visible and Invisible II. Summary of the quantitative report 2008-2012, p. 8

⁴⁴ <http://mensenhandel.nl/artikel/detail/jaarcijfers-van-comensha-jaar-2013>

⁴⁵ Factsheet on Trafficking in Human Beings: Visible and Invisible II A quantitative report 2008-2012 – National Rapporteur on Trafficking in human beings and sexual violence against children. P.4, published in 2014

⁴⁶ National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2014). Trafficking in Human Beings: Visible and Invisible II. Summary of the quantitative report 2008-2012, p. 8

⁴⁷ Comensha – Mensenhandel in beeld. Jaarcijfers CoMensha. Het beeld van 2013, p. 13

underage victims of human trafficking often referred to as ‘lover boy victims’.⁴⁸ The Council of Europe monitoring body, Group of Experts on Action against Trafficking in Human Beings (GRETA) mentions in their report on the Netherlands that ‘a constant feature over the last years is the high proportion of national victims, the great majority of whom are young women or girls who fall prey to so called “loverboys” who manipulate and force them into prostitution’.⁴⁹

Although the Netherlands can be seen as a source, destination and transit country for trafficked persons, as also indicated in nearly all reports on the Netherlands, the country is best characterized as a country of destination. Victims are trafficked out of the country and within the country, but there are more victims trafficked into the country.⁵⁰

Foreign victims exploited in the Netherlands, are often brought to the Netherlands by their traffickers. Major trafficking routes in Europe go from Eastern to Western Europe, including the Netherlands. The Netherlands and the UK both are on the western side of Europe, and are therefore countries to receive victims from the east.⁵¹ There are also reports about trafficking routes via Suriname to the Netherlands⁵² and from Africa and Asia to the Netherlands.

It is estimated that around 24% of the women receiving assistance at shelters in the Netherlands come from West Africa. The majority of women come from Nigeria and Guinea, but we are also seeing women from Togo, Sierra Leone, Ivory Coast and Ghana.⁵³ Traffickers use routes through Italy, Spain and Greece to transport women into Europe illegally.⁵⁴

Persons are trafficked to the Netherlands both by land and by air. Depending on the distance to be travelled, traffickers may transport the (prospective) victims to their destination by car or by air. Victims of labour exploitation usually travel by road, for example in mini buses or on international bus lines. The victims are (at times) accompanied by a friend or an acquaintance, or by the trafficker or someone who works for him, they also travel on their own with their own documents.⁵⁵

Romania

Romania is mainly a country of origin for human trafficking to other European countries. The figures of the identified Romanian victims exploited either internally or externally have registered a constant decrease from 1240 victims in 2010 to 896 victims in 2014. A cross tabulation of the age and forms of exploitation shows that: a) the majority of minor girls are sexually exploited internally, b) the majority of adult women are sexually exploited through transnational trafficking and, c) the majority of adult men are exploited in transnational human trafficking.

The majority of the victims registered by Romanian authorities were female, aging between 18-25 years and to a lesser extent 26-40 years and men aging between 25-40 years and to a lesser extent 40-60 years. As regards younger or older persons identified in human trafficking, more cases of younger age than 10 years old are encountered within internal trafficking sexually

⁴⁸<http://www.dutchrapporteur.nl/current/news/archief/combating-human-trafficking-more-attention-needed-for-minors-the-prostitution-sector-and-new-forms-of-exploitation.aspx>

⁴⁹ Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Netherlands First evaluation round Adopted on 21 March 2014, Published on 18 June 201, p 12.

⁵⁰ See TRACE deliverable 1.1 p. 44

⁵¹ See p.44 – TRACE deliverable 1.1

⁵² <http://www.luisterenddiensten.nl/site/uploadedDocs/KKnieuwsbriefjuni2011.pdf>

⁵³ <http://notforsalecampaign.org/stories/2013/06/11/trafficking-routes-from-africa-to-europe/>

⁵⁴ <http://notforsalecampaign.org/stories/2013/06/11/trafficking-routes-from-africa-to-europe/>

⁵⁵ TRACE D1.3 final deliverable, p. 6 TRACE WPI D1.3: A report concerning the macro and micro analyses of human trafficking.

exploited compared to external trafficking, while cases aging more than 61 years old are to be encountered in transnational trafficking for begging or labour exploitation, in countries like Germany, Italy, Spain, Cyprus and the Netherlands.

Romania is also a country of destination for Romanian citizens (internal trafficking), based on official statistics⁵⁶ evaluating the dimension, intensity, and flows of human trafficking.

Internal trafficking is widely detected, and for one in every three trafficking cases, the exploitation takes place within Romanian borders. There is a particularity between internally and externally trafficking when it comes to the age of the victims. The majority of the minors, mainly girls, are exploited internally, while mainly adults are externally exploited, men especially for labour exploitation and women especially for sexual exploitation.

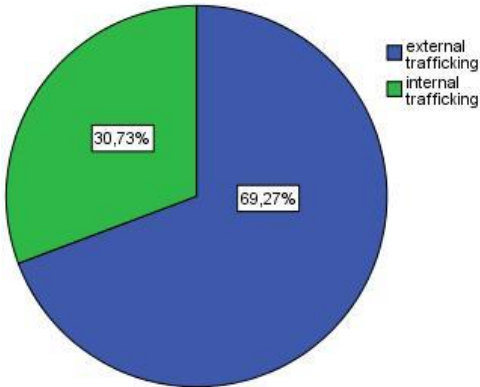


Fig 1. Internal versus external human trafficking for Romanian citizens

Routes and flows of transnational human trafficking are slightly changing over years, the only constant factor is the big share of Romanian identified victims, out of the total identified victims. For all the years concerned (2009-2013) the share of victims exploited in transnational human trafficking was at 69,3%.⁵⁷

Regarding the routes, it becomes evident that human trafficking of Romanian citizens takes place mainly in Western European countries, and when victims suffer exploitation in more countries, the exploitation takes place either in neighboring countries or along the route to the final destination. The transportation of the victims is mainly made by land ways, with buses, minibuses or trafficker’s personal cars, European driving⁵⁸ routes being used in this situation.

The main countries of destination irrespective of the forms of exploitation, based on registration figures, are Spain, Italy, Germany, Greece, Cyprus, Czech Republic, France and other. Spain, Italy, Germany, Greece and Cyprus are the top 5 destination countries (50,3%) and counted a cumulative share of more than half of the total discovered human trafficking within the analysed period.

⁵⁶ Statistics available from Romanian competent authorities-Source SIMEV.
⁵⁷ Within SIMEV, identified victims define the persons affected by human trafficking crime, either if presumed or a formally identified, but who was in contact with law enforcement or with an NGO who informed ANITP about this case, and the person didn’t agree to further cooperate with the authorities.
⁵⁸ 3 main corridors are linked with Romanian territory: Rhine-Danube, Mediterranean and Orient/East-Med.

The number of identified foreigners victims exploited in Romania was low; only 16 persons in all the years concerned. In this period a total of 5038⁵⁹ cases of victims of human trafficking were recorded; in particular Romanian citizens exploited internally or externally (transnational human trafficking). The table below provides insight in the form of exploitation.⁶⁰

Type of exploitation	internal or transnational trafficking		Total
	transnational trafficking	internal trafficking	
sexual	1326	1216	2542
labour	1802	281	2083
begging	325	46	371
thefts	37	5	42
	3490	1548	5038

Table 1. Share of Romanian trafficked persons by forms of exploitation and type of trafficking in the period 2009-2013⁶¹

Data analysis revealed some slight differences for the forms of exploitation of Romanian trafficked persons to specific countries of destinations. While Italy, Spain and Germany are destinations for all forms of human trafficking, the Czech Republic and Cyprus are destinations mainly for labour exploitation, France and Poland for forced begging and Austria and the Netherlands for sexual exploitation.

According to annual data provided by the Romanian Prosecutor’s Office - the Directorate for the Investigation of Organized Crime and Terrorism (DIICOT), prosecuted traffickers are mainly Romanians, only less than five of those having other nationalities. According to data collected regarding the prosecuted or convicted traffickers in Romania, it is impossible to have a disaggregation by forms of exploitation, but based on the assumptions of the Romanian Police, 75% of the trafficking investigations is related to sexual exploitation.

1.1 Human trafficking for sexual exploitation

Human trafficking for sexual exploitation is the most common form of human trafficking, identified in Europe, therefore the report focuses first on this form of trafficking.

Human trafficking for sexual exploitation has the biggest share out of the identified Romanian victims, more than half of the recorded cases being exploited for sexual purposes (50,5%⁶²). Women account an overwhelming majority of the Romanian trafficked persons exploited for sexual purposes with a 99,8% of the total. Trafficked persons are exploited through forced sexual activities similar to prostitution. These take place on the streets, in brothels, hotels, in clubs, in private and public spaces. The transnationality of sexual exploitation (the numbers of

⁵⁹ The total number of identified Romanian victims, registered in SIMEV, exploited for sexual purposes, forced labor, begging or committing thefts or other crimes. For not using extensively the victim term for these and other figures regarding their characteristics, an alternative term "cases" will be used from this point on.

⁶⁰ Source of data: SIMEV

⁶¹ Source: SIMEV

⁶² Based on the total no. of cases of persons identified as victims of trafficking in the analysed period of time: 2009-2013.

trafficked persons found in transnational trafficking compared with internal trafficking) is lower than the transnationality registered in the cases of labour exploitation or forced begging in the cases of Romanian trafficked persons.

Internal or transnational for sexual exploitation –Romanian trafficked persons

	Frequency	Valid Percent
transnational trafficking	1326	52.2
internal trafficking	1216	47.8
N	2542	100.0

Table 2. Share of the transnationality of Romanian trafficked persons for sexual exploitation for the period 2009-2013⁶³

Romanian and Bulgarian trafficked persons for sexual exploitation were exploited either in internal trafficking but mainly in transnational trafficking to countries from Western Europe or other EU and non-EU countries. For example based on statistics related to the assisted Bulgarian victims in the Crisis Center of Animus Association Foundation in 2013⁶⁴ and 2014⁶⁵, victims were subject to exploitation in Germany, Portugal, the Netherlands, Belgium, Italy, Austria, Italy or Poland. The routes of Romanian trafficked persons to Western European countries are to some extent similar to the Bulgarian routes. Apart from the countries mentioned above, Romanians are also identified in other main countries like Spain, United Kingdom, France, Ireland, Cyprus, Turkey, the Czech Republic and others. Since 2010 there has been an increase in the number of trafficked persons in Cyprus, coming from EU countries, mainly from Eastern Europe, Bulgaria and Romania in particular⁶⁶.

The hierarchy of destination countries for the Romanian trafficked persons in the analysed period was as follows:

Italy (442), Spain (221), Germany (219), United Kingdom (84), Greece (74), Austria (66), France (62), Netherlands (49), Ireland (21), Switzerland (16), Belgium (14), Cyprus (10), Turkey (10), Czech Republic (8), Poland (6), Hungary (6), Denmark (6), Portugal (5), Norway (4), Sweden (1), Slovenia (1), Lebanon (1)⁶⁷.

A constant tendency related with the human trafficking flow from Romania to European countries is registered in countries like Italy, Spain, Germany, Greece, Austria, United Kingdom, France, Ireland and Switzerland, where in all the observed years cases of sexual trafficking were registered. While the sexual trafficking for Italy and Spain, as also was mentioned, started to decrease, from more than 80 cases registered in 2009 to less than 30 cases registered in Spain in 2013, human trafficking for sexual exploitation to Germany increased from 38 cases in 2009 to 55 cases in 2013.

Romania was a destination and a transit country according to the reported cases in 11 situations. Trafficked persons were mainly coming from the Republic of Moldova, a country neighbouring Romania which shares a common culture, history and language. Taking into account these linkages between Romania and The Republic of Moldova, it is most probably for the

⁶³ Based on data from SIMEV.
⁶⁴ Animus Association Foundation, *Statistical report*, 2014.
⁶⁵ Animus Association Foundation, *Statistical report*, 2013.
⁶⁶ Source: Cyprus Police.
⁶⁷ Based on data from SIMEV.

Moldavians to be enticed with the job offers in Romania or in other European countries, Romania being in this respect a transiting country to other Western countries.

Other foreign trafficked persons exploited in Romania were from Greece, Switzerland, Bulgaria and Poland. It is of interest to observe that in these cases there was a previous connection of the majority of the victims to Romania. The victims were either studying or finished their studies in Romania or either had double citizenship and have lived in Romania for some time. All these victims were adult women. In the case of a Bulgarian woman, the exploitation did not take place in Romania as she was able to escape from the trafficker and ran out to a police station.⁶⁸ In the cases of Greek and Hungarian women the exploitation took place in Spain. Both the victims were recruited in Romania with promises of jobs in the entertainment field, since one was living here for studying and the other one was visiting one of her friend, and trafficked for sexual exploitation in Spain⁶⁹.

The reported profile of Romanian victims by gender and age (adult/minor) reports that adult women are the majorities of victims exploited in European countries, accounting 75,9% percent of the total number of transnational cases of human trafficking for sexual exploitation in European countries.

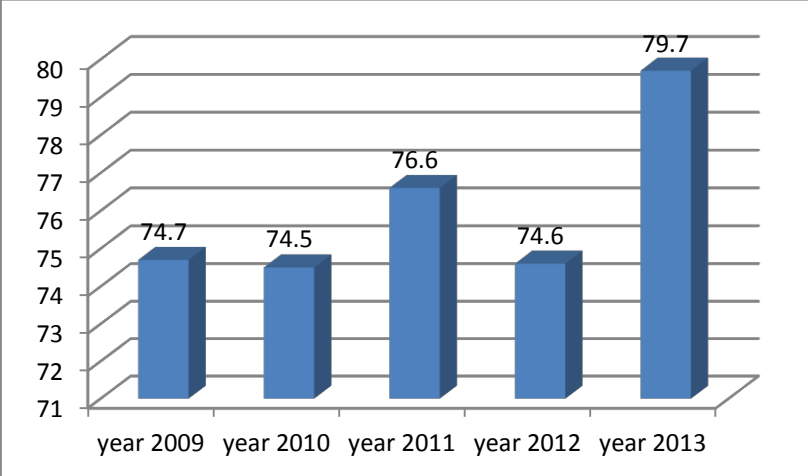


Fig 2. The share of female adult trafficked Romanian persons identified in sexual transnational trafficking

The rest of the cases are minor girls (24% of the total), and for 2 cases (0,1%) were registered boys sexually exploited. The identified minor boys suffering from sexual trafficking were recorded one in Italy and another one in Austria.

Based on the registered increase of cases of sexual trafficking to Germany, which was noted by the Romanian authorities starting with 2010 and 2011, more and more Romanian and Bulgarian trafficked persons are exploited in this particular country. In the case of Romanians exploited in Italy or Spain, the main countries of destination in the period of 2006-2008⁷⁰ and even in 2009⁷¹, was observed a substantially decrease flow in 2013 and 2014. Even if recorded this fall for these latter two countries of destinations, human trafficking flow to Italy and Spain with Romanian citizens still remains at a significant proportion, irrespective of the form of exploitation.

⁶⁸ Victims' fiches – available in SIMEV.
⁶⁹ National Agency against Trafficking in Persons *Report regarding trafficking in Persons in 2010*, Bucharest, 2011, p.15.
⁷⁰ National Agency against Trafficking in Persons *Report regarding the situation of trafficking in Persons in Romania-2006*, Bucharest, 2007, p.38.
⁷¹ National Agency against Trafficking in Persons *Report regarding the situation of trafficking in Persons in Romania-2009*, Bucharest, 2010.

The changes in patterns in flows and destinations of human trafficking observed in the data analysis are complemented by the Romanian Police in their analysis regarding the modus operandi of human trafficking, intelligence analyses and criminal groups involved in this crime. For example in the National Report regarding human trafficking in Romania⁷² in 2012 the Police announced a change of the area of influence of the criminal groups acting in this field from Spain to United Kingdom or Ireland and from France, Spain, Italy to Switzerland, Ireland or to other Scandinavian countries.

Based on some other studies' results, reports or paper sheets regarding human trafficking and identified and observed Romanian trafficked persons, registered such cases, like, for example, Canada⁷³ who reported cases of human trafficking for sexual exploitation coming from Romania, China⁷⁴, Serbia⁷⁵, Malta⁷⁶, or Finland⁷⁷.

Routes and entry procedures vary, depending mainly on the country of origin, the personal circumstances of each victim and the traffickers' modus operandi. As regards the transit countries for human trafficking, for example for Romanian and Bulgarian trafficked persons to other European countries the information available from authorities from other countries was linked with and helped to broaden the image of the routes used and the way in which transportation has taken place. For example, based on the analysed cases in Romania, Romanian victims were transported to Germany mainly by cars, buses or with minibuses. When the transportation is made by land we can assume that the "drive European corridors" are used for arriving to the destination countries. The Rhine-Danube⁷⁸ European transport corridor is the main route used from Romania to Germany, passing through Hungary and Austria. A particular recorded case in which the victims suffered exploitation in Romania, Hungary, Austria and Germany (the countries transited by the Rhine-Danube European corridor) could also be used as an indication of the transportation and exploitation of Romanian trafficked persons along the route to the destination.

Traffickers involved in the sexual exploitation of victims in Cyprus choose mostly legal channels (and to a lesser degree illegal) to achieve the entrance of their victims in the territory of the Republic of Cyprus. Victims enter the territory of Cyprus both through the authorized ports of the Republic of Cyprus making all legal and necessary procedures to enter the island, and to a much lesser extent, illegally, through the Turkish occupied areas.

The majority of traffickers choose to transfer their victims to Cyprus by air, via low cost airlines⁷⁹. Trafficked persons from countries from Eastern Europe such as Bulgaria and Romania usually arrive to Cyprus with direct flights operated by low cost airlines (see fig. 3).

⁷² National Agency against Trafficking in Persons *Report regarding Trafficking in Persons in 2012*, Ministry of Internal Affairs Press House, Bucharest, 2013, p.35.

⁷³ U.S. Department of State, *Trafficking in Persons Report*, Printed by A/GIS/GPS, June 2010, p.104.

⁷⁴ U.S. Department of State, *Trafficking in Persons Report*, Printed by A/GIS/GPS, June 2010, p.112.

⁷⁵ EUROSTAT-European Commission *Trafficking in Human Beings Luxembourg* –Publication Office of the European Union, 2013, p.54.

⁷⁶ U.S. Department of State *Trafficking in Persons Report* Printed by A/GIS/GPS, June 2012, p. 241 available at: <http://www.state.gov/documents/organization/192596.pdf> last accessed in 27.11.2014 and EUROSTAT-European Commission *Trafficking in Human Beings Luxembourg* –Publication Office of the European Union, 2013, p.54.

⁷⁷ U.S. Department of State, *Trafficking in Persons Report*, Printed by A/GIS/GPS, June 2013, p. 169, available at: <http://www.state.gov/documents/organization/210739.pdf>, last accessed in 27.11.2014.

⁷⁸ <http://cursdeguvernare.ro/wp-content/uploads/2013/10/ten-t-corridor-map-2013.pdf>

⁷⁹ A Cyprus police analysis complemented by the Romanian analyses of the ways of transportation of the trafficked persons to Cyprus.

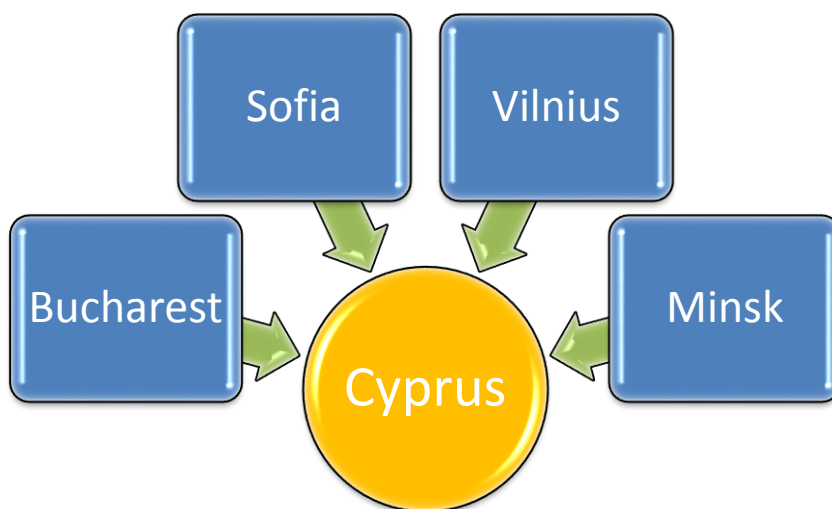


Fig 3. Routes of victims from Eastern Europe-Cyprus Case

These victims are very often trafficked to other European countries such as Belgium, Germany, France, and the Netherlands before they end up in Cyprus. Testimonies given by victims have shown that traffickers choose to traffic their victims to those countries mostly using private cars or public transport such as buses and trains.

The routes and flows of human trafficking from Romania and Bulgaria are flexible with traffickers moving victims from a country to another one. For example, 18 Romanian trafficked persons were identified in Germany who suffered from exploitation also in other countries like: the Czech Republic, Italy, Switzerland, Austria, Hungary, Cyprus and Greece⁸⁰, as well as within the country. What is interesting in this regard is that a case was observed,⁸¹ in which a victim was sexual exploited in Romania, Hungary, Austria, and Germany; countries that are crossed by the main European road from Romania to Germany, which starts from Constanta (a Romanian city) goes to Bucharest-Budapest-Vienna- and finally reach Frankfurt and/or Stuttgart.

As regards the Netherlands and Cyprus, the statistical analysis shows that the countries of origin of human trafficking for sexual exploitation vary. These countries encounter the trafficking of both non- and EU nationals. Source countries for transnational trafficking are also situated at other continents, like Asia (Chinese and Vietnamese women trafficked for sexual exploitation), Africa (Nigerian and Moroccan nationals trafficked for sexual exploitation) or South America (Brazilians and Colombians).

The number of women that are exploited in the sex industry in the Netherlands is already for many years, much higher than the amount of women exploited in other sectors. In 2013, 72% of the total reported women in the Netherlands were exploited in the sex industry⁸².

According to the analyses performed by the office of the Dutch National Rapporteur, possible victims originally from Africa would generally be trafficked for sexual exploitation, regardless of their gender and age, but that does not apply to those from other regions. Possible victims up to the age of 30 from Central and Eastern Europe, for example would generally be sexually

⁸⁰ Source: SIMEV

⁸¹ Source: SIMEV

⁸² CoMensha – Mensenhandel in beeld. Jaarcijfers CoMensha. Het beeld van 2013, p. 4 & 5.

exploited, while most of the possible victims from the same region over the age of 30 would generally be exploited outside the sex industry.⁸³

As for Cyprus, illustratively, out of the 81 victims of trafficking for the purpose of sexual exploitation identified in Cyprus in 2006, 23 came from Ukraine, 18 from Moldova, 10 from the Philippines and 6 from Russia. In 2014, out of the 38 human trafficking victims identified by the Cypriot authorities, only three victims were identified from the traditional origin countries; that is one Ukrainian and two Moldavians. This decrease is mainly due to the abolition of the “artist visa” in 2009 (a subject that is discussed in the ensuing chapters), which forced traffickers to seek new targets in other destinations.

Currently, the majority of trafficked persons in Cyprus for the purpose of sexual exploitation come from Bulgaria and Romania (see fig. 3).

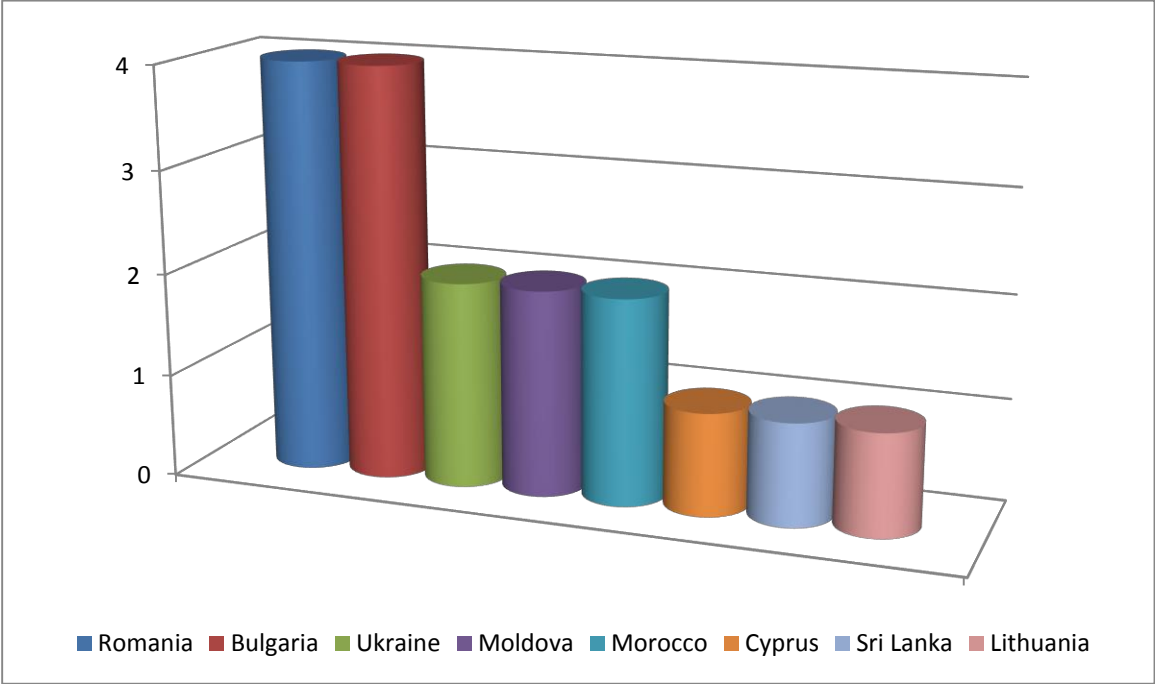


Fig 4. Origins of sex trafficking in Cyprus⁸⁴

Trips of victims who are third country nationals (coming from Morocco, Sri Lanka), are made through many transit countries (*see fig. 5*).

⁸³National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2014). *Trafficking in Human Beings: Visible and Invisible II. Summary of the quantitative report 2008-2012*, p. 8

⁸⁴ The 2014 figures of trafficked persons in Cyprus-Cyprus Police statistics.

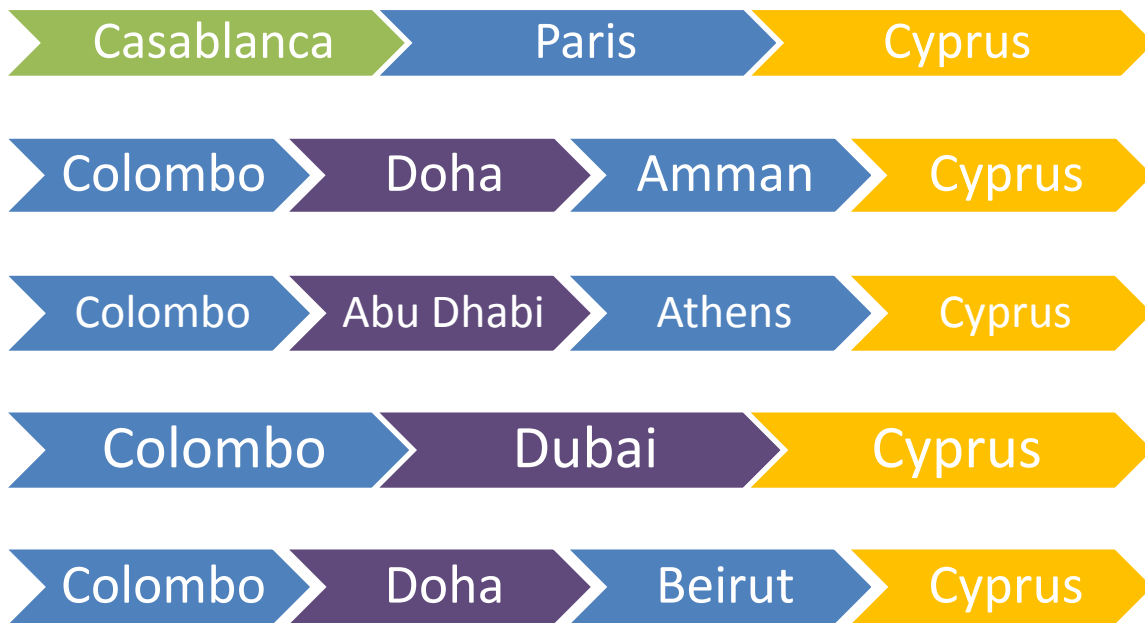


Fig 5. Routes of victims from non EU countries-Cyprus Case

In cases where victims arrive at the Turkish occupied areas of the Island, reports indicate that the majority of those trips are carried out by planes. Those victims are firstly trafficked to Turkey and then they end up in the Turkish occupied part of Cyprus. They arrive there with flights conducted from Turkey to an unauthorized port of Cyprus, after being supplied with false travel documents. Then, after they are forced into prostitution within the occupied areas of the Cyprus Island, victims travel via cars to the non-occupied areas, in order to either travel to other European countries through the legal ports of the Republic or to stay in the Republic until found by the authorities.

1.2 Human trafficking for labour exploitation

Whilst the majority of trafficking victims are subjected to sexual exploitation other forms of exploitation are increasingly detected globally. Human trafficking for labour exploitation includes sectors such as construction, agriculture, horticulture and food processing, domestic households (domestic care) or domestic elder's care, textile productions, paper based production; small factories where labour supplying raw materials is provided (paper recycling plant), restaurants, hotels and catering sectors, maritime sector (shipping and inland shipping).⁸⁵

The Dutch National Rapporteur acknowledges that there is still too little known about exploitation outside the sex industry.⁸⁶ Nevertheless a growing proportion of persons identified in the period 2007 - 2011, were men, and an increasing number were identified as being exploited outside of the sex industry (from 6% in 2007 to 20% in 2011), a category which includes forced labour, but also criminal activities such as drug trafficking.⁸⁷ Male victims are in particular trafficked for labour exploitation (48%).⁸⁸ The Rapporteur believes that the levels of victims of trafficking for the purpose of labour exploitation will in all likelihood continue increasing, in particular in high-risk sectors (e.g. agriculture, horticulture, catering and construction).⁸⁹ In the Netherlands however, according to the figures of 2013, there was a

⁸⁵ <http://www.nationaalrapporteur.nl/actueel/nieuws/2014/nieuwe-kerncijfers-mensenhandel.aspx?cp=63&cs=16790>

⁸⁶ <http://www.dutchrapporteur.nl/current/news/archief/rapporteur-generate-more-insight-into-networks-facilitators-and-money.aspx>

⁸⁷ National Rapporteur, supra note 147, p.43

⁸⁸ Comensha – Mensenhandel in beeld. Jaarcijfers CoMensha. Het beeld van 2013, p. 4 & 5.

⁸⁹ <http://www.dutchrapporteur.nl/current/news/archief/rapporteur-generate-more-insight-into-networks-facilitators-and-money.aspx>

decline in the report of cases of human trafficking for labour exploitation. Such cases often concern foreign temporary workers hired through employment agencies located abroad and proposing conditions of work which make workers very dependent on their employer through benefits in kind (work, accommodation, meals, all provided by the employer). One concerned the mushroom picking sector and the other the asparagus sector, and in both cases workers were entirely dependent on their employers, having to put up with poor working conditions, squalid accommodation, and sometimes not being paid for months.⁹⁰

The US Trafficking In Persons’ report of 2014 reveals that domestic workers employed in the Netherlands remain vulnerable to forced labour, including by foreign diplomats posted there. Groups vulnerable to trafficking include unaccompanied children seeking asylum, women with dependent residence status obtained through fraudulent or forced marriages, women recruited in Africa and Eastern Europe, and East Asian women working in massage parlours.⁹¹

As reflected in a national report analyzing human trafficking in 2006, Romania was expected to become an origin country for labour exploitation, after its accession to the EU (2007). This was expected to ‘lead to a possible increase of labour exploitation of Romanian citizens in Western or more developed countries’⁹².

According to the available data regarding cases of trafficking for labour exploitation, the extent of the transnational trafficking of Romanians for labour exploitation is the biggest, situated at 86,5% (*see the table below*) of the total of labour exploitation. The profile of the Romanian trafficked persons is adult male (78%), exploited mainly in construction, agriculture or in other fields known for the black work type⁹³ or grey labour market. The incidence of labour migration of Romanians searching for jobs in the black labour market was highlighted as a permanent risk factor for human trafficking from Romania.

	Frequency	Valid Percent
transnational trafficking	1802	86.5
internal trafficking	281	13.5
N	2083	100.0

Table 3. Share of the transnationality of Romanian trafficked persons for labour exploitation for the period 2009-2013⁹⁴

Since 2009, there has been an increase in the number of victims trafficked for the purpose of labour exploitation in Cyprus. It is worth mentioning that during the year 2006 out of the 81 identified victims of trafficking, no victim for the purpose of labour exploitation were identified by the Cypriot Authorities. However, in 2014, out of the 38 identified victims of trafficking, seven were victims of trafficking for the purpose of labour exploitation.

⁹⁰ Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Netherlands First evaluation round Adopted on 21 March 2014
Published on 18 June 201, p 25
⁹¹ TIP report, the Netherlands, p. 289
⁹² ANTIP *National Report regarding Trafficking in Persons in Romania 2006* Bucharest, 2007, p.86.
⁹³ ANTIP *National Report regarding trafficking in persons in 2011* (available only in Romanian) Bucharest, 2012, p. 39.
⁹⁴ Based on data from SIMEV.

Trafficking in human beings for the purpose of labour exploitation in Cyprus initially appeared in the domestic work sector, with the majority of victims to be women from Vietnam. This phenomenon firstly appeared in 2010 when the first Vietnamese female national was identified as victim of trafficking for the purpose of labour exploitation in the domestic work by the Cypriot Authorities. Notably, out of the 18 victims for the purpose of labour exploitation that were identified during 2010, 12 were Vietnamese nationals. Those victims were trafficked from Vietnam to Cyprus by plane through other transit countries such as Thailand (Bangkok), Dubai, etc., always having in their possession genuine travel documents. Ever since, there has been an increase in victims deriving from India. Out of the 19 identified victims of trafficking for the purpose of labour exploitation in 2012, 15 were Indian nationals. Out of the 10 identified victims in 2013, nine were Indian nationals, and out of the 18 victims that were identified as such during 2014, 11 were Indian nationals.

At the same time, based on data gathered from interviews provided by victims of labour exploitation, it can be concluded that victims travel to Cyprus by air through a plethora of countries (see fig. 6). This particular situation was confirmed also by the research regarding human trafficking routes for labour exploitation from Romania, in which in order to arrive in Cyprus, victims were transported by planes.



Fig 6. Routes of labour trafficking victims from non EU countries-Cyprus Case

The trafficked persons in Cyprus travel while holding genuine travel documents after they have secured visas as labourers in the agricultural and livestock sector.

Destinations for labour trafficking are changing from a year to another only slowly for the Romanians and Bulgarians.

The destination countries for Romanian and Bulgarian trafficked persons were to some extent similar, only in the case of Romanians the flows were more spread, trafficked persons could also reach countries outside the European continent. Based on the available data at national level regarding victims of trafficking we do not observe variety for the main destination countries for labour trafficking.

The destination countries for labour trafficking based on the intensity recorded for the analysed period of time of the Romanians were, as it follows:

- Spain (542 cases of trafficked persons), Greece (244 cases), Italy (230), Cyprus (219), Czech Republic (184 cases), Germany (171 cases), Turkey (44 cases), Portugal (34 cases), Iraq (27 cases), Poland (25), Finland (21 cases), United Kingdom, (19 cases), Austria (13 cases), USA (7 cases), Slovakia (6 cases), France

(5 cases), Switzerland (6 cases), Ireland (4 cases), Libya (4 cases), Hungary (3 cases), Bulgaria (2 cases), Netherlands (1), Morocco (1 case).⁹⁵

Besides Sweden, other destination countries for labour exploitation of Bulgarian trafficked persons were Greece, Spain, Italy, Germany and the Czech Republic. Israel was a country of destination for Romanians who migrate voluntarily and legally for labour contract in construction, agriculture, or home health care provisions.⁹⁶ In one recent case, two Romanian were held against their will and compelled to work as janitors for three years in Denmark and to live in squalid conditions.⁹⁷ At the same time, Turkey⁹⁸ and Portugal⁹⁹ registered a substantial increase of the Romanian cases in 2013. As appreciated in one interview with a Romanian liaison officer, traffickers operate for recruitment of persons for labour exploitation mainly in rural areas and/or in the poorest regions of the country (Hunedoara, Alba, Vaslui, Botoşani, Suceava, Olt, Craiova, and Vâlcea). In one case of labour trafficking in Portugal, there were traffickers who accommodated victims in Portugal but exploitation took place in farms found out on the Spain¹⁰⁰ territories. The victims were transported daily which includes two way trips for six hours on a bus.

Based on the available data at national level in Romania it was found that the majority of the victims were transported for transnational trafficking for labour exploitation with buses or minibuses from international public transport companies. Cases were also registered with victims trafficked to more than one country, meaning that the routes for human trafficking were flexible, with victims exploited from one country to another.

Romania was also a destination for five persons from Bangladesh, with the intention of transiting them to Germany for labour exploitation in 2011 (exploited for labour in agriculture). According to these victims' testimonies they reached Romania¹⁰¹ only for the purpose to be transferred to Germany, which was supposed to be their final destination. Once in Romania, the smuggler/trafficker told the victims that they had to work in agriculture in order to pay off their debts, generated by travel and other related costs of food and accommodation.

1.3 Human trafficking for illegal activities, including forced begging

Human trafficking for illegal activities, including forced begging comprises a broad range of exploitations found in all the four study cases. It includes: forced begging, illegal adoption, selling of babies, committing petty crime (shoplifting, street crime, pick-pocketing), forced criminality, ATM theft, drug trafficking, illegal marriages, forced drugs crime, fraud offences, benefit fraud, and others.

It was noted that compared to labour or sexual exploitation, the recorded exploitation for criminal activities and forced begging is low. For example in the Netherlands, women exploited for forced criminality made up just 1% in 2013 and only 9% of male were found to fit in this category.¹⁰² In 2013, CoMensha reported four victims; two minor and four adult victims being

⁹⁵ Source of data: SIMEV, Romanian trafficked persons identified and observed by the Romanian authorities in transnational human trafficking for the period 2009-2013.

⁹⁶ U.S. Department of State, *Trafficking in Persons Report* Printed by A/GIS/GPS, June 2010, p.184.

⁹⁷ U.S. Department of State *Trafficking in Persons Report* Printed by A/GIS/GPS, June 2013, p. 151, available at: <http://www.state.gov/documents/organization/210739.pdf>, last accessed in 27.11.2014.

⁹⁸ Two victims were identified in 2009 while in 2012 and 2013 the no. reached 39 respectively 44.

⁹⁹ One victim was identified in 2009 while in 2012 and 2013 the no. reached 26 respectively 34.

¹⁰⁰ Interview-I.Sova.

¹⁰¹ According to the specialists from ANITP responsible for case's initial needs evaluation based on contacts with the police unit investigating the case at the moment of identification and with victims.

¹⁰² Comensha – Mensenhandel in beeld. Jaarcijfers CoMensha. Het beeld van 2013, p. 4 & 5.

forced to commit criminal activities and separately seven victims; one minor and six adults to be possibly trafficked for crimes related to forced drug cultivation.¹⁰³ A recent published project research called RACE, coordinated by the UK NGO Anti-Slavery reveals that it is ‘important to note that despite there being a trend of Vietnamese exploited in cannabis factories all across Europe, in the Netherlands, there are far fewer cases. The regulation of cannabis cultivation in the Netherlands is given as the main reason for this.’¹⁰⁴

In 2012, CoMensha reported four cases of forced shoplifting (one Armenian male, one Chinese and two Mongolian females); one case of a Dutch female being forced to buy telephone credits and one case of a Bulgarian male person being forced to beg. The forced begging case seen in 2012 was the first such case ever reported to CoMensha. However, the Office of the Dutch National Rapporteur on Trafficking noted that this may not be a true representation of those exploited. The Dutch National Rapporteur’s Office for example, registered a total of 18 cases of trafficking for forced criminal exploitation in 2012.¹⁰⁵

Further, earlier, in the 7th Report published by the Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children in 2010, cases of exploitation through drug-related offences, theft and fraud were documented. These cases included Bulgarian women forced to cultivate cannabis, victims of ‘lover boys’ forced to smuggle drugs, Roma minors forced to beg and steal (as well as earn money through playing music and selling newspapers) and trafficked persons forced to commit fraud offences including benefit fraud. Furthermore, the Dutch Police Force has witnessed, amongst others, cases of Mongolian people forced to steal large quantities of expensive perfume and a case of a Lithuanian student forced to break into a car and steal a radio.¹⁰⁶ In light of the available data it is possible to conclude that human trafficking for forced criminal activities and begging is taking place in the Netherlands, but it is still an area that renders further research and identification.

Turning to Romania, the majority of the Romanian trafficked persons were male (66,5% of the total), mainly adults who were exploited for begging. The minor males are mainly exploited for committing thefts or for other street criminal activities. Regarding the age profile, the same is very diverse. For example, persons older than 61 years or younger than ten can be found in situations of forced begging, this diversity is found to a lesser extent in labour exploitation or other exploitations type. It can be concluded that the traffickers take advantage of age vulnerability.¹⁰⁷ In addition, disability vulnerability is taken advantage of in case of Romanian and Bulgarian nationalities. In Bulgaria pregnant women for the purpose of selling their babies are trafficked to Greece; young children are also trafficked to Greece for the purpose of selling.

Human trafficking for illegal activities is a new form of human trafficking and as such, it has only recently been penalised by the national legislation in Cyprus. In 2014, the OoCTHB has identified four victims of trafficking for illegal marriage. These victims originated from Bulgaria and Romania and their travelling patterns followed the same patterns of the sex trafficking victims of those countries.

Destination countries for trafficking for forced begging and petty theft for Bulgarians were Greece, the United Kingdom and Austria.¹⁰⁸ Trafficking related to forced begging and other

¹⁰³ Comensha – Mensenhandel in beeld. Jaarcijfers CoMensha. Het beeld van 2013, p. 13

¹⁰⁴ http://www.antislavery.org/includes/documents/cm_docs/2014/t/trafficking_for_forced_criminal_activities_and_begging_in_europe.pdf - p. 58

¹⁰⁵ Idem

¹⁰⁶ Idem

¹⁰⁷ NCCTHB, 2013 National Report

¹⁰⁸ NCCTHB, 2013 National Report.

criminal crimes (street crime, pick pocketing, shop lifter, ATM Thefts) have mainly developed abroad, with a ratio of approximately 88% of the total (see the table below) in the case of Romanians. This evolution has been associated with the large profits obtained in trafficking for begging, in countries with high living standards, but also with a weak policy related to human trafficking for forced begging or associated crimes, which mitigates the traffickers' risk of being identified.¹⁰⁹

	Frequency	Valid Percent
transnational trafficking	362	87.7
internal trafficking	51	12.3
N	413	100.0

Table 4. The share of internal and external trafficking for illegal activities, mainly forced begging-Romanian trafficking victims

The destination countries for forced begging and committing thefts or other illegal activities for Romanian trafficked persons were:

France (76 cases of trafficked persons), Italy (60 cases), Germany (47 cases), Spain (44 cases), Poland (24 cases), Netherlands (20 cases), Greece (19 cases), Finland (19 cases), Austria (13 cases), United Kingdom (11 cases), Hungary (7 cases), Belgium (5 cases), Ireland (4 cases), Portugal (3 cases), Switzerland (2 cases), Norway (2 cases), Denmark (2 cases), Croatia (2 cases) and Sweden and Lithuania with one case each¹¹⁰.

To some extent the destination countries for begging or other illegalities are similar for the sexual or labour exploitation, even so, when human trafficking for forced begging or committing thefts appears, France, Italy, Germany, Poland, UK, or Hungary are mainly chosen as destination countries by the traffickers for the Romanian trafficked persons.

2. CONCLUSIONS

Understanding the global trade in human beings, including the geographical routes used in this enterprise is a complex task. The collection of data was difficult due to the limited literature available as well as limited knowledge at ground level on the routes used. Most information available related to the countries of origin and destination, without offering much insight into the channels used to get from one place to another or without providing insight into the relationship between gender and age to the forms of exploitation. Indeed, National and European reports rarely focus on the routes used. This gap was, to an extent, filled by conducting some interviews and analysing national case studies however we acknowledge that our research could only provide limited findings. Regardless of the scarcity of data regarding

¹⁰⁹National Agency against Trafficking in Persons, *Trafficking in Persons for begging-Romania study*-, Delta Cart Educational Press, Pitești, Romania, 2013, p.9.

¹¹⁰ Source of data: SIMEV, Romanian trafficked persons identified and observed by the Romanian authorities in transnational human trafficking for the period 2009-2013.

routes of human trafficking it is evident that European citizens are mainly exploited in European countries.

Human trafficking routes are:

- ✓ Internal routes: (citizens exploited in their own country, from smaller rural areas or cities to bigger or more developed cities)
- ✓ trans-national routes: in Europe (irrespective of the form of exploitation Romanians, Bulgarians, Hungarians and also other third citizens from the European geographical continent are identified as trafficked persons mainly in the most affluent EU Member States)
- ✓ Trans-continental routes: international human trafficking (citizens from countries from other continents - exploited for labour exploitation in Europe) exploited in the Netherlands or Cyprus or other EU countries.

The majority of victims of trafficking for sexual purposes derive from the EU and the geographical routes they follow are quite simple. The majority of the victims travel using land routes (cars, buses) and to a lesser extent also air routes or other land routes (trains) are used. The victims usually travel by cars to the capital of their country from where international transportation ways are used. On the other hand, as regards labour trafficking, the share of victims coming from non EU states is bigger compared to sexual exploitations, and, as was observed in Cyprus, they have to cross long distance to the destinations as they have origins in countries found further from a geographical point of view, sometimes even in other geographical continents. Currently, most trafficked persons for labour exploitation originate from India and enter Cyprus via legal channels and in possession of authentic documents.

In Bulgaria and Romania seasonal patterns of human trafficking for labour exploitation were observed. Persons were trafficked mainly during summer months to work in agriculture, for collecting fruits or vegetables (e.g. to work as berry pickers in Sweden, orange pickers in Greece or olive pickers in Portugal). They usually travel with buses or minibuses of international companies of transportation for reaching destination countries. A change is noticed in migration and trafficking flows from Italy, Spain and other traditional destination countries to the Nordic countries, especially Sweden for berry pickers, or to conduct illegal activities (e.g. forced begging).

Strong relations between the routes of the Bulgaria and Romanian trafficked persons in transnational human trafficking were observed. Usually victims from these countries follow the same routes and are transported in similar ways (see Annex 1 and 2 presenting the destination countries for Romanian trafficked persons by forms of exploitation and the main countries of destination by the main transportation ways used). In the case of Romanians a direct relation is noted between the main destination countries and the presence of large Romanian communities. Trafficking flows were detected to countries hosting large Romanian Diasporas.

However, information supporting this claim is limited. Although it is believed that routes change over time, the case studies showed that human trafficking routes have changed only slightly in the last five years, the share of European citizens exploited in European countries remained the biggest. Romanians and Bulgarians continue to fall prey to human trafficking, mainly in countries in Western Europe, irrespective of the forms of exploitation.

B. THE MODUS OPERANDI OF HUMAN TRAFFICKERS

1. INTRODUCTION

Scientific literature highlights that crimes are carried out by a "script" that allows the decomposition of such crimes into particular acts, no matter who the author is. This is clearly the case of the crime of human trafficking, which often involves a process rather than a single offense. A process that involves various stages through which victims go, and usually involves different people at every stage of this process to facilitate that the crimes can be conducted or to ensure that the criminal activities can continue. In all forms of human trafficking, 'traffickers' can comprise different persons taking up different roles, including the role of a recruiter, transporter, harbourer and exploiter. Persons are needed for arranging employment, gaining work permits and for collecting and withholding wages.

The UNODC's 2014 global report on human trafficking reveals that the crime of trafficking in persons is carried out by different types of traffickers, ranging from individuals exploiting their partner to organized criminal groups operating across national borders. Aspects of the crime are often committed in different countries by criminals not necessarily deriving from the country where the crime was detected. These criminals may have organized themselves to a lesser or greater extent. In some cases the complexity of the crime requires a relatively high level of organization. In other cases, victims of trafficking in persons may have been trafficked by an individual trafficker operating in a local community.¹¹¹

Human trafficking for sexual exploitation and for labour exploitation seem, in terms of modalities of organization of the perpetrators, more organised as it is in the case of human trafficking for criminal activities. Usually then, one trafficker or a group formed by two or three members recruit, transport, and exploit the vulnerable person(s) into forced begging or other crimes, in particular for committing thefts. For forced begging more operating lonely or "solo" traffickers or couple of traffickers (a couple exploiting victims) are identified.

Victims and perpetrators often come from the same region; traffickers operating within the borders of the European Union, often originate from EU countries, as confirmed by the 2014 Eurostat report on human trafficking.¹¹²

A qualitative analysis conducted by UNODC of cross-border trafficking cases within the set of court cases shows that, while victims are normally recruited by local citizens in the victims' own country (origin country), the traffickers who carry out the exploitation in the destination country may be either local citizens of these destination countries or foreigners. UNODC further found that while recruitments in origin countries are largely carried out by citizens of those countries, the exploitation schemes in destination countries are likely to involve more transnational operators.¹¹³

The roles of the traffickers and their profile is covered in full detail by the TRACE project Deliverable 3.1 *Report On The Features And Incentives Of Traffickers And On The Social Interactions And, With A Special Focus On Former Victims Who Become Traffickers*. Therefore only where it seems relevant for describing the modus operandi, this report will

¹¹¹ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.14

¹¹² Eurostat, Trafficking in Human Beings, 2014, p. 64-65

¹¹³ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.26

provide more information about the trafficker or the criminal structure in which the trafficker operates.

This section of the report aims to bring to the fore, knowledge on the act of human trafficking; the ways in which human traffickers conduct their illegal endeavours and the persistence of such ways. In order to combat human trafficking effectively, it is particularly important to understand and decipher the strategies of the traffickers and their modus operandi. Generally speaking, modus operandi means ‘method of operation’. Speaking of modus operandi of criminals, it describes the usual way they perform their crimes. It is a patterned behaviour that develops as the offender gains more experience while dealing with both, the crime logistics and the criminal justice itself.¹¹⁴

This report focuses on different forms of human trafficking; trafficking for sexual exploitation, labour exploitation and for criminal/illegal activities. While illegal activities could involve an array of actions, the forms most often reported by the studied countries (Cyprus, the Netherlands, Bulgaria and Romania), related to forced begging and conducting petty crimes. The latter form of human trafficking is a relatively new phenomenon, and therefore there is only limited information available, this partly also goes for trafficking for labour exploitation. As data is lacking and as quite some similarities have been identified in the modus operandi for the different forms of human trafficking, it was decided not to address each form separately, but only to provide specific information, when relevant and when available for a certain form, while describing the different stages of the trafficking process and the modus operandi used.

1.1 MODUS OPERANDI - DURING THE PHASE OF RECRUITMENT

Recruitment is an essential element of the human trafficking process and the first basic step for all forms of human trafficking. It is the phase in which potential victims are selected by recruiters, who balance out the possibilities of successfully trafficking an individual for its subsequent exploitation, and take action accordingly. The recruiter needs to ‘find’ the persons he or others can exploit, often these are persons he knows, but not necessary. Then he needs to convince the person to accept his offer and to agree to travel to the location of exploitation. Different methods are used to convince persons to engage in such agreements, which are described below. When talking about a recruiter, we mean the person that recruits the persons, who later might fall prey to an exploitation situation. The recruiter might be aware of this and intendedly recruit the person for exploitation. The recruiter might also become the exploitation. In the latter two cases we talk about traffickers. So recruiters can, but not necessarily have to be traffickers.

Recruitment method and means used

According the definition of human trafficking, reflected in international and national legislation, recruitment can take place by means such as, threat, force, coercion, abduction, fraud, deception, abuse of power or abuse of vulnerability. It seems however from the four desk studies conducted in Bulgaria, Romania, Cyprus and The Netherlands, that usually non-violent methods are used to recruit victims. Analyses of Dutch investigations showed that violence or aggressive methods are rarely used in the recruitment of victims. Human traffickers more often seem to exert pressure by abusing a victim’s vulnerable economic, psychological or social position and making her/him feel dependent on the perpetrator. Notably, violence or the threat

¹¹⁴ Carney, T. (2003). Practical investigation of sex crimes: A strategic and operational approach. Florida: CRC Press.

of violence is frequently used more during the exploitation phase of human trafficking, than in the recruitment phase.¹¹⁵

Recruiters deceive rather than coerce the prospective victim into situations of dependency. Deception relates to the nature of the work and the working conditions or about who will receive the earnings, also frequently deception is used with regard to friendship or a loving relationship. The recruiter tries to gain the trust of a person and to establish a friendly or an intimate relationship with the victim. Further in order to impress the victims at the first contact, recruiters often present a false image of their welfare. Traffickers do not hesitate to give big presents to victims¹¹⁶ or potential family members of the victims in order to contact and gain their trust. An analysis of cases on sexual exploitation of minor victims in Romania shows that recruiters deceive parents or legal representatives to give their consent for minors to leave Romania.¹¹⁷

Deception about work and work conditions

As said, recruiters use various methods to deceive victims. The most commonly used recruitment strategy is the false promises regarding employment abroad. The recruiter provides false promises of a better life in other countries and draws an attractive picture of the type of work on offer, the working conditions and the salary. Persons are offered various professional positions, which are sometimes tailored to the skills or the profession and education of the targeted person. In Bulgaria recruiters offer employment for masseurs, dancers, female companions or babysitters. Adult victims in Romania were mostly approached with ‘job offers’ in construction, home-care, caretaking for elderly, house cleaning or housekeeping or agriculture (orange-picking, olive harvesting). Also offers for bartender, waiter and entertainer were offered, as well as employment in the sex industry.

The case study conducted in Romania showed that in an increased number of cases, victims already before leaving their country to travel abroad were aware of the fact that they would practise prostitution,¹¹⁸ and explicitly consented to work in the prostitution sector in destination countries where prostitution is legalised. This is confirmed by Dutch experts.

In Cyprus in 90% of the studied cases, recruiters promised victims a legal job, as dancer, singer, waitress, cook, baby sitter, housemaid, cleaner, masseur, and factory worker. In the rest of the cases (10%), victims were informed that they would become engaged with illegal activities, such as marriages of inconvenience (1%), street prostitution (7%), and prostitution in private spaces (2%). In Cyprus it was also noted that persons targeted and recruited for forced begging, more often comprise people who are already involved in illicit practices in their home countries and who consent to being transported to other (more affluent) countries to commit illicit activities. According to available statistics¹¹⁹ regarding victims of trafficking exploited for forced begging, irrespective of their destination, victims are approached with promises of a better life abroad or promises of begging in a safe, controlled and protective way.

¹¹⁵ Report Dutch National Rapporteur, 2014, p.156.

¹¹⁶ Gentiana.Ioana & Ana-Maria Tamas *Trafficking in Children in Romania-Study on the Recruiting Process-*, Alpha Media Print, Bucharest, 2009, p.72.

¹¹⁷ Gentiana.Ioana & Ana-Maria Tamas. *Trafficking in Children in Romania-Study on the Recruiting Process-*, Alpha Media Print, Bucharest, 2009, pp 41-87, available at:

<http://anitp.mai.gov.ro/ro/docs/Cercetare/RapoarteAnuale/Raport%20Anual%20privind%20Traficul%20de%20Persoane%20in%202011.pdf>

¹¹⁸ Data is based on available indicators from SIMEV, Romania – indicators measuring the method used by traffickers in the recruitment phase.

¹¹⁹ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf p.32

Persons recruited in Romania to be forced to beg, were generally promised a job abroad. In case the victim was already involved in begging in Romania, s/he was promised that s/he shall be supported to beg abroad, but for more money and that the profits would mostly go to the beggar, after paying accommodation and transport costs to the recruiter/trafficker.

Victims' consent

Although persons might agree (consent) to working in prostitution, or to engage in criminal activity, the person being recruited is unaware that the purpose for which s/he is being recruited is exploitation, neither are they informed about the conditions of the work offer and that they will end up in forced prostitution, forced labour or another exploitative situation.

As reflected in international and national legislation, including in Article 2 (4) of the EU Directive on Preventing And Combating Trafficking In Human Beings,¹²⁰ the consent of a victim of trafficking in human beings to the exploitation, whether intended or actual, shall be irrelevant where any of the means are used. The means described are threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Abuse of vulnerability

Recruiters use (or rather abuse) victim's vulnerable economic, psychological or social position. They take advantage of their low standards of living, or their poor education. In Bulgaria, socio-economic factors; poverty, poor living standards and the increasing unemployment are the main drives for people to leave the country and to look for ways to support their families abroad.

In Romania it is noted that the number of victims with higher education continues to decline. Apparently they are better aware about the limited chances for employment abroad and dangers they may be exposed to, when accepting informal job offers.¹²¹ This partly confirms that persons with a lower education are more vulnerable for human trafficking.

Most often, recruiters are 'fine observers'¹²² who detect individuals with financial or emotional issues and manipulate them, in order to accept offers for travelling abroad to work (usually in prostitution schemes). For recruitment purposes, recruiters focus on persons in distress; so that, due to financial needs, the large amounts of money promised by recruiters are the sole elements considered by the victims when analyzing the 'offer' of going abroad – no other information, such as the name of the employing company, the working and accommodation conditions, the existence of a contract are of interest to the victim, compared to the opportunity of such significant earnings.¹²³

As Bulgaria noted, the recruiters seem to be providing a solution to the victims' problems – boyfriends saving women with no source of income or other support and who are solely raising their children; friends or strangers with a business offering a helping hand to adult males looking for a source of income.

¹²⁰ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

¹²¹ Data based on available indicator from SIMEV –indicator measuring the method used by trafficker in the recruitment.

¹²² Gentiana.Ioana & Ana-Maria Tamas. *Trafficking in Children in Romania-Study on the Recruiting Process-*, Alpha Media Print, Bucharest, 2009, p. 81.

¹²³ National Agency against Trafficking in Persons *Trafficking in Persons for begging-Romania study-*, Delta Cart Educational Press Pitesti, 2013, p. 46.

Lover boy method

A popular method for recruitment for sexual exploitation is the so-called “lover boy method”, as also described in WP 1.3 *a Report Concerning the Macro and Micro Analyses of Human Trafficking*. In order to convince the person, a recruiter tries to establish a friendly or an intimate relationship with the victim. Criminals deceive by feigning a romantic interest and entering into a relationship with the victim in order to gain her trust. Often the offender pretends that he is in love with the victim.¹²⁴ He promises to take care of the victim and ensures that they are to have a good and prosperous life together and takes advantage of the emotional dependency of the victim. As the ‘relationship’ develops, the offender manipulates and/or coerces the victim into sexual exploitation, from which he obtains the profits. Very often the trafficker marries the victim and that latter feels obliged to work for her husband.¹²⁵ The girlfriend is subjugated to him on the basis of their relationship.¹²⁶ Because of the dependency, she is not likely to leave the exploitative situation easily.¹²⁷

Victims of this type of recruitment are often underage, but may also be adults. Generally, the perpetrator is male and the victim female. Often the trafficker gradually cajoles her into travelling abroad. He arranges the travel and even pays for her passport.¹²⁸

Romanian findings highlight that underage girls are recruited upon promising them easy earning of money. They are often forced to work in prostitution locally, whereas adult women (under the pretext of starting a family elsewhere), are transported abroad and then exploited on streets or in night clubs.

The “lover-boy” method is widely used and seems to be used for all forms of human trafficking, but the method is known in particular for trafficking for sexual exploitation. As reflected in the UNODC report for 2014, ‘the feigned romantic relationship is a relatively common recruitment method in many countries’ and this type of recruitment does not necessarily have to occur in a domestic context. Further, recruitment through feigned romantic relationships can be used either by traffickers operating alone, or as part of a larger group.¹²⁹

Vulnerable groups

Studies show that in particular women and children are vulnerable for trafficking for sexual exploitation. The Bulgarian findings show that often women who are victims of labour exploitation are also subjected to sexual exploitation, in particular this relates to girls and women exploited in domestic work.¹³⁰ Romania reports that women are often exploited for sexual exploitation as well as exploitation for begging and/or criminal activities.¹³¹

In the Netherlands, groups vulnerable to human trafficking include unaccompanied children seeking asylum, women with dependent residence status obtained through fraudulent or forced marriages, women recruited in Africa and Eastern Europe, and East Asian women working in massage parlours¹³². In 2013, in the Netherlands, 25% of the registered presumed trafficked

¹²⁴ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf, p.32

¹²⁵ Interview with the Coordinator of a Crisis Center for victims of trafficking and domestic violence in Sofia, 11.12.2014

¹²⁶ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf, p.32

¹²⁷ See TRACE deliverable 1.1 p. 47

¹²⁸ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf, p.32

¹²⁹ http://www.unodc.org/documents/human-trafficking/2014/GLOTIP_2014_full_report.pdf, p.32

¹³⁰ NCCTHB 2013 report

¹³¹ National Agency against Trafficking in Persons, Trafficking in Persons for begging-Romania study, Delta Cart House, Pitești, Romania, 2013, p. 50; Trace 1.3: a report concerning the macro and micro analyses of human trafficking, p.68

¹³² TIP report, the Netherlands, p. 289

persons were minors and mainly victim of trafficking for sexual exploitation¹³³. The Dutch Rapporteur on human trafficking reports that a persistent area of concern is the recognition and protection of Dutch underage victims of human trafficking often referred to as ‘lover boy victims’.¹³⁴ The council of Europe’s monitoring body, GRETA mentions in their report on the Netherlands that ‘a constant feature over the last years is the high proportion of national victims, the great majority of whom are young women or girls who fall prey to so called “loverboys” who manipulate and force them into prostitution.’¹³⁵

(Unaccompanied) children and minors, in particular Roma children, seem not only vulnerable for sexual exploitation, but also for trafficking for forced begging and or for forced conduction of illegal activities. ‘Most vulnerable for trafficking for illegal begging are children and disabled persons reports Bulgaria. ‘Roma children are among the most affected.

So far, forced begging is primarily associated with itinerant criminal groups stemming from South-Eastern Europe and victims are often children. According to Europol, these children are not only forced to beg, but also to commit other crimes including drugs crimes, different forms of property crime (burglaries, robberies, shoplifting, cargo thefts, metal thefts, home- jacking or ATM theft) and social benefit fraud.¹³⁶

Although men are also exploited for sexual exploitation, as confirmed by statistics in the Netherlands, in Cyprus and Romania, men seem particularly vulnerable for labour exploitation. In Romania, male persons, especially minors, are used by groups for begging and for committing crimes such as theft of pick pocketing.¹³⁷ In Romania and Bulgaria it is also noted that disabled persons are vulnerable for forced begging. A Romanian research regarding trafficking for forced begging¹³⁸ showed that the traffickers are undertaking minimal risks, by targeting in particular minors, elderly, and disabled persons who are most vulnerable. In Bulgaria, disabled persons are found to be very dependent on the traffickers, including physically, due to their unfortunate state. Experts interviewed for the Romania (ANITP) study on trafficking forced begging¹³⁹ mentioned that it was possible to identify a particular offer related to exploitation of disabled persons which correlates to the specific treatment and medical needs of the disabled: “*manipulation with medical services, procurement of prosthetics, and other similar services*”.¹⁴⁰

Sufficient data about human trafficking for forced begging and criminal activities is lacking in Cyprus, however the preponderance of the few cases identified, involve Romanian nationals who travel to Cyprus on a seasonal basis, during Christmas or summer holidays.

¹³³ See annual report Comensha 2013

¹³⁴ <http://www.dutchrapporteur.nl/current/news/archief/combating-human-trafficking-more-attention-needed-for-minors-the-prostitution-sector-and-new-forms-of-exploitation.aspx>

¹³⁵ Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Netherlands First evaluation round Adopted on 21 March 2014 Published on 18 June 2014, p 12

¹³⁶ Europol, Child trafficking for exploitation in forced criminal activities and forced begging, The Hague, 2014; TRACE D1.3 final deliverable, p. 79-80- TRACE WP1 D1.3: A report concerning the macro and micro analyses of human trafficking

¹³⁷ National Agency against Trafficking in Persons, Trafficking in Persons for begging-Romania study, Delta Cart House, Pitești, Romania, 2013, p. 50; Trace 1.3: a report concerning the macro and micro analyses of human trafficking, p.68

¹³⁸ National Agency against Trafficking in Persons *Trafficking in Persons for begging-Romania study*-, Delta Cart Educational Press Pitesti, 2013, p. 46.

¹³⁹ National Agency against Trafficking in Persons *Trafficking in Persons for begging-Romania study*-, Delta Cart Educational Press Pitesti, 2013, p. 29.

¹⁴⁰ Based on an interview with a Romanian expert in the fight against organized crime.

Relationship of victim with recruiter

Often the persons recruited, are directly approached by persons, instead of via other means, like (social) media or advertisements. In Romania this was the case for 265 identified cases in 2009 (780 total identified Romanian victims), 437 in 2010 (1240 in total), 454 in 2011 (1154 in total), 489 in 2012 (1048 in total) and 420¹⁴¹ in 2013 (1041¹⁴² in total)) Alternatively, victims themselves contact exploiters in directly, in Cyprus this happens via newspaper advertisements (6%) or online postings (2%).

Further, often the victims know their recruiter. Findings of the desk research conducted in the four countries reveal that the majority of victims are recruited by acquaintances or friends. In The Netherlands for example the recruiter was often known by the victim and when the trafficked person was Dutch it was common that they were closely affiliated to the trafficker. This was confirmed by the other countries. In Romania, in 43,4%¹⁴³ of the cases of forced begging recorded and studied, the recruiter was a friend or acquaintance of the victim. Romania further identified cases where recruiters were neighbours or siblings of the victims. In Cyprus, most recruitment related with trafficking for sexual exploitation is done in countries of origin, via friends (36%) who offer to help women in need to make out a living, followed by agents (18%) and acquaintances (15%).

In less frequent occasions, victims are recruited through family members or close relatives. Cyprus reports that to a lesser extent, recruiters appear to be individuals who are closely connected to victims, such as boyfriends (4%), relatives (4%), and husbands (1%). Cyprus further reports that in case of trafficking for labour exploitation of persons from third countries, it seems that recruiting is done more casually, by friends and relatives. Usually, recruiters construct their reputation by the word of mouth and potential victims contact them and ask to find them jobs abroad. Bulgaria noted that (minor) victims with a Roma background trafficked for forced begging or criminal activity, including petty theft, are more often recruited via relatives. Bulgaria and The Netherlands did not provide percentages for recruitment by relatives.

In cases where the victim knows the recruiter, this helps to ensure that the victim has great confidence in the recruiter(s), which Romania reports is often the case. If looking at human trafficking for criminal activity, the victim's relation with the recruiter is quite similar to the observed social relationships for sexual exploitation. The majority of the victims are approached by persons with whom they had a kinship or a friendly relationship.¹⁴⁴

There are of course also cases where trafficked persons do not know their recruiter. In Romania, in 31% of the cases the recruiter did not know the person he recruited, and they met more accidentally, in a context where the victims needed an income and the recruiter was looking for victims to exploit for 'work' abroad.¹⁴⁵

¹⁴¹ Data based on available indicator from SIMEV –indicator measuring the method used by trafficker in the recruitment.

¹⁴² Official statistics regarding identified Romanain traffickedpersona, internally or in transnational trafficking

¹⁴³ National Agency against Trafficking in Persons *Trafficking in persons for begging-Romania study-*, Delta Cart Educational Press, Pitesti, Romania, 2013, p.42.

¹⁴⁴ National Agency against Trafficking in Persons *National Report regarding trafficking in persons in 2013* Bucharest, p.11, forthcoming.

¹⁴⁵ National Agency against Trafficking in Persons *Trafficking in Persons for begging-Romania study-*, Delta Cart Educational Press, Pitesti, 2013, p.26.

According to Romanian experts in the field of anti-trafficking¹⁴⁶, interviewed for a study on forced begging, in cases where the victims had no relation with the recruiter (neither family ties nor friendship), they were lured into a vicious cycle, where the recruiter offered ‘friendship’. The recruiter introduces him/herself as a “*benevolent person providing unconditional support*”, thus easily fooling and deceiving the victims and consequently, this impersonal relation turns into a friendship.

Location of recruitment

According to the Dutch National Rapporteur, two types of human trafficking situations can be distinguished: those where the victims were recruited in the Netherlands and those where they were recruited abroad. In 2014, the Dutch National Rapporteur reported that about 50% of the total identified and registered victims in the Netherlands had been recruited in the Netherlands. These included all the victims with the Dutch Nationality, as none of them were recruited abroad, but also foreigners, recruited in the Netherlands. In the majority of the court cases studied in the period 2009 – 2012 by the Dutch Rapporteurs office, the majority of victims were actually recruited abroad, brought to, and put to work in the Netherlands. In these cases, both victims and suspects most often came from Central and Eastern Europe, but also from other world regions.

In Cyprus, most recruitment related with trafficking for sexual exploitation is done in countries of origin. Recruiters reside at the host country and collaborate with members of Diasporas in the destination country. As Bulgaria and Romania are in particular countries of origin for trafficked persons, the cases they studied mainly referred to mainly nationals recruited in their own countries and exploited in the country or abroad.

Recruitment of victims in countries of origin or destination, can take place at various locations. If recruitment takes place in The Netherlands, this often takes place in the hospitality sector, in restaurants and bars, or nightclubs and in and around schools or in prostitution zones. Also, Romania confirmed that recruiters target educational institutions for recruiting young victims,¹⁴⁷ who are then sexually exploited both, inside and outside the country. This was one of the conclusions of a 2009 study regarding the recruitment of minors/children for human trafficking, irrespective of the form of exploitation. The interviewed experts declared that schools and places around schools could be a hot spot/area for recruitment of children in trafficking.¹⁴⁸

Recruitment via (social) media

An important mean used for recruiting persons for exploitation, identified in all four countries studied is internet and (social) media. Victims are recruited through online and offline media, including advertisement by fictitious labour agencies. In Bulgaria a common way to reach potential victims is through false online job offers. Victims contact “phantom” recruitment agencies themselves. They are promised high wages, good working conditions and decent accommodation. More about the use of internet and other technologies used by traffickers will

¹⁴⁶ National Agency against Trafficking in Persons *Trafficking in Persons for begging-Romania study*-, Delta Cart Educational Press, Pitesti, 2013-data was collected also from interviews with experts in the anti-trafficking field in Romania.

¹⁴⁷ Traffickers/Recruiters who contact minors even by spending time around the educational buildings was one of the findings of the study exploring the recruitment of the minors into trafficking, Gentiana.Ioana & Ana-Maria Tamas. *Trafficking in Children in Romania-Study on the Recruiting Process*-, Alpha Media Print, Bucharest, 2009.

¹⁴⁸ Ioana Gentiana, Ana-Maria Tamas *Trafficking in children in Romania. Study on the recruitment process*, Alpha Media Print, Bucharest, 2009, p.68.

be presented in Deliverable D4.1 Report on the Role of current and Emerging Technologies in Human Trafficking.

The agencies recruiting workers do not have a license, sometimes they do not exist at all. Cyprus findings show that in EU countries, recruiters and exploiters work together and set up employment agencies which function as a façade for luring trafficking victims. Usually, a Cypriot exploiter travels to the country of origin and with the help of local recruiters come in contact with potential victims. The latter are embezzled and promised jobs with high earnings and undergo ‘interviews’ by the exploiters.

Those that offer the job and prepare the victim, often put the potential victims into a pressing situation in which they have to make a quick decision in order not to miss what seems like a unique opportunity. Romania reports that for those, who respond to newspaper advertisements, and ask for more information, meetings are therefore arranged close to the public transport companies, where they are convinced to quickly buy tickets or are bought tickets, while giving the victims the impression that it may be the last opportunity they have. Sometimes victims are told to come ready for departure to meetings, organised at the premises of a fake or non-legal company specialized in employment abroad. Here contracts are sometimes signed directly. Also, Cyprus and Bulgaria confirm that recruited persons might be asked to sign contracts. ‘At the end, they are given employment contracts to sign, and are asked to pay for their flight tickets to Cyprus’, states the Cyprus Police. In Bulgaria, ‘if the victim meets with a ‘representative’, they might sign a contract written in a language they don’t understand; sometimes they don’t sign a contract at all’.

Most of the time, the departure of the victim to the destination (country) took place in a relatively short time after agreeing to the ‘offer’. Generally a person in Romania travels within the maximum of a few days, and during this time, the victims are drawn into closer relations with the recruiters and permanently persuaded.

As a result of the free travel policies within the EU, people might also decide to emigrate and look for a job abroad by themselves without using the services of a recruitment agency or even a recruiter or facilitator. The fact that they do not have a working permit and limited access to legal employment in the destination country, makes them vulnerable to abuse and can fall prey to traffickers, who recruit and exploit them in the country of destination.

Payment during recruitment phase

Within Europe, often victims, in particular victims for sexual exploitation, do not pay any money to recruiters before they leave the country. In some instances (in Cyprus in 22% of the studied cases), they are however tripped into making payments to recruiters who promise them employment with high earnings.

According to intelligence gathered by the OoCTHB in Cyprus, victims of trafficking for labour exploitation from third countries, opposed to EU nationals, pay significant amounts of money (2,000 – 10,000 euro), as they are made to believe that once they reach the destination countries, will be placed at well paid and steady jobs. In order to gain credibility and convince potential victims to pay in advance before their departure abroad, they are given copies of (the high fees ‘necessary’ for issuing entry) visa to the destination country, often these entry visas are fictitious with the purpose to push victims to pay the fees fully and then proceed to issue the genuine documents.

1.2 MODUS OPERANDI DURING THE PHASE OF TRANSPORTATION

As described in the TRACE Deliverable 1.3 *a Report Concerning the Macro and Micro Analyses of Human Trafficking*, the steps following recruitment include transportation to the destination where the actual exploitation is to take place. Once the recruitment phase is successfully fulfilled, trafficked persons travel to the destination countries to either accomplish what has been promised to them (false employment offers) or complete the instructions given by traffickers. Activities undertaken by traffickers, include taking care of travel documents (for instance to be able to travel to the European Union), finding persons who will accompany and control the victims on their journey, and preparation for who to control the victims at their places of stay, to prevent them from seeking help.¹⁴⁹

In the field of trafficking in persons for sexual exploitation the activities of transportation and accommodation tend to be more planned and organised than for others forms of exploitation. In Deliverable 1.3 we argued that this could be in relation with the bigger and more organised criminal groups involved.¹⁵⁰

Further, if exploitation is to take place in the home country of the victims, there may be little necessity for making travel arrangements. Often though persons are then still transferred from their own location (place of living) to elsewhere in the country, to isolate them from family and friends and keep them easier under control. This seems common practise all over Europe.

Travel to country of destination

As described at the first part of the report, in concern to the geographical routes of trafficking towards, and within Europe, the desk studies conducted in the four countries, revealed that depending on the distance to be travelled, persons are transported to their destination mostly by road or by air. Persons (to be) trafficked for sexual exploitation, with shorter travel distances within Europe and victims for labour exploitation usually travel by road, by private or rented cars, minibuses or are transported with international bus lines. Romania reports that they are generally transported in cars of traffickers or their families or friends (or vehicles are rented), while planes are not frequently used. During the trip, victims can be sold from one trafficker to another, without them knowing it, and transported without a precise destination.

Children are transported to cities close to borders, and afterwards dispersed to various buses belonging to local carriers. A significant fact in Romania is the recruitment of female minors, students, who, under the promise to easily earn a lot of money, are determined to practice prostitution at the local level, and after turning 18, under the pretext to settle down for life (“lover boy” recruitment method) are transported abroad and then exploited in the street and in night clubs.

Romanian data further reveals that persons recruited for forced begging are mostly transported by family members, either by bus or by car, due to the lower costs for this type of transportation. Based on the available information, it seems in particular the distance (to the country of destination) decides which transport means are used, however also the form of human trafficking might influence.

¹⁴⁹ TRACE D1.3 final deliverable, p. 6 TRACE WP1 D1.3: A report concerning the macro and micro analyses of human trafficking

¹⁵⁰ TRACE D1.3 final deliverable, p. 50 D1.3: A report concerning the macro and micro analyses of human trafficking

As shown in case studies on investigations carried out by the combating organized crime units in Romania, there is an important mobility of criminal groups operating in several countries. They are turning to less frequented destinations, where there is a demand on the sexual market. Also, traffickers are considering areas where there is no crucial competition, to obtain higher earnings.¹⁵¹ Criminal groups exploit victims in several countries of destination, moving from one country to another, taking advantage of legislative differences, transformed into opportunities to evade and impede investigations, but also for increasing earnings. Traffickers inform each other about legislative gaps in destination countries.¹⁵² Romania stated to be able to exemplify with groups who have acted in Spain and then moved to the United Kingdom or Ireland, but also operate in France, Spain, Italy, Switzerland, Ireland, and Scandinavian countries.

Legal or illegal entry

While many persons globally exploited in the sex industry, ‘are transported illicitly, smuggled in secretly or upon bribing coastal and border guards when crossing borders, there is also a great number of migrant women who enter destination countries legally’.¹⁵³ Although common European information lacks, it seems that for Europe, those having a legal possibility to enter, cross the border of the transit and destination countries legally, with their own documents. Since 2007, when Bulgaria and Romania joined the EU, and visas were no longer required, nationals of these countries could now enter legally. Trafficked persons identified from these countries, in general travel to other EU countries legally with their own documents. There are indications though that legal documents of others are use, e.g. in the case of minors as identified in Romania. Research findings in Cyprus confirm that trafficked persons are largely entering the island legally with permits, related to employment, visitor or tourist stay or as students. As employment visas for working within the sex industry of Cyprus have remarkably decreased (in 2009 the artist visa was cancelled), traffickers recruit and transfer females who can enter the island via a tourist visa and place them in private venues. The Cyprus study indicated that only 3 per cent of the studied cases involved illegal entry. That is, via the occupied area of Cyprus (2%) by car, and via a cargo ship (1%) that moored at a legal port. No statistics seems to be available in the Netherlands about the legal entry of trafficked persons.

The journey – travelling alone or accompanied

In cases of trafficking for sexual exploitation, in general ‘recruiters’ in the country or origin, or persons from the country of destination, seem to accompany victims to their journey, as confirmed by findings in Cyprus, Bulgaria and Romania. Cyprus confirmed that carriers, the persons that transport victims, are often members or close acquaintances of the criminal network, from the same area and responsible for facilitating a smooth border crossing.

Findings in Romania show that women who might also be members or close acquaintances of the criminal network play an important role in transporting victims from Romania, because as noted by ANITP in Romania, there seems to be a tendency that women are being trusted more by border authorities. They noticed the use of trafficked prostitutes as minor’s companions for the leaving of the country and for drawing up notaries acts, as another tactic used by

¹⁵¹ National Agency against Trafficking in Persons *National Report regarding trafficking in persons in 2012* (available only in Romanian) Ministry of Internal Affairs Press House, Bucharest, 2013, p. 35.

¹⁵² Based on Romanian Police’s conclusions- National Agency against Trafficking in Persons, *National Report regarding trafficking in persons in 2012* (available only in Romanian), Ministry of Internal Affairs Press House, Bucharest, 2013, p 33-35

¹⁵³ Kara, S. (2009). *Sex trafficking: Inside the business of modern slavery*. New York: Columbia University Press; Penttinen, E. (2008). *Globalization, prostitution and sex-trafficking: Corporeal politics*. Oxon: Routledge.

traffickers.¹⁵⁴ In Bulgaria in cases where the victim is trafficked by her own family, she is accompanied by a family member or an acquaintance.

It however occurs that persons (to be) exploited for sexual exploitation are travelling alone. In cases, where the victim is deceived for the purpose of her travel and is expecting to work in a field different from offering sexual services, there might be less need for the trafficker to control the person, as there is less risk that she/he will not arrive at the country of destination. It might be that traffickers, based on the calculated chance that someone might not arrive in the country of destination, decide whether or not to accompany a person.

Victims of labour exploitation or other forms of human trafficking are preponderantly travelling alone, according available statistics in Cyprus, and only in rare instances (5%) do recruiters accompany them to the country of destination. Also Bulgaria and Romania report that victims for labour exploitation are often travelling alone with their own documents and ‘themselves make most of the effort to materialise the trip to a foreign destination, as they hope to assume steady and well-paid employment’ and are seldom accompanied by a person involved in the trafficking network. However, also victims of labour trafficking can be accompanied by a friend or acquaintance, or by a recruiter or trafficker.

Again it should be noted that the roles of traffickers within the network are not always clearly defined, as stated before the ‘recruiter’ might also be involved in transporting the victims and their ongoing exploitation.

Accompanied or not during the travel, often there is a person awaiting them in the country of destination. In cases where the victim is traveling alone, the person he/she is sent to is waiting for her/him at the airport or at the bus station. The country studies confirmed that trafficked persons are awaited upon arrival by their exploiters, or those in contact with their exploiter. These persons transported them further locally to the place of ‘employment’, or rather location of exploitation. Cyprus reports, that as a rule, the people who receive trafficked persons at the airports in Cyprus are compatriots of the initial recruiters, they either have direct contact with recruiters or act on behalf of individuals who maintain such contacts. These people are members of the diaspora of the country of origin where the victim comes from. They may take these trafficked persons to real employers (usually Cypriot) who are in cohorts with traffickers, or to the traffickers.

Use of force or coercion during transport

Coercion during the transportation seems to be by far the exception rather than the rule. As victims in the majority of the cases, enter into trafficking schemes upon deceit, the trips they make to abroad are consensual and apparently, the application of force or threats is not necessary. They are unaware of what awaits them at the destination country, thus exhibit no resistance or hesitation to travel. In fact, victims of trafficking from third countries lay strong trust to their traffickers. This is sensed by the latter who give the money they originally receive from the victims back to the victims, in order to carry it and hand it over to the exploiters (or their assistants) that wait for in the destination country, as identified in Cyprus.

¹⁵⁴ National Agency against Trafficking in Persons, *National Report regarding trafficking in persons in 2011* (available only in Romanian), Bucharest, 2012, pg. 43, available at: <http://anitp.mai.gov.ro/ro/docs/Cercetare/RapoarteAnuale/Raport%20Anual%20privind%20Traficul%20de%20Persoane%20in%202011.pdf>

However, there are also cases known in Romania and Bulgaria, where victims of trafficking are first exploited in the sex industry, or for forced begging, within their country of origin for a so called ‘quality check’, before their transfer to countries in Western Europe, where the earnings for traffickers are higher.¹⁵⁵ These victims might know what awaits them, and also in cases that victims did not consent to travel, force or coercion might be used.

1.3 MODUS OPERANDI DURING THE PHASE OF EXPLOITATION

The last phase of the human trafficking process is the phase of exploitation. At this phase, the traffickers reveal their real intentions and begin to treat trafficked persons in harsh and coercive ways. The exploitation stage involves most of the coercion and violence. It is the stage, in which profit is made, therefore traffickers, in their attempt to make ends meet, they apply any means they deem as being necessary.

Before the exploitation starts, the trafficker undertakes a number of activities, including organizing the housing and employment for the person. The trafficker can take care of such arrangements even before recruitment of the victim, but he or she may also improvise on the spot. As described in Deliverable 1.3, in the Netherlands, where prostitution is legal, he/she needs to register the victim with the tax authorities and the Chamber of Commerce. In cases of sexual exploitation, the trafficker may need to advertise to find individual clients or establish a business relation with a brothel operator. In cases of sexual exploitation and the victim is underage, the traffickers must acquire counterfeit identity papers to be able have her/him work in red light windows or brothels (where such exist). In cases of labour exploitation, the trafficker must also arrange a ‘job’ for the victim. The trafficker may be the person who organizes the work, but he may also be an intermediary. In the destination countries, middlemen (‘facilitators’) may be hired to handle administrative requirements and act as intermediaries between the traffickers and employers.¹⁵⁶

The exploitation itself also involves a number of activities,¹⁵⁷ including: to ensure that the victim is kept under control and will not leave the exploitative situation and/or seek help and report the crime. If the traffickers house the victims at the location of exploitation, there is no need for arranging separate lodging.¹⁵⁸

Exploitative situation

In nearly all cases identified, initially promised working conditions differ considerably from reality. Victims work and live in appalling conditions, have their documents withheld and receive wages much lower than the minimum wage in the destination country.

One of the modus operandi used by the traffickers is to make use of legal establishments to channel human trafficking. The Dutch Rapporteur analysed legal organisations that facilitated human trafficking, often inadvertently. In at least 48% of the investigations that were studied by the office of the Dutch National Rapporteur, legal organisations (such as operators of window prostitution) had been facilitating human trafficking, knowingly or otherwise.¹⁵⁹ In Cyprus, up until 2009, legal actors and entities facilitated the illicit sex trade on the island to a

¹⁵⁵ National Agency against Trafficking in Persons, *National Report regarding trafficking in persons in 2012* (available only in Romanian), Ministry of Internal Affairs Press House, Bucharest, 2013, p. 39.

¹⁵⁶ TRACE D1.3 final deliverable, p. 7 D1.3: A report concerning the macro and micro analyses of human trafficking

¹⁵⁷ TRACE D1.3 final deliverable, p. 15 - TRACE WP1 D1.3: A report concerning the macro and micro analyses of human trafficking

¹⁵⁸ TRACE D1.3 final deliverable, p. 15 - TRACE WP1 D1.3: A report concerning the macro and micro analyses of human trafficking

¹⁵⁹ <http://www.dutchrapporteur.nl/current/news/archief/rapporteur-generate-more-insight-into-networks-facilitators-and-money.aspx>

great extent. Numerous sex entrepreneurs in collaboration with artiste impresarios and employment agents abused their legally premised circle of business for illicit sex trading.

In recent years a number of high-profile cases of trafficking for the purpose of labour exploitation in the agricultural and catering sectors have attracted some attention in the Netherlands. Such cases often concern foreign temporary workers hired through employment agencies located abroad and proposing conditions of work which make workers very dependent on their employer through benefits in kind (work, accommodation, meals, all provided by the employer). One concerned the mushroom picking sector and the other the asparagus sector, and in both cases workers were entirely dependent on their employers, having to put up with poor working conditions, squalid accommodation, and sometimes not being paid for months.¹⁶⁰

A rather new trend in modus operandi with regard to labour exploitation in the Netherlands is the emergence of apparently legal employment constructions which in reality are used to by-pass regulations so that the competitive position of the employer improves or the employees do not receive minimum standards (for example minimum payment). In 2013, the labour inspection counted 582 employers who did not offer minimum wages and minimum vacation benefits, a serious increase since 2012. Examples of the techniques used to by-pass the regulations are: granting minimum wages on paper, but not actually paying them, or paying the wages, but using a large share of the wages as expense allowance (rather than real salary). By-pass regulations are most common in the agricultural sector. The agricultural sector is an important sector in the Netherlands, responsible for a large share in the Dutch export products. The market share, however, is under pressure. This could be a reason that employers try to find ways to improve the competitive position, even if this violates human rights. By-pass mechanisms can be found in the recruitment and employment (e.g. through employment agencies, pay rolling, or secondment), labour conditions and in non-labour related conditions such as housing accommodations and health insurances.

Exploitation related to forced begging

The dominant modus operandi utilised by human traffickers in relation to exploitation for forced begging is to drain the trafficked persons of energy. Romania reported cases where victims were insufficiently fed and forced to handover all money to the traffickers and humiliated and abused whenever they failed to obey the traffickers. Men, in particular minors, forced to beg or to conduct criminal activities are forced to spend many hours on the street. Dutch findings reveal they work 8-10 hours to 14-16 hours per day on the street, which is confirmed by Romania findings, which noted 8-18 hours a day.¹⁶¹

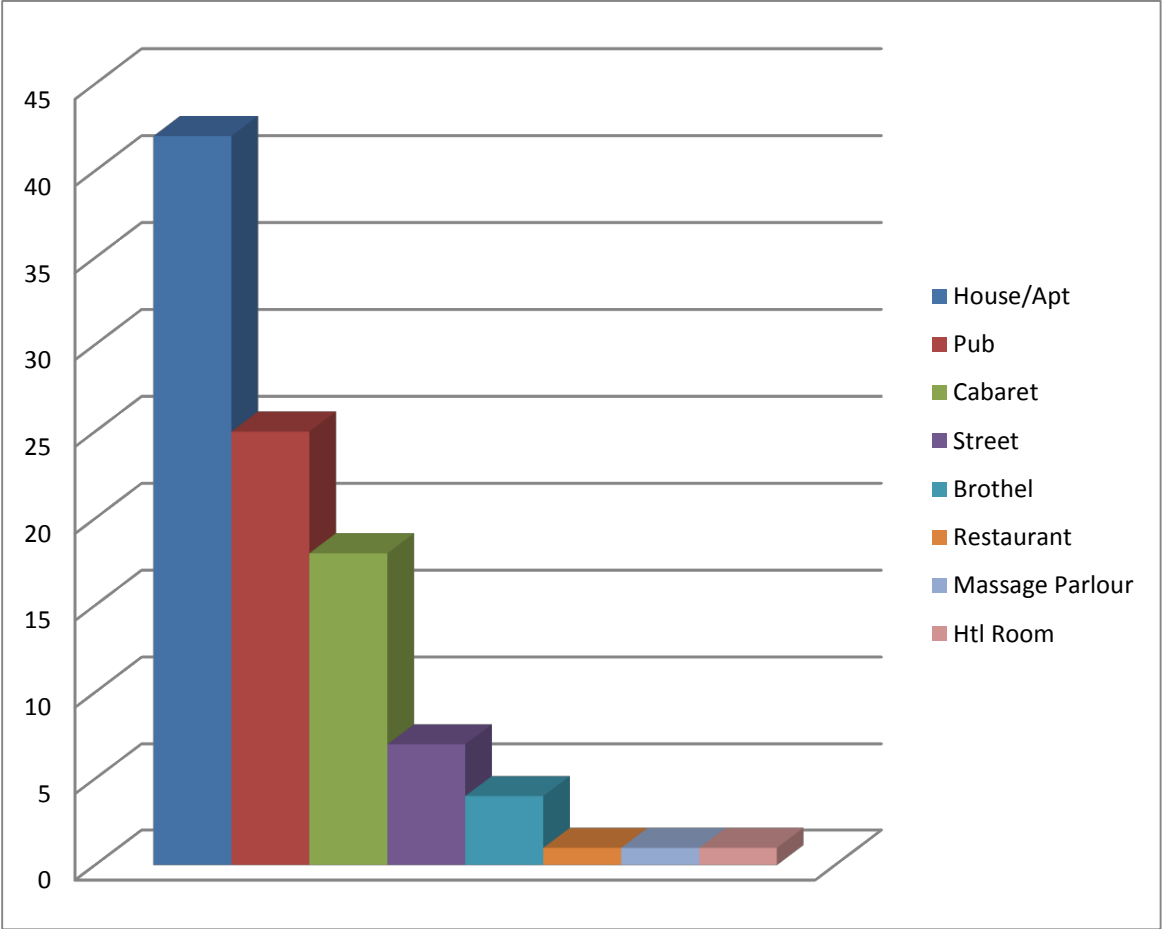
A further modus operandi relies on making the trafficked persons seem more vulnerable than they are, so as to arouse pity in passing by individuals. For example disability can be faked, in one of the cases studied for the purpose of this report the victims were given crutches and instructed on how to twist their limbs in order to look like they were crippled. Romanian victims were further placed with written messages (even written by the traffickers) in the language of the country of destination with various messages intended to generate public pity, or various texts written on cardboard, stating that the victim was distressed or removed from Romania based on ethnic reasons etc.

¹⁶⁰ GRETA report on the Netherlands, 2014,

¹⁶¹ National Agency against Trafficking in Persons, Trafficking in Persons for begging-Romania study, Delta Cart House, Pitești, Romania, 2013, p. 50; Trace 1.3: a report concerning the macro and micro analyses of human trafficking, p.68

Location of exploitation

As regards the modus operandi in relation to the location, we observed a changing pattern. In Cyprus, as illustrated in fig. 1 below, the most common place of exploitation is a private house or an apartment, followed by pubs and cabarets (brothels). From 2009, when the artist visa was cancelled, the places where sexual exploitation takes place have changed. Traffickers have moved their illegal activities from legally established entities to clandestine venues, such as houses and apartments. This impedes the detection of human trafficking, as police cannot monitor private entities with the same ease as public venues, which previously comprised the majority of spaces that hosted sexual exploitation.



Values are given in %

Fig. 1 Places of Sexual Exploitation

Often the location for sexual exploitation is related to the specificities of the country of destination. For example, Romania reports that victims trafficked within the country or trafficked to Italy, is often exploited on the street or in private flats, while in Netherlands and Germany exploitation takes place mainly in the form of window prostitution or in clubs and brothels. Romania registered cases of sexual exploitation on the street, in clubs, in private homes, in hotels or in brothels or for pornography.

As for labour exploitation, the ILO identified the most frequent sectors for forced labour in Europe, namely domestic work; agriculture, construction, manufacturing and entertainment are

among the sectors most concerned.¹⁶² In the Netherlands, it is acknowledged that some labour sectors have an intrinsic risk for labour exploitation or that they suffer from an economic climate that encourages the creation of situations which lead to exploitation. The Dutch National Rapporteur mentions the mushroom-growing, toilet-cleaning, transport and shipping industry. The latter is a rather new form of exploitation in the Netherlands, which is characterized by underpayment, very long working days and dependency on the employer. Known cases involve victims from the Philippines and Ukraine.

As for those exploited in begging, generally, the areas where traffickers place victims forced to beg, as reported by Bulgaria and Romania are crowded places with a high level of pedestrian traffic, such as store or supermarket entrances, outside schools, churches, train stations, parking places, parks, at important intersections in large cities, tourist areas etc.

Controlling victims during the exploitation phase

As stated before, upon arrival in the destination country, those recruited to work abroad – whether in a legal or non-regularised sector, realise that the initially promised working conditions differ considerably from reality. This is when the traffickers start to control their victims. Techniques of control of victims of human trafficking might include; threat or use of force, other forms of coercion, abduction, fraud, deception, abuse of power, giving or receiving payments or benefits and physical and psychological violence. Traffickers can again, similarly as in the recruitment phase, abuse the vulnerable position of a person; this complex form of coercion is reflected in the UN Palermo Protocol and refers to the situation ‘in which the person involved has no real and acceptable alternative but to submit to the abuse involved’.¹⁶³

Dutch findings, based on a research on Dutch case law by the office of the Dutch National Rapporteur, show that human traffickers normally use a combination of different means of coercion to induce their victims to enter or remain in prostitution or otherwise to exploit them, since, in practice, these means of coercion do not usually occur in isolation.¹⁶⁴ Traffickers are found to apply a series of coercive measures to subjugate their victims and to maintain such subjugation. Victims are mistreated, blackmailed, forced or threatened and are forced to pay off a large debt to the employer.¹⁶⁵ Cyprus reported that research conducted abroad, depicted that female exploitation and abuse depends on the traffickers’ approach. The business model scheme requires less force and minimal compensation of women involved to acquiesce longer, whereas the violent approach incorporates more abuse and exploitation. There was a process of initiation (as concerns cabarets) through which trafficked women were led to prostitution. Specifically, there were three sequential and gradual stages: one, women being asked to dance in the nude on stage; two, the consumption of drinks in intimate ways with clients on employment premises; and three, the engagement in sexual endeavours with the latter. Notably, in cases where women were employed in bars and pubs rather than cabarets, only the latter two stages of coercion materialised. Yet, such patterns were not all encompassing, as there had been cases where women, within a few hours upon their arrival on the island, were coerced to have sex with their bosses or with their bosses’ friends, so to get used to being prostituted.

Cyprus findings show that coercive tactics are applied more often than others, ranging from raping a victim to threatening it (see fig. 2). Specifically, it was found that the four most

¹⁶² <http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

¹⁶³ Reference: National Rapporteur on Trafficking in Human Beings (2012). Trafficking in Human Beings. Case law on trafficking in human beings 2009-2012. An analysis. The Hague: BNRM, p. 60

¹⁶⁴ Advisory opinion for the Dutch Supreme Court 17 January 2012, 110 by A-G Machielse

¹⁶⁵ http://www.inspectieszw.nl/english/human_trafficking_labour_exploitation/

frequent methods used by exploiters to control their victims are the restriction of movement, the debt bondage, the exploitation of a vulnerable position, and the threats against a victim’s life.

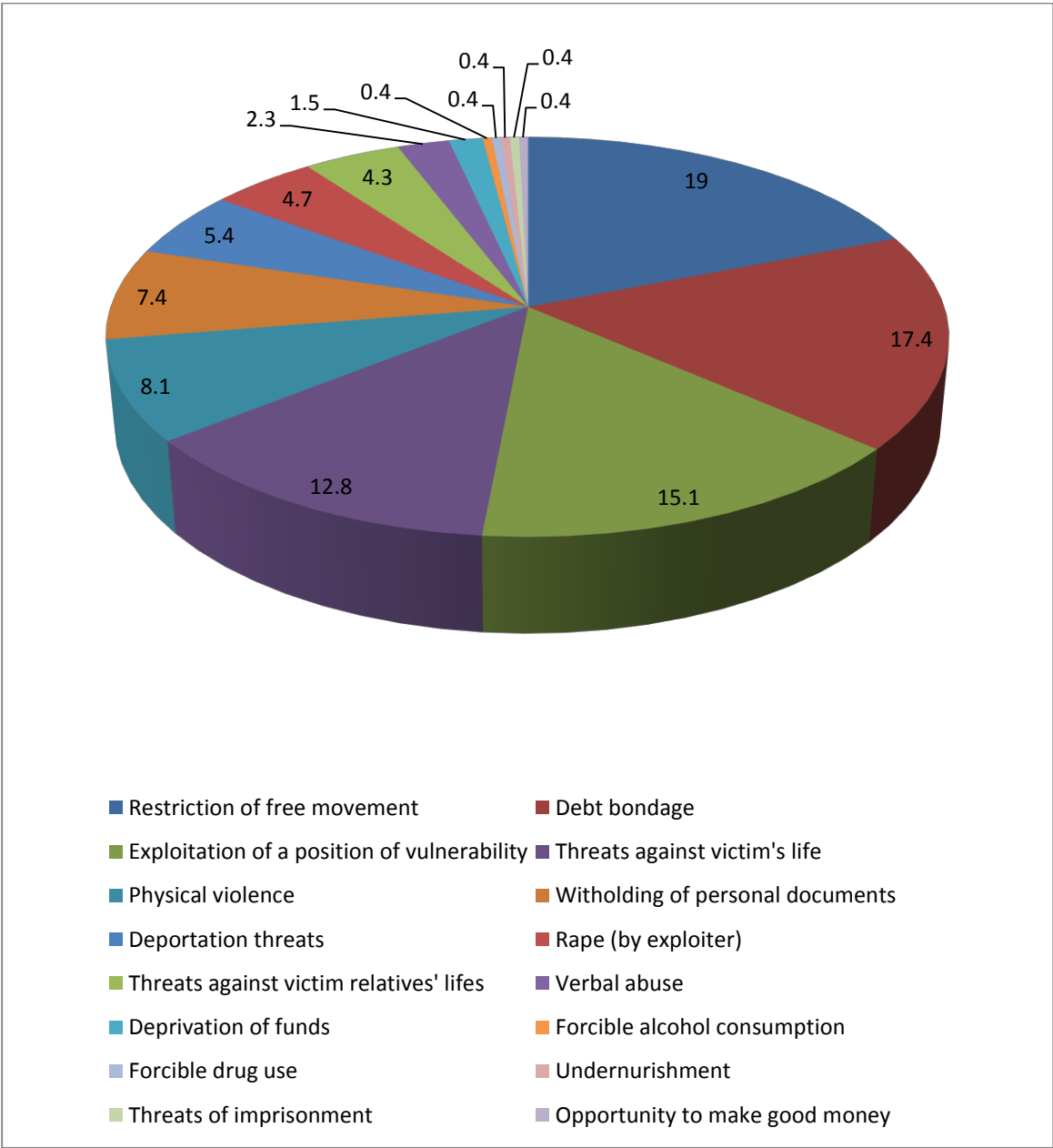


Fig 2. Controlling methods employed by exploiters

Deception and psychological violence

As for deception, similarly to the recruitment phase, it seems to be continuously and frequently used during the exploitation phase. Firstly the trafficked persons do not obtain the promised employment and are told that there have been difficulties in identifying jobs and that until an appropriate job was found, they have to work in prostitution, other labour or conduct illegal activities, including begging in order to pay the transport and accommodation-related costs. In instances where trafficked persons have indeed been placed into employments, then often they

do not receive money, are underpaid, not nourished, and or face physical abuse, threats, and withholding of credentials.

Often traffickers use psychological violence by threatening the trafficked person, that she/he is undocumented in the destination country and the police will detain her/him. Traffickers try to convince victims that the police are corrupt and they will end up in a situation far worse if they turn to the authorities.

Intimidation & treats

Another leverage used by traffickers to influence a victim is by intimidating her/him that her/his friends and family will find out that she/he has been a prostitute and she/he will be stigmatized in the community, either by threatening to harm their family, including their children, and friends.¹⁶⁶ Threatening of a victim to harm her relatives is noticed as a frequent treat in Cyprus. Most often, such threats concerned primarily the victim's children, followed by the victim's parents and siblings. For making such threats more credible, traffickers rely on a modus operandi that includes taking photos of themselves with the victim's relatives and presenting them to the victim as a proof of knowledge of the residence and identity of the beloved relatives.

Romania identified cases, in which, girls first had a friendly relationship with the traffickers, then developed a relationship with the trafficker and lived together for a period, generating real or false debts regarding rent, food, maintenance, etc. After being intimate, the trafficker would choose to blackmail the victim for prostitution with the film and images captured while they two were a couple.

Debt bonding

The exploitation phase usually starts with creating a situation of financial debt. The trafficker may for instance have paid for travel costs for the prospective victim. Later on, other costs may be added. The trafficker pays for accommodation, buys clothes, gives pocket money and covers other costs, including costs for food and cigarettes. The victim is then told to have built up a debt, which he or she is not able to pay back, and therefore is forced into prostitution, labour or begging and or forced to conduct other illegal activities. As reflected in Deliverable 1.3, traffickers use the profit to buy luxury goods like cars, commercial spaces, lands or apartments. At the same time they also spent the money for assuring a continuity of their business paying the charges of other criminal groups when using their influence area or connections but also investing in activities related to the recruitment of other victims.

Restriction of movement & surveillance

Trafficked persons are also restricted in their movement. Often identity documents are being withheld. According the Cyprus Police restriction of movement comprises three types. That is, leaving the premises (including the place of stay) only upon getting permission from the exploiter (or an associate), leaving the premises only in the company of the exploiter/henchman, and being locked within the premises at all times—with the latter being the least frequent and the former the most frequent. These methods of control were often facilitated by closed circuit television that was installed at the premises or by the cohabitation of an exploiter/henchman with the victim(s).

¹⁶⁶ TRACE D1.3 final deliverable, p. 7 D1.3: A report concerning the macro and micro analyses of human trafficking

The ANITP study on forced begging reports that traffickers supervise permanently their victims, and visit them for collecting the earned cash. If the cash amounts were not satisfactory to the traffickers, the victims were continually demanded to collect more money, in order to increase the 'capture'. The methods of persuading the victims to collect more money, varied from simple verbal 'recommendations' to beatings or threats applied to the victims and their children taken under the traffickers' 'care'.

Physical violence

The worst examples of subduing victims involved physical abuse (i.e., beating and injuring victims) or, less commonly, rape. The use of physical violence has ceased to be a striking characteristic, they choose either psychotically coercion, or even the promise of relatively easily obtained financial benefit by giving a part of the gain obtained by it, or obtaining victim's consent by blackmail, states the Cyprus police.

As Lutya Mandisa affirms, raping women who have been trafficked at the initial stages of trafficking aims to "test drive them" (that is, prepare them for prostitution).¹⁶⁷ Of course there were other instances where, in lieu of being taken to a place of employment, victims were enclosed within a flat and systematically prostituted in it. Illustratively, exploiters did not just sell women for sexual purposes, but also used them for their own sexual gratification, and for non- and commercial sexual exploitation.

Use of vulnerable position

Again, similarly to the recruitment phase, the vulnerable condition of the victims in the countries of destination is exploited by the traffickers in order to ensure the victims' obedience and in order to attract higher amounts of money from begging. The vulnerable condition of the victims is related to the fact that they do not speak the language; they may be illegally in the country of exploitation, as reported by the Romanian report.

Furthermore, the exploitation of a position of vulnerability concept, often involved particular predicaments which more or less pushed victims into being more submissive. Such predicaments (starting from the most frequent) were found to be: an unemployed single mother with dependants, a loan made at home, the victim being an orphan, under aged, an irregular immigrant, or mentally disabled, and lastly, the victim being a mother of a mentally retarded child.

The Dutch Arnhem Court of Appeal used the term 'broken spirit' to describe the emotional state of a victim who was unable to offer any resistance to the persistent coercion and pressure exerted on her by the suspect.¹⁶⁸

Due to the means used by traffickers to control victims, victims are often unable to leave the situation of exploitation and hesitate to ask for help, in case such possibility arises. One reason for this is also the lack of self-identification of victims, that they are victims of trafficking.

¹⁶⁷ Lutya, M. (2009). Epi-Criminological responses to human trafficking of young women and girls for involuntary prostitution in South Africa. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 10: 59-78.

¹⁶⁸ Reference: National Rapporteur on Trafficking in Human Beings (2012). Trafficking in Human Beings. Case law on trafficking in human beings 2009-2012. An analysis. The Hague: BNRM, p. 58 - 59

Self-identification

Sadly, most of the victims of labour exploitation do not perceive themselves as victims, since even if they get paid much lower than the minimum wage in the destination country and work and live in miserable conditions, the money they earn there is still more than what they can earn in Bulgaria. Therefore, out of necessity to support their families, they will not signal authorities and would rather be exploited.¹⁶⁹ This was confirmed by a police officer, investigating a case with 70 Bulgarian berry-pickers exploited in Sweden. After a police raid, almost all workers did not want to cooperate with the authorities and were not feeling that they were victims of labour exploitation. As a result, only a few agreed to testify.¹⁷⁰ Particularly victims who's living and financial conditions were especially poor in their country of origin tend to accept their fate and do not see themselves as victims.

2. CONCLUSION

From the analysis of the operational situation a number of conclusions concerning the mode of action, could be underlined:

At the recruitment stage, traffickers deceive their victims by offering them various employment positions, which are sometimes tailored to the skills or the profession and education of the targeted person. The majority of victims are recruited by local persons, by acquaintances or friends, often also female persons. Persons are recruited both in countries of origin, or in the country of destination when they themselves have decided to travel abroad to find employment. Different locations are used to recruit persons, either directly in person or indirectly or online via social media. Those recruited are often forced to decide and leave quickly.

In case of trafficking for sexual exploitation the activities of transportation and accommodation tend to be more planned and organised than for others forms of exploitation, Depending on the distance to be travelled, persons are transported to their destination mostly by road or by air. It further seems that those having a legal possibility to enter, cross the border of the transit and destination countries legally, with their own documents. Persons trafficked for sexual exploitation seems more often accompanied, than victims trafficked for other forms. Coercion during the transportation seems by far the exception rather than the rule.

As for the last phase, the exploitation phase, a noticed difference concerning recruiters and exploiters is the gender of exploiters. Whereas recruiters are mostly female, the majority of exploiters registered are male. Techniques of control of victims of human trafficking include; threat or use of force, other forms of coercion, abduction, fraud, deception, abuse of power, giving or receiving payments or benefits and physical and psychological violence. It seems that in comparison with the other phases, force is used the most in this phase, but still also in this phase, other means to control victims seems to be used more frequently.

¹⁶⁹ Interview with a representative of Manpower Bulgaria, May 2014

¹⁷⁰ Interview with a police offer from Directorate General "Border Police", 12.12.2014

C. TRAFFICKER RESPONSES TO LAW ENFORCEMENT POLICIES

1.1 INTRODUCTION

Crime and criminal behaviours are dynamic processes, and their specificities and particularities often follow various paths and occupy different levels. Shifts in crime are fuelled by a range of factors, from technological advancements to legislative implementations. This section explores the displacement of human trafficking that resulted from the implementation of anti-trafficking legal measures.

As will be illustrated in this chapter, due to the implementation of certain anti-trafficking policies, traffickers have changed their preferred ways of conducting ‘businesses. As a result, the crime of THB has deviated from its traditional characteristics, and it is now occurring in different places, at different times, by different actors.

Crime displacement refers to the relocation of crime, the change of the conduits by which crime is conducted, the shift in the times and types of venues which host crime, and also the actors who become involved in crime. Reportedly there are six types of crime displacement: temporal displacement (crimes take place at different times of the day); tactical displacement (different tactics are used); target displacement (different types of targets are selected); type of crime displacement (a new crime is selected); spatial displacement (crimes are committed in new locations); and perpetrator displacement (replacement of incapacitated criminals by newcomers).¹⁷¹

In what follows, it is demonstrated that anti-trafficking policies have an impact on the ways in which human trafficking manifests, as well as the actors who become involved in such crimes.

2. EXPLORATION OF SHIFTS IN CRIME

The specific anti-trafficking legal measures analysed in this chapter include: a) the abolition of the artist visa in Cyprus that was put into force in 2009, b) the penalisation of buying sex in Romania (under Law 678/2001) in 2010, and c) the enforcement of Law 39/2003 regarding the prevention and combating organized crime in Romania.

2.1 CYPRUS

While the scope of this section is to explore the changes that occurred in the emporia of sex in Cyprus in 2009 and onwards, the year where the abolition of the artist visa came into being, it is quite useful to first delineate the frame within which paid sex is achieved in Cyprus. This will aid us to better understand the Cypriot context within which paid sex (and exploitation) is achieved, and how it has been affected by the discussed policy.

Reportedly, the approach of state administrations falls under four categories; namely, regulation, decriminalisation, legalisation, and prohibition.¹⁷² As a result of which, national discourses are today oscillating between policies that focus on sex workers’ protection, apathy and neutrality, or suppression of demand for paid sex. For instance, in Australia and New Zealand, prostitution is decriminalised (i.e., devoid of any laws or regulations), whereas in

¹⁷¹ Bowers, K. and Johnson, S. (2003). "Measuring the geographical displacement and diffusion of benefit effects of crime prevention activity". *Journal of Quantitative Criminology*, 19(3), 275-301.

¹⁷² Matthews, R. (2008). *Prostitution, politics and policy*. Oxon: Routledge-Cavendish, p. 95

Sweden, Norway, and Iceland, any prostituted acts are altogether prohibited. In Cyprus, like England, prostitution is to some extent regulated; nuisances accrued from prostituted spaces, procurement, public soliciting for the purposes of prostitution, and all sorts of pertinent commercial undertakings are penalised, rendering only individual and volitional prostitution as not illegal. However, and as is the case in Cyprus, the evolving regulationist approach is ambivalent, as it neither penalises nor legalises prostitution per se, thus giving way to clandestine functions that exploit and trade women and trafficking victims.

As a result, cabarets and pubs (notorious) had been the bread and butter of the local sex industry. Notably, domestic cabarets differ considerably from the classic European type of cabaret where choreographic and musical shows are performed by professional dancers. Domestic cabarets are devoid of such artistic elements and offer stripteases and lap dances; female accompaniment of clients, either or both on premises and out of; and illegal paid sex. Just like cabarets, pubs have also been part of the venues in which unlawful sex for pay occurs. These venues operate with less staff than cabarets, as they do not offer dancing performances. A client can purchase intimacy if he provides the required amount of money or, in establishments where sex is offered more discreetly, if he becomes a regular customer and thus establishes trust with the proprietor. Consequently, local sex industry (aside the illegal and clandestine establishments) had become an apparatus within which legal entities—cabarets, bars, and pubs—hosted illegal activities (e.g., prostitution, nude dancing, and customer accompaniment). In view of this, a number of women (especially immigrant) were deceived and coerced into offering sex in the local sex commerce. This very fact pushed the local government to take more drastic measures to curtail sexual exploitation and trafficking. More specifically, on the 29/10/2008, the Council of Ministers approved the revision of the policy for the entry, residence and employment of third country nationals in the Republic of Cyprus as artists. This decision was enacted on the 01/02/2009, and was enforced according to the decision of the Ministerial Committee for the Employment of Third Country Nationals. The new policy consisted of the abolition of special visas for artists, procedures for the issue of temporary residence and employment permits, revision of the contracts of employment and revision of the legislation regulating Private Employment agencies.

Consequently, whereas cabaret dancers (or artistes) would enter Cyprus up until 2009 with ‘artiste visas’—a specific visa type for cabaret artists that was introduced in 1987 by the Ministry of the Interior—¹⁷³today, such permits no longer exist and instead, performing artists visas are issued, to a much lesser extent though. For instance, while in the period starting from 2005 until 2008, 8650 artist visas were issued, in the period between 2009 and 2014, only 3097 performing visas were issued (64% decrease). As a result, the number of cabarets has remarkably shrunk. Illustratively, whereas in 2008 there were 75 cabarets nationwide, currently, there are only 25, a 67 per cent decrease altogether. Interestingly, this very fact generated a series of changes in the social organisation of the domestic sex industry, of which, displacement of illegal sexual acts is one major component.

Starting from the analysis of the perpetrators involved in the crime of sexual exploitation/prostitution, who are basically the conduits by which such exploitation is made possible, we have found that there has been a shift from a pimp/exploiter dominated area towards an equally handed scene, where both pimps and prostitutes individually are equally involved in the discussed crime. As it appears to be the case, whereas in the past,

¹⁷³ Ombudsman’s Office in Cyprus (2003) ‘Independent investigation concerning the entry and working conditions of foreign female artists’. [online], Available from: [http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/2B374DA10180F8E9C2256F68003B2092/\\$file/A1.pdf?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/2B374DA10180F8E9C2256F68003B2092/$file/A1.pdf?OpenElement)

pimps/exploiters would control the criminal activities in the area of prostitution, later, this was somewhat reversed, and prostitutes themselves stepped in and began to purport their own prostituted acts. Yet, while a number of women seem to be in control of their sexual acts, sexual exploitation of women does not cease to exist, as half of the incidence of prostitution is still mediated by pimps. This is defined by the analysis of a variable (conduits) that is measured by two items namely, pimp and individual.

According to our analysis (see fig. 1), on average, the incidence of individually purported prostitution was lower before 2009 (M= 14.60, SE= 2.71) than from 2009 and onwards (M= 26.16, SE= 4.96). This difference was significant $t(8)= 1.92, p < .05$. Likewise, the incidence of sexual exploitation via pimps up to 2008 was higher (M= 71.80, SE= 13.25) than from 2009 and after (M= 30.83, SE= 2.79). Again, this difference was significant $t(4)= 3.31, p < .05$.

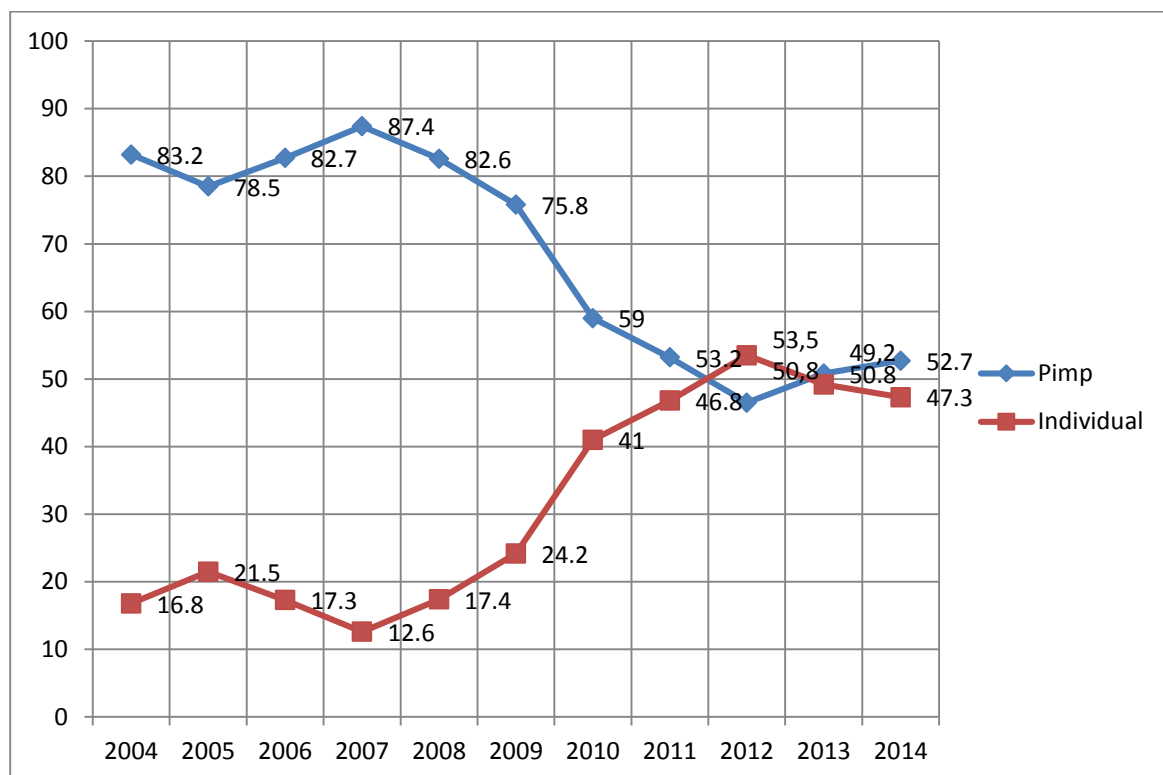


Fig 1. Conduits for sexual exploitation/prostitution

Much like the significant changes that took place in concern to the ways in which paid sex is provided (mediated/unmediated) to the clients, changes were also pointed toward the nationalities of the offenders who procure sexual activities (see fig. 2). As attested by our statistical analysis, the two items used to calculate the variable of nationality (foreign and indigenous individuals), head towards conversion. Though before 2009, the two categories had a difference in the region of 60%, after 2009, such difference curtailed remarkably. On average, incidence of prostitution which was procured by natives showed a significant decrease when compared before 2009 (M= 60.20, SE= 11.61), and in 2009 and after (M= 20.50, SE= 1.87). This difference was significant $t(4)= 3.71, p < .05$. On the other hand, though the increase detected in foreign individuals involved in sexual exploitation of others before 2009 (M= 10.80,

SE= 2.19) and from 2009 and after (M= 13.33, SE= 1.89) was not significant $t(8)= .93, p> .05$; however it did represent a medium-sized effect $r= .30$.

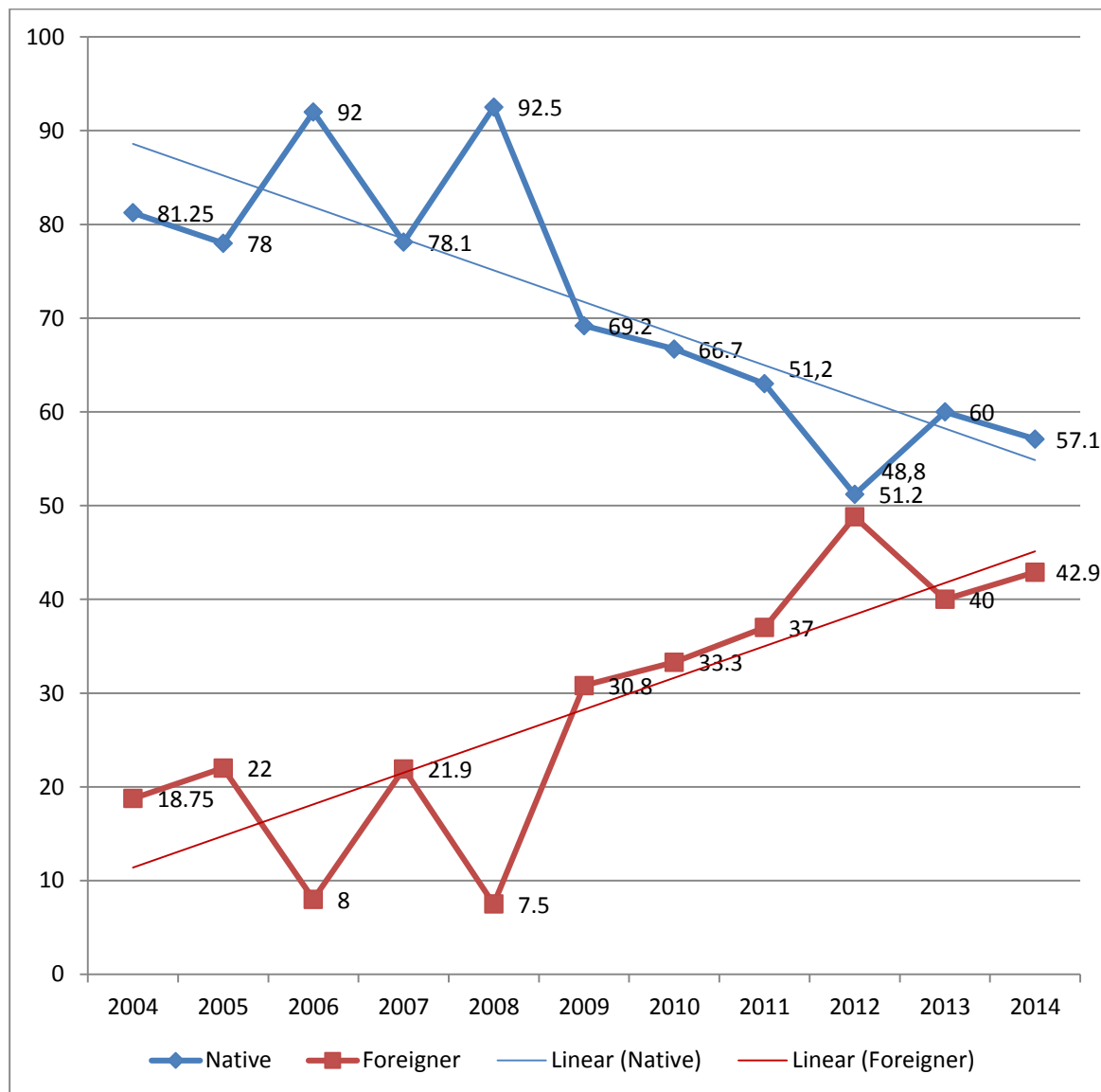


Fig 2. Nationality of exploiters/pimps

In alignment to the negative correlation of the above categories, male and female exploiters showed a similar tendency. While before 2009 the sexual exploiters were predominantly male, later, male exploiters were decreased and female exploiters began to partake more often in the illegal acts. Yet, the scene is still dominated by male culprits.

On average, there was a significant decrease of male procurers in the period between 2004 and 2008 (M= 34.20, SE= 10.49), and between 2009 and 2014 (M= 21.50, SE= 2.17). This difference was significant $t(4)= 3.96, p< .05$. On the other hand, though the increase detected in females involved in sexual exploitation of others before 2009 (M= 33.00, SE= 17.72) and from 2009 and after (M= 7.00, SE= 1.41) was not significant $t(4)= 1.07, p> .05$; however it did represent a medium-sized effect $r= .46$. Yet, as shown by the descriptive diagram in fig. 3, the

two items are negatively correlated, as the male procurers decrease, the female procurers increase.

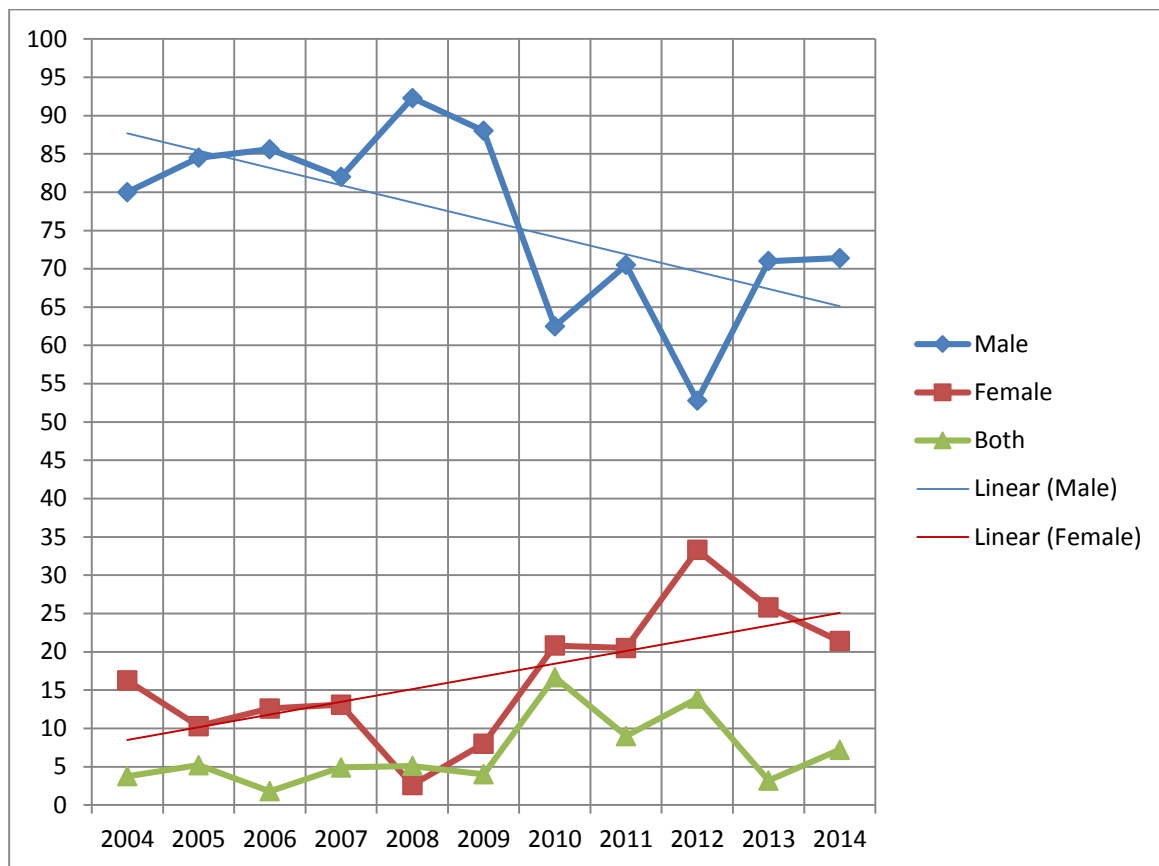


Fig 3. Gender of exploiter/pimp

While we have thus far analyzed the changes which occurred in concern to the perpetrators involved in sexual exploitation, we now shift our attention to the temporal displacement of crime. While detecting whether there were any changes in the times of the day that sexual exploitation/prostitution occurs was not possible, changes in the time of the year where such acts take place were identified. More specifically, the year was divided in two semesters, namely high and low, with the high season comprising the months between May and October, and the low season the rest of the months, November until April.

It was found that during high season acts of sexual exploitation are reported to occur more often than in low season. On average, there was a significant decrease of prostitution related crimes in low season during the period between 2004 and 2008 ($M= 58.75$, $SE= 10.38$), and between 2009 and 2014 ($M= 34.16$, $SE= 3.39$). This difference was significant $t(3.64)= 2.66$, $p< .05$.

On the other hand, though the increase of prostitution related crimes detected in high season before 2009 ($M= 68.50$, $SE= 14.34$) and from 2009 and after ($M= 44.66$, $SE= 4.99$) was not significant $t(3.73)= 1.84$, $p> .05$; however it did represent a large-sized effect $r= .68$.

As shown by the descriptive diagram in fig. 4, the two items (high and low season) indicate that prostitution follows a seasonal pattern, where during the spring and summer acts of prostitution are more manifest than in the fall and winter.

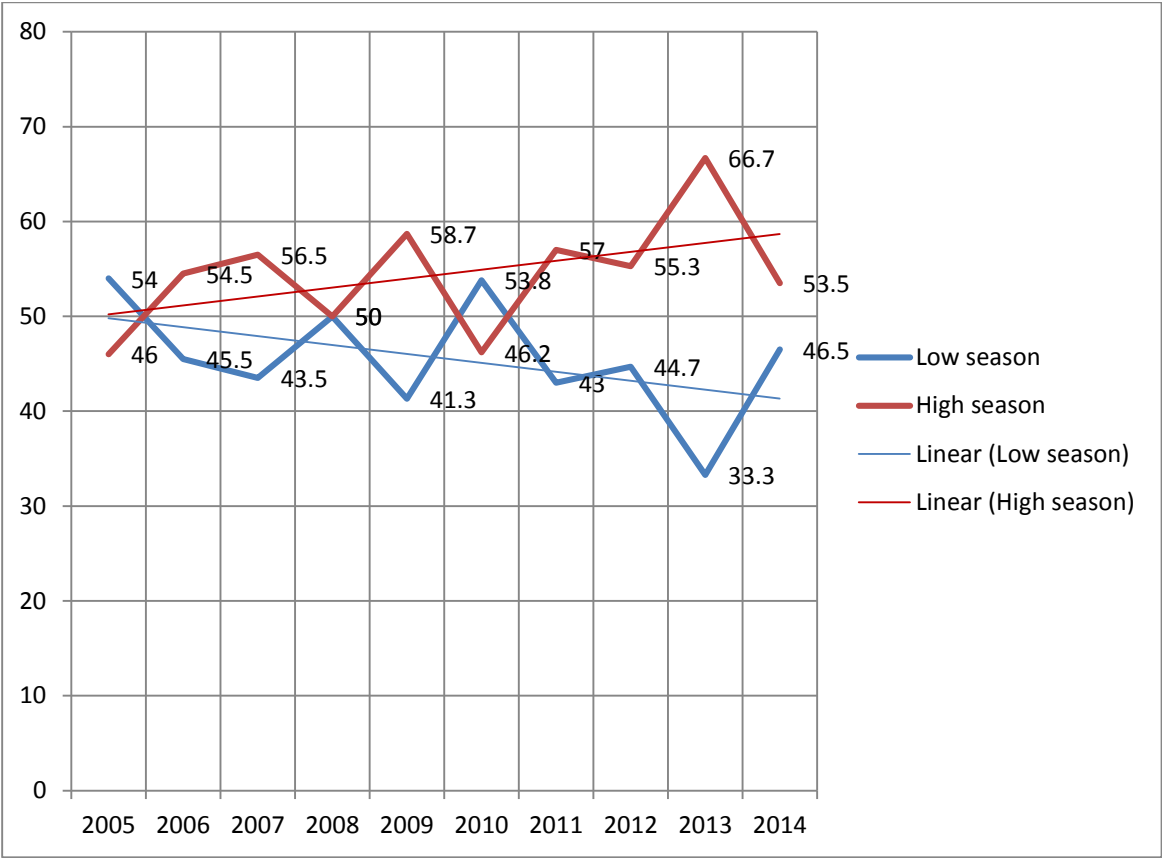


Fig 4. Seasonal incidence of sexual exploitation/prostitution¹⁷⁴

In concern to the spatial displacement of sexual exploitation/prostitution the variable of the venues that host such acts was analysed. Particularly, three items (cabarets, apartments, pubs) of the variable, indicated changes that required further analysis (see fig. 5).

Starting from the cabarets, as a venue which traditionally hosts sexual exploitation/prostitution, it was illustrated that they presented a remarkable decrease. This was rather inevitable, given that in 2009 and onwards, most such establishments ceased to operate. On average, there was a significant decrease of sexual exploitation occurring in cabarets before 2009 (M= 21.8, SE= 4.34), and from 2009 until today (M= 3.50, SE= 1.64). This difference was significant $t(5.14)= 4.23, p< .05$.

As regards the incidence of prostitution/sexual exploitation taking place within houses and apartments, there was found to be an increase. Specifically, even though there was a marked increase in prostitution and sexual exploitation acts taking place in apartments and houses after 2009 (M= 30.16, SE=8.66), as opposed to the period before 2009 (M= 21.40, SE=4.11), this

¹⁷⁴ The available intelligence for 2004 does not cover the entire year, thus the year 2004 is excluded from our analysis.

increase was not statistically significant $t(7.05) = 0.85, p > .05$. Nonetheless, it did represent a medium-sized effect $r = .30$.

With regards to the pubs that are used as venues to facilitate prostitution, it was found that there was a marked decrease. On average, there was a significant decrease of sexual exploitation occurring in pubs before 2009 ($M = 28.6, SE = 6.51$), and from 2009 until today ($M = 13.00, SE = 0.85$). This difference was significant $t(4.13) = 2.61, p < .05$.

In all, it was found that as the sexual exploitation in venues such as cabarets and pubs were reported to decrease, prostitution/sexual exploitation in private houses and flats was increased, a negative correlation altogether.

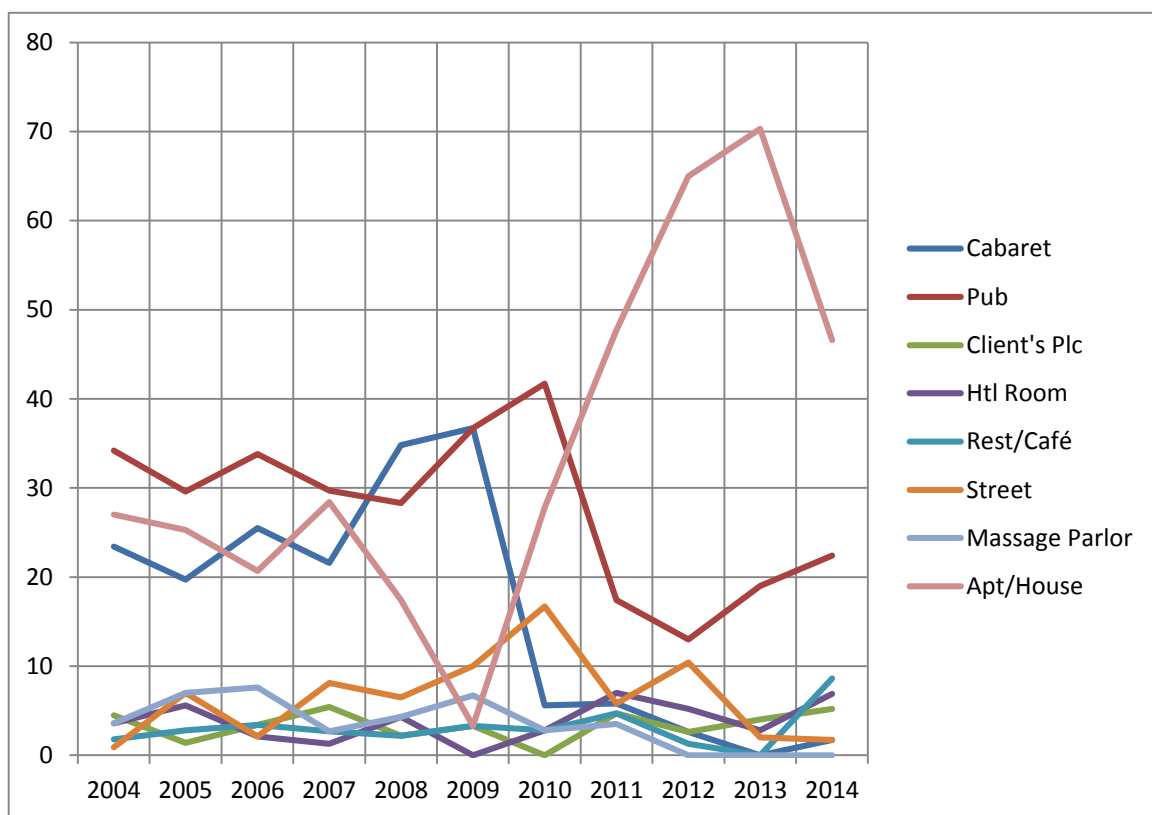


Fig 5. Venues which host prostitution/sexual exploitation

2.2 ROMANIA

Since the enactment of the anti-trafficking law in 2001, in Romania, several amendments were made to the incumbent legal framework, along with the adoption of various other pieces of legislation that completed the legal resources, which altogether aimed at countering trafficking in humans.

Specifically, laws for countering organized crime, provide for special techniques for investigation (e.g. wiretapping, undercover officers, etc.). In reaction to such investigative techniques, traffickers are today using several phone numbers (some are even borrowed), as

well as prepaid SIM cards, they carry out short and encrypted dialogues, for avoiding their identification.

As opposed to past practices (where Romanians were cooperating with other nationals in trafficking people), it has been noticed that Romanian traffickers (and groups) tend to control better the entire chain of trafficking; including exploitation in the destination country. As noted in the case of Cyprus, this very fact was also confirmed to be happening in Cyprus. Meaning, indigenous exploiters no longer have full control of the trafficking scene, as foreign traffickers (i.e. Romanians) have stepped in and now exploit victims themselves, independently.

2.3 THE NETHERLANDS

In the past years there have been several changes in Dutch anti trafficking or related legislation, operation procedures or other actions of enforcement of anti-trafficking action. It remains difficult though to judge what the impact has been on traffickers. And there is hardly any information available that describes this impact.

The Dutch National Rapporteur, authorities, and NGOs in the Netherlands have not indicated major shifts in respect to locations where exploitation takes place. Nationality of victims differs from year to year, but still the main countries of origin repeatedly appear on the top 10 of countries of origin over the last years. There are also some shifts in traffickers, but changes are minimal in comparison with earlier years. Also, no clear indications for major shifts in tactics used by offenders were found.

3. CONCLUSION

Admittedly, official crime statistics do not reflect the actual extent of crime, as both under-reporting and under-recording of crime impede the promiscuous and genuine aggregation of crime rates. Especially, as regards sex crimes, where victims do not readily reveal their victimization to the authorities. As Tarling and Morris assert, 'reporting crime may be an embarrassing admission of ones' vulnerability or culpability in the crime.'¹⁷⁵ Indeed, as it is often the case in sex crimes, victims blame themselves for their victimisation and this very fact prevents them from reporting to the police. Apart from this, victims (especially trafficking victims) do not want to get involved in the criminal justice system because they fear of reprimands against themselves and/or their relatives, do not trust the host legal system, get bribed by law transgressors, or experience other personal predicaments.¹⁷⁶ As such, police intelligence could, to an extent, be used in criminological research as a source of data, by which crime tendencies can be pointed out.

Relatedly, as this report has illustrated, the 2009 anti-trafficking policy implemented by the government of Cyprus brought unprecedented changes to the sphere of sexual exploitation and prostitution. Before the implementation of the said policy, human trafficking and sexual exploitation entailed particular features. More specifically, sexual exploitation was mostly conducted by male Cypriot cabaret and pub proprietors. Moreover, such criminal acts often took place at cabarets and pubs or in private spaces adjacent to the former venues, and also, the incidence of sexual exploitation did not hinge on the time of the year. However, from 2009 and onwards, the entire sex trade scene began to change. Exploiters and traffickers were no longer

¹⁷⁵ Tarling, R., and Morris, K. (2010). Reporting crime to the police. *British journal of criminology*, 50:474-490, p. 2.

¹⁷⁶ Constantinou, A. (2013). Human Trafficking on trial: Dissecting the adjudication of sex trafficking cases in Cyprus. *Feminist Legal Studies*, 2, 163-183, p.168.

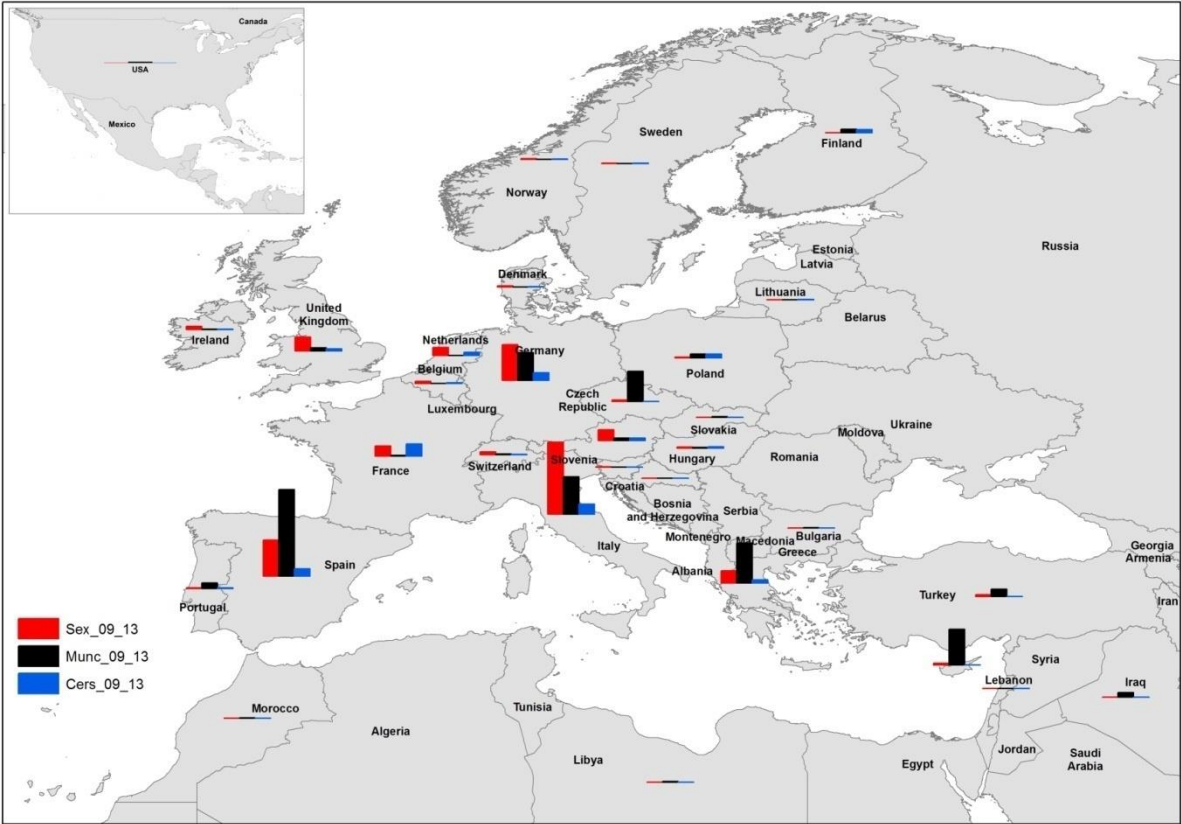
comprised of indigenous males, but foreign females also began to undertake such roles. Furthermore, sexual exploitation and prostitution have progressively become more dispersed and today, such acts occur mostly in private spaces, flats and houses in particular. Additionally, procuring and sexual exploitation have somewhat subsided, as today more women practise prostitution alone, free from the control of procurers and exploiters.

ACRONYMS

A	
ANITP	National Agency against Trafficking in Persons
D	
DIICOT	Directorate for the Investigation of Organised Crime and Terrorism
N	
NCCTHB	National Commission for Combating Trafficking in Human Beings in Bulgaria
NGO	Non-Governmental Organization
O	
ODIHR	Office for Democratic Institutions and Human Rights
OoCTHB	Office of Combating Trafficking in Human Beings
P	
PPS	Public Prosecution Service
S	
SIMEV	National Integrated System for Monitoring and Evaluation of Victims of Trafficking
T	
THB	Trafficking in Human Beings

ANNEX 1

Destination countries for Romanian trafficked persons by forms of exploitation 2009-2013



ANNEX 2

The main 3 countries of destination for the Romanian trafficked persons by forms of exploitation and the main type of transportation

