

DECLARATION

I, the undersigned Dalma Makkos aware of my criminal responsibility, I declare that the facts and figures contained in my dissertation correspond to reality and that it describes the results of my own independent work.

The data used in the dissertation were applied taking into account the copyright protection.

No part of this dissertation has previously been used in other training at an educational institution during graduation.

I accept that my dissertation is subject to plagiarism control by the institution.

Budapest, 2022 May 8th



student's signature

THESIS

Dalma Makkos

2022

BUDAPEST BUSINESS SCHOOL
FACULTY OF INTERNATIONAL MANAGEMENT AND BUSINESS
INTERNATIONAL RELATIONS PROGRAMME
Mode of study: Full Time

The History of the Fight Against Human Trafficking in the European Union and the Current State of Affairs

Internal advisor: Anna Mária Tömöry

By: Dalma Makkos

Budapest, 2022

Table of Contents:

List of Figures	6
Introduction	7
1. Understanding the phenomenon	10
1.1. The definition of human trafficking	10
1.2. Main Trends in Human Trafficking.....	11
1.3. Root Causes of Human Trafficking.....	13
1.3.1. Economic causes	13
1.3.2. Migration	14
1.3.3. Supply Meets Demand.....	14
2. The Nature of Recruiting Victims of Human Trafficking.....	15
2.1. Trafficking Patterns in Europe	15
2.1.1. Profile of the Traffickers	15
2.1.2. Profile of the Victims	17
2.2. The Role of the Internet and New Technologies in Human Trafficking.....	20
2.3. COVID-19’s Consequences Regarding Unemployment Rates	21
3. Main Forms of Exploiting the Trafficked People.....	25
3.1. Sexual Exploitation	25
3.2. Trafficking for Forced Labor.....	27
3.3. Other Forms of Human Trafficking	28
4. National and International Trafficking of Human Beings Within the Borders of the European Union	31
4.1. Domestic Trafficking	31
4.2. Europe as Origin and Intra-Europe Human Trafficking.....	32
4.3. Europe as Destination.....	34
5. Response from the EU.....	38
5.1. The Evolution Of The Judgement Of Human Trafficking Of The International Community And The European Union	38
5.2. The Anti-Trafficking Legal Framework Of The European Union	39
5.3. Policy Framework And Operational Cooperation	41
5.4. The Slow Evolution Of The European Union’s Criminal Justice Response.....	43
5.5. The Role of the European Parliament In The Fight Against Human Trafficking	47
6. The Problems With Enforcing The Promises Of The European Union – Case Studies.....	48
6.1. 2012, United Kingdom of Great Britain and Northern Ireland	49
6.2. 2007, Czechia	51
6.3. 2012, Spain.....	52

6.4. 2012, Croatia	54
6.5. 2013, Denmark	56
6.6. 2014, France	57
6.7. 2015, Italy.....	57
6.8. 2018, the Netherlands	59
6.9. 2019, Germany	60
6.10. 2021, The United Kingdom of Great Britain and Northern Ireland	61
7. What The Future Holds	63
Conclusion.....	68
List Of References:.....	70

List of Figures

Figure 1: Ratio of females convicted compared to the ratio of convictions for both genders for trafficking in persons and all offenses in Europe	16
Figure 2: Nationality of arrestees for human trafficking in Greece, by gender (2007).....	16
Figure 3: Main forms of exploitation and profiles of detected victims by subregion (2018 or more recent).....	18
Figure 4: Shares of detected trafficking victims, by form of exploitation, by subregion of detection (2018 or more recent)	18
Figure 5: Shares of children among the total number of detected victims in Europe, by countries (2018 or more recent)	19
Figure 6: Relationship between unemployment rates in Bulgaria and Bulgarians as a share of potential trafficking victims detected in the Netherlands between the years 1998 – 2017	22
Figure 7: European countries of origin of victims detected in Europe, according to the number of victims detected and the number of countries where victims were detected (2005-2007)..	33
Figure 8: Country of citizenship of detected victims trafficked to Europe between 2005 and 2007.....	35
Figure 9: Trends in the main origin of discovered victims of human trafficking detected in the Netherlands between 2000 and 2008.....	35
Figure 10: Trends in the main origin of discovered victims of human trafficking detected in Germany between 2000 and 2007.....	36
Figure 11: Trends in the main origin of discovered victims of human trafficking detected in Spain between 2000 and 2006.....	37
Figure 12: People sentenced for human trafficking in Bulgaria in the time period between 2004-2006.....	44
Figure 13: People sentenced for human trafficking in Romania, by gender in the time period between 2003-2007	44
Figure 14: The trends in the number of recorded convictions regarding human trafficking in Europe from 2003 until 2007, percentage of countries	45
Figure 15: Conviction rates per 100,000 people for human trafficking and selected crimes in selected European countries in the examined time period	46

Introduction

From the beginning, I knew, that I wanted to shed light on a subject matter in my thesis that despite being significant, somehow is still overlooked in many cases and that many citizens of the European Union are unaware of. The phenomenon of human trafficking is more complex of an issue in today's Europe than ever due to a number of factors associated with but not limited to economics, technology, and COVID-19. What is more, we can conclude that the European Union is lagging behind in keeping its promises to deal with the matter in practice, when looking into legal cases dealing with the topic at hand. I am convinced we do not know or talk enough for European citizens to truly be informed about what is happening under our noses. The act of trafficking of human beings is a heinous crime which ruins the affected people's lives by robbing individuals not only of their morality and self-respect but of their self-determination and of something that every person deserves: their basic human rights. This often brutal and violent act should not at all exist in modern society, where we have more means to fight the phenomenon of human trafficking than ever before in the course of history.

However, although legislation to address the issue exists the actions taken by the European Union to tackle the problem are simply not sufficient. Of course, this is a topic of major concern that cannot go unnoticed or unmentioned by an organization as important as the European Union. As a result, we can find that there are directives and strategies all worked out by institutions of the EU but what these all have in common is something that most similar documents drawn up and published by the Union share as a joint characteristic (no matter whether the topic is environmental protection, or other): a very compassionate, but still more a rather diplomatic tone, identifies issues without offering drastic measures to facilitate real and efficient ways to tackle them. In my thesis, I analyzed different concepts frequently mentioned hand in hand with human trafficking, the history and past trend of the phenomenon, as well as compiled court cases regarding the issue that occurred in the last ten years. I set out the goal to find out through examining court cases relating to human trafficking cases to see whether or not EU agencies and national authorities in fact approach and handle the issue with as little success as my intuitive presumption assumes.

When reviewing the literature relevant to the topic I was surprised, that despite of limited information on the dangers of human trafficking within the European Union, there are indeed a number of studies prepared by its institutions and as well as by the United Nations Office on Drugs and Crime (UNODC). In my thesis, I will be relying on these studies as these

have proven to be relevant, up to date, accurate and published by trustworthy organizations, and containing plenty of deliberately organized information. Another great source that helped my research is UNODC's website called SHERLOC. This is the United Nations Office on Drugs and Crime's page dedicated to 'Sharing Electronic Resources and Laws on Crime', which proved to be an exceptional resource to my thesis, as court documents from different countries, all tackling a number of different crimes are accessible through it. Furthermore, the different directives and reports issued by the European Union have to be mentioned as a key component of the literature I examined in order to have enough understanding of the topic at hand. Some of the publications I find remarkably of value and interest are Piotr Understanding EU action against human trafficking by Bąkowski, Sofija Voronova (2021), 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 by the Official Journal of the European Union (2011), and the Communication From The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions On The Eu Strategy On Combatting Trafficking In Human Beings 2021- 2025 by the European Commission (2021).

When looking at the current situation of the phenomenon we can see how human trafficking is not only still a significant danger in today's European Union, but new advancements in technology, as well as socio-economic aspects, are rapidly changing the scene making it hard for the Union and for law enforcement to keep up with the pace. This results in great dangers for people residing in the Union as well as for citizens of countries outside of the supranational organization. However, with further efforts in the near future, everybody's lives could become safer.

The most outstanding questions I was looking for an answer to in my thesis were the following: What have been the past trends in the European Union when it comes to human trafficking? How have they changed? How much difference did the directives and reports published by the institutions make? Have there been court cases that prove my suspicion that there are still crucial difficulties when it comes to the implementation and enforcement of these strategies and legislation? If so, in what ways?

When it comes to the order of information in my thesis, I followed the order of the questions mentioned above. In the first segment, I intended to state fundamental concepts and note the complexion and the essential details regarding human trafficking. The definition of

human trafficking, the main trends of the issue, and the different root causes are detailed in this section. In the following segment, I explored the nature of recruiting victims with special attention to trafficking patterns, the role of the internet as well as new technologies, and the dangers of the COVID-19 pandemic. The succeeding part details the main forms of human trafficking, examining their different peculiarities. National and international human trafficking and the trends regarding the matter is the topic following. The history of the response of the European Union is detailed in the next segment, and it is followed by the summary and examination of court cases. Last but not least, I inspected what the future holds based on the reevaluation of the preexisting strategies and claimed future efforts by the European Union. In the end, I concluded my findings.

1. Understanding the phenomenon

1.1. The definition of human trafficking

The term 'Human Trafficking' (also known and used as trafficking in persons, trafficking in human beings, THB), for a long time, had no general definition that would have been accepted internationally and that could be used widely across the globe. However, in the year 2000, multinational efforts have been made in order to interpret the term, and this resulted in a descriptive definition articulated the Palermo Protocol, which was adopted by the UN Convention against Transnational Organized Crime in November 2000, in Palermo, Italy. This interpretation is formulated by three significant and distinct components, that are the following:

- 'the activity: the recruitment, transport, harboring or receipt of persons;
- the means: including the threat or use of force, deception, coercion or abuse of power, or a position of vulnerability; and
- the purpose: the exploitation of trafficked persons' (Bąkowski, Voronova, 2021).

This definition has become widely accepted and used by the international community, and according to the meaning of it, a criminal activity qualifies as human trafficking only in the case that all three of these components are present. It is also stated, that: *'The victim's consent to the intended exploitation is irrelevant if any of the above means has been used;'* (Bąkowski, Voronova, 2021), further it is declared that in the case of child victims, it is not even essential for any particular means to be present (Bąkowski, Voronova, 2021).

On the whole, human trafficking is characterized as a type of crime that is not only particularly severe but is also stated to be a heinous and disgraceful offense against human rights. It is the duty of international communities to work together both with each other and with their citizens in order to fight every form of trafficking of persons so that vulnerable people around the world can be safe from experiencing this form of exploitation and abuse.

1.2. Main Trends in Human Trafficking

The phenomenon of human trafficking is not a newfound concept at all, although the means to carry it out underwent substantial changes in the past few years or even decades due to a number of factors.

Deceiving people into partaking in exploitative activities after being transported to the location that their trafficker chose for them is something that has been happening ever since the beginning of the time, but as globalization started speeding up and people became more mobile (especially in more developed areas of the world like the European Union), it has taken new dimensions. These days it is relatively cheap and effortless to get from one part of the world to another by train or even better, by airplane. Unfortunately, this intensified mobilization is not something that affects only businessmen, and people traveling for recreational purposes. Criminal organizations and traffickers have also adopted these new trends when it comes to moving people from one part of the world to another. One would assume that for the reason that the technology responsible for identifying individuals and tracking down people has also improved a great deal in the past years, smuggling people has become harder to do. While this true to some extent, criminal organizations in most cases adapted to the new trends and came up with different means to overcome challenges.

Something that largely affected trafficking in human beings is the fact, that the internet also became widely available, mainly due to technological advancements. I will elaborate on this phenomenon further in the following segment of my thesis where I will discuss the means of recruitment of individuals.

Another one of the recent changes is the emergence and spread of the COVID-19 pandemic. Since most countries have adopted restrictions to contain the virus -especially at the beginning when we could not vaccinate and were still trying to figure out the best ways to avoid getting sick-, most people had to stay at home. Even after lifting the more severe regulations, working from home, and spending less time out than before remained the trend for people all around the world. This, in order to avoid boredom, resulted in more internet usage, which pushed even more people into the arms of traffickers.

What is more, a socio-economic problem that is unemployment due to losing one's job because of the pandemic further encouraged vulnerable people to turn to the internet. Traffickers preying on and exploiting desperate people looking for new means to earn money as soon as possible is likely to have a lasting effect on human trafficking.

Domestic violence numbers also increased while families were under the necessity of staying locked into their homes for longer periods of time. It is another driver of people being trafficked, which is well demonstrated by the victims multiplying, just as they were in previous pandemics in the past.

Due to the spread of COVID-19, state response to the problem of human trafficking has been hindered a great amount. The services that exist to help victims (such as shelters for example) had been disrupted, closed down, and either temporarily or in a lot of cases permanently suspended. The law enforcement resources had to be redirected into focusing on making people obey restrictions such as wearing masks and staying at home if needed. Legally functioning establishments operating for sexual purposes had to shut down, and street prostitution became even more highly monitored. All of these elements led to detecting human trafficking a lot harder to do. The COVID-19 pandemic and its effects are another one of the phenomenons that I will elaborate further in the part of my thesis that deals with details of the recruitment of human trafficking victims. (Bąkowski, Voronova, 2021)

One of the driving forces of human trafficking, and the reason for its flourishing is the lack of traffickers getting prosecuted. This is a low risk, high profit 'business' since the victims are less likely to contact authorities due to being both afraid and in shame of their actions that they were forced into participating in, causing it to be extremely hard to estimate the real number of people who are falling victim to human trafficking. However, in recent years, in spite of the fact that the phenomenon has a highly imperceptible nature, significant progress has been achieved by the European Union, and even lengthy reports have been published. Despite all this, we have to keep in mind the fact, that the studies are representative of the tip of the iceberg only, as they solely include the victims of human trafficking that are registered in the system. The true number of trafficked individuals can be up to 10 or - according to different studies attempting to estimate the magnitude of the phenomenon - even 20 times more than what we currently know based on detected cases. When it comes to the European Union, there is no widely accepted and applied practice for estimating the amount of trafficked people. The reason why, is that the EU, as the supranational organization that it is, lacks coordination among Member States not only when it comes to their systems carrying out inspections and reporting of cases, but also with regards to their legal frameworks and the existing institutions or forces dealing with the problem. Comparing the state of human trafficking not only in member countries but also as time progresses proves to be an even greater challenge because of this reason (Bąkowski, Voronova, 2021).

1.3. Root Causes of Human Trafficking

If we would like to categorize the root causes of human trafficking, we can distinguish two main groups, which we usually describe as 'push' and 'pull' factors. Push factors can for example be unemployment, poverty, limited access to either educational and/or social programs, gender inequalities, natural or man-made disasters, conflict, violence, prosecution, political instability, conflict, genocide, or war situations. Pull factors may include the hope of better living conditions, safety, and security, availability of employment and educational opportunities, a possible demand for a cheap and uneducated/inexperienced workforce, or sexual services. These factors may appear together in cases, causing an even more vulnerable and exploitable situation (Bąkowski, Voronova, 2021).

1.3.1. Economic causes

Today it is a known fact based on research, that many different means and forms of trafficking in human beings are rooted – in some way or another - in the global economy. What is more, these studies also prove that not only significant connections can be found, but also a parallel can be drawn between the risk of falling victim to human trafficking and one's socio-economic situation or background. What this means is that the phenomenon that trafficking in human beings is, can not be avoided, as it is an indispensable consequence of globalization and of the economy itself. When researching court cases, I myself saw the connection, as in most (if not all) cases, the individuals who fell victim to trafficking in human beings were exposed to traffickers and susceptible to being trafficked due to them not being able to suffice their most elemental human needs. The recruitment of these individuals occurred in a time of their lives when they were either experiencing economic difficulties that have been present for a longer period of time at that point, or they have just not long ago come across adversity or catastrophe economy-wise, that made them hopeless and desperate. For this reason, they were more than willing to take exceptionally great risks in order to overcome these issues, and in some cases, deception by their traffickers worsened the situation even more. The problem with these types of risktaking is, that becoming dependent on an exploitative situation to avoid being economically vulnerable raises the problem of becoming even more vulnerable, as it becomes extremely hard for the trafficked individual to leave the situation. Amongst many economic reasons for this, there is the issue of debt bondage and financial control for example, both of which might be tricky to tackle, especially if one does not have the resources to do so (Bąkowski, Voronova, 2021).

1.3.2. Migration

Among the key driving forces of migration, we can find the phenomenon of socio-economic issues. This in itself is already a significant problem, but the act of migration creates even more anomalies that in one way or another end up promoting human trafficking. A great way to illustrate this is by taking a closer look at the European refugee crisis that has been going on for years. Not only these people were leaving their home countries swiftly due to both socio-economic problems and fleeing from war situations with just a few of their belongings and without a clear future ahead of them, but their situation was made even harder by the number of restrictive measures and policies they bumped into. Due to these reasons, they were left with very few options to migrate legally, and as a consequence, they became even more vulnerable and susceptible to abuse. Most of them ended up lacking the legal status that would support their stay in Europe, the vast majority of them did not speak languages that could help them navigate through all these issues, it was nearly impossible for them to become employed lacking papers and language skills, and they also ended up facing social isolation, discrimination, and racism. All of these factors caused a lot of migrants and refugees to either get dragged into exploitative situations they were not aware of or even to knowingly comply with traffickers, as they had very limited choices. What is more, paying people to smuggle you into an unknown country might rather easily shift into a case of human trafficking, due to being deceived or forced into exploitative situations (Bąkowski, Voronova, 2021).

1.3.3. Supply Meets Demand

All the mentioned factors and vulnerabilities are sad facts that are important to note, but we cannot forget a very important detail: the phenomenon of human trafficking can only exist and occur in the case that supply meets demand. The vulnerability of victims of either sexual, labor, or any other type of exploitation in itself is not enough for trafficking to happen – there has to be a demand for these services so that the traffickers are able to make money from it. Without the demand, human trafficking would cease to exist. However, this scenario becoming reality is frankly hardly unlikely (Bąkowski, Voronova, 2021).

What this means for us, and for the professionals working on combatting human trafficking, is that educating citizens, as well as working on the prevention part of the topic is crucial. What is more, the coordination of both legislation and operations when it comes to the Member States of the European Union is key, if we want to keep up with traffickers.

2. The Nature of Recruiting Victims of Human Trafficking

2.1. Trafficking Patterns in Europe

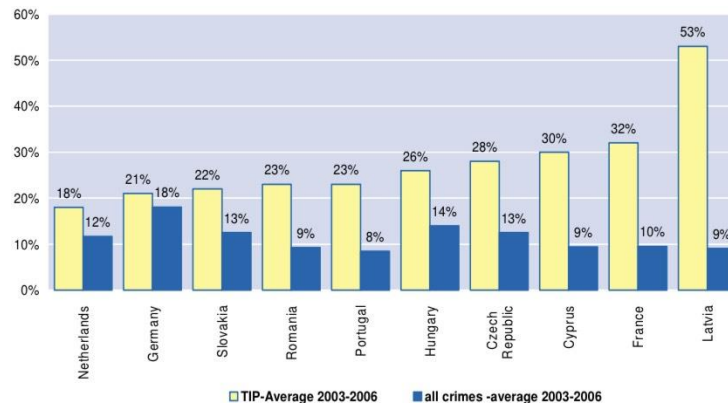
Despite the fact that, as I mentioned above, a significant amount of the trafficked individuals, and also of the traffickers are never found, we can conclude different trends from profiles of the people connected to trafficking in human beings that did not go unnoticed. Still, it is important to note that as a consequence of this trend, the cases that are somewhat easier to detect than others might be over-represented when we are looking at statistics. However, due to information provided by different national authorities on human trafficking cases, we can see different patterns when it comes to the issue at the level of the European Union (Sarrica, 2009).

Because of the nature of focus of existing policies and due to awareness-raising campaigns Europe-wide, sexual exploitation is an easier type of exploitation to detect, than for example labor exploitation is. We have more data on sexually exploitative trafficking and can draw more conclusions from these as well. Labour exploitation and trafficking of people in order to exploit them is a relatively new inclusion in a lot of regional legislation. This fact is taken into consideration in the following section, where I describe detected patterns when it comes to human trafficking in the European Union (Sarrica, 2009).

2.1.1. Profile of the Traffickers

When it comes to the characteristics and overall profile of the traffickers or offenders in human trafficking that is concerning the European Union, we can say that data collected in the Union supports the globally detected patterns. What this means is that the sex of convicted traffickers is male in the vast majority of cases. It is also a well-known practice, frankly, that acquaintances or even family members, husbands, and boyfriends take part in the recruitment process. I have to mention the fact, that these are just some of the trends and tendencies that the collected data of the recorded cases let us conclude (Sarrica, 2009).

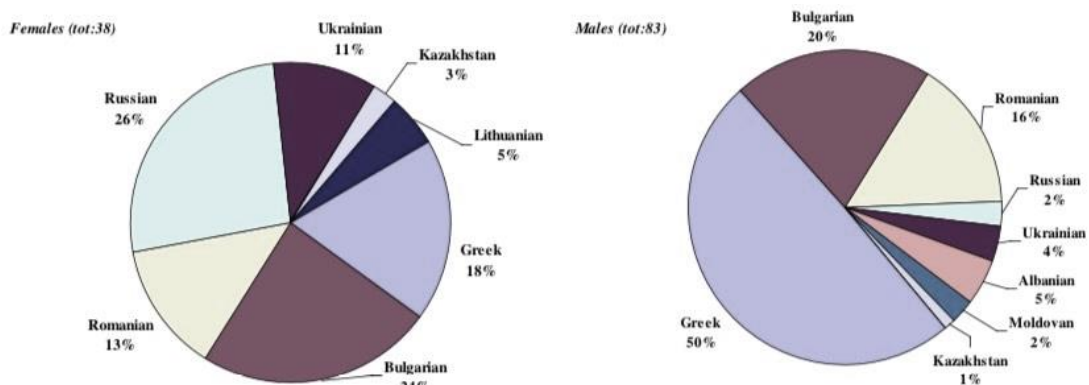
Figure 1: Ratio of females convicted compared to the ratio of convictions for both genders for trafficking in persons and all offenses in Europe



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

However, it also has to be noted, that the rate of females in this area is higher globally than in any other type of crime, as shown in the graph above. Within the region of the European Union, approximately 25% of the perpetrators are women. Internationally collected data shows that the role of women in human trafficking is significant in many countries, as they often tend to dominate the trafficking networks, and Central European statistics seem to support these findings (Sarrica, 2009).

Figure 2: Nationality of arrestees for human trafficking in Greece, by gender (2007)



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

121 people were arrested due to taking part in human trafficking operations in 2007 in Greece. Out of these 121 people, 38 were women, and more than 40% of them came from Eastern Europe, meanwhile, only 7% of the arrested males came from the same countries, as shown above (Sarrica, 2009).

It is yet to have a thorough analysis of the reasons why this might be, but it is a common practice for male offenders to use women to recruit other women. I also do believe that one of the biggest reasons for this might be the fact, that people (especially girls or women) tend to trust females more than men, due to stereotypical gender roles, as women are usually associated with being nurturing and a mother figure that one can trust. Hence why it is rewarding and profitable for women to take part in trafficking activities.

The largest group of offenders when it comes to human trafficking in Europe are the locals. However, when we take a look at the number of offenders that are foreign, their number is significantly higher than in other regions. A pattern can be noticed in the nationalities of both the traffickers and the trafficked individuals, which leads to the conclusion, that the foreign offenders traffick their nationalities in most cases. As Sarrica writes: *'In Italy, for instance, the large share of Romanian and Nigerian offenders is linked to the large share of the victims from these two countries. In Greece, the prominence of Bulgarian and Romanian offenders is related to the Bulgarian and Romanian victims trafficked there.'* At the same time, this conclusion is not true in all regions, as Sarrica continues: *'In Germany, where no Turkish victims were identified, Turks represent a large share of the number of suspects. A similar pattern can be found in the Netherlands, where many Turkish and Moroccan nationals were prosecuted. This suggests that victims are not exclusively exploited by either fellow nationals or locals.'* More data from for example France proves this pattern further. In some of these cases we can see the traffickers and trafficked individuals who have linguistic ties to one another, but this pattern, as well, is not true in all cases (Sarrica, 2009).

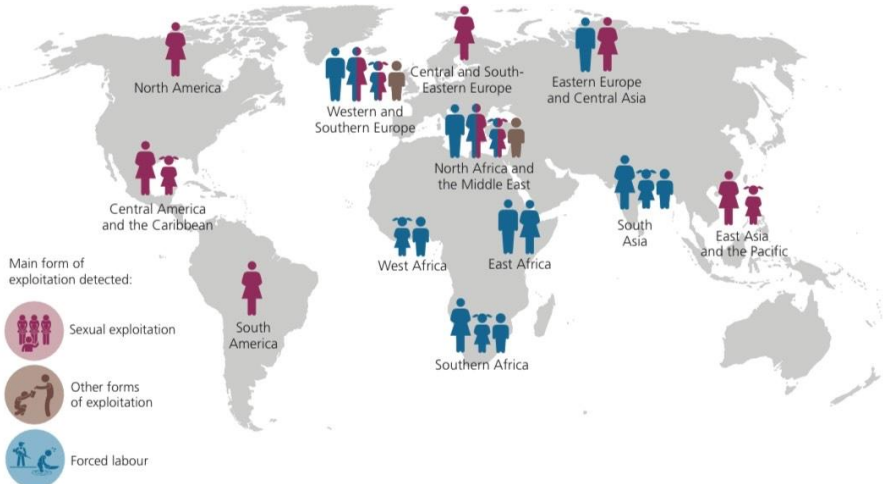
There are different formations of traffickers. We can see individual ones, there is the so-called opportunistic association of traffickers, the governance-type of organized criminal groups, and the business-enterprise-type of organized criminal groups. Based on detected cases, individually operating traffickers are more frequent, but when it comes to organized criminal groups, they usually traffick more people, more violently, over a longer period of time, oftentimes across wider distances (Sarrica, 2009).

2.1.2. Profile of the Victims

Based on statistics from UNODC and the European Commission, it is clear to see how there is a visible gender dimension when it comes to human trafficking. The victims tend to have very different experiences based on their gender, and it is also clear to see that women and

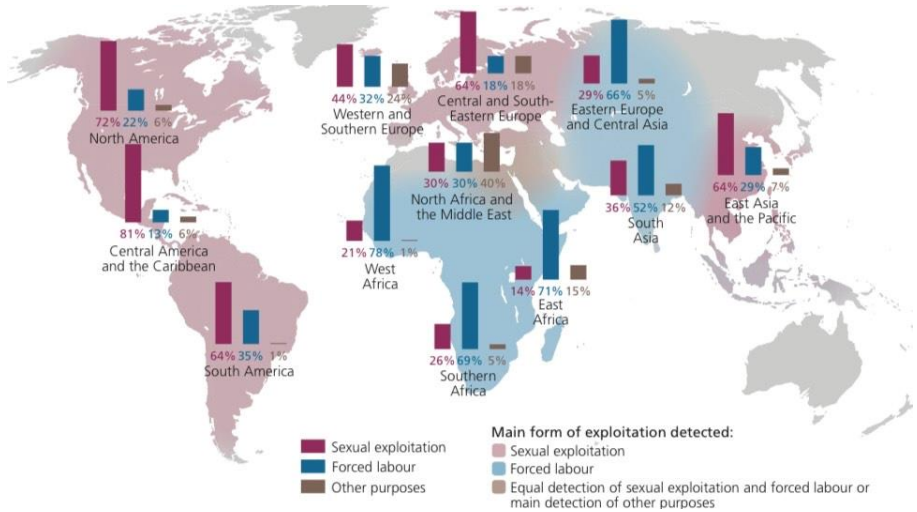
men get trafficked for different reasons. I also have to note, that the attempts to tackle the issue and the policies that come with them are very much gender-based as well.

Figure 3: Main forms of exploitation and profiles of detected victims by subregion (2018 or more recent)



Source: Bąkowski, Voronova: Understanding EU action against human trafficking (2021)

Figure 4: Shares of detected trafficking victims, by form of exploitation, by subregion of detection (2018 or more recent)



Source: Bąkowski, Voronova: Understanding EU action against human trafficking (2021)

Nevertheless, as a consequence of the different positions that women and men fulfill within our societies, due to their different roles, their exploitation differs greatly. However, in most cases, coercion, direct force, and deception are used to recruit victims; false promises of huge amounts of money, a better life are just some of the examples.

Women are often promised a modeling or dancing career, but males acting as if they were romantically interested in (mostly younger) females is also a way of trying to recruit them. Other soft types of manipulation tactics are used often as well, such as psychological

manipulation. Another aspect is the phenomenon of sexualizing female bodies, which puts women into an even more vulnerable state when it comes to sexual exploitation. Based on the data available at the moment, experts say, that in Europe sexual services most times are provided by women, and almost exclusively consumed by men. Trafficking women to force them to domestic servitude is also common.

When it comes to the exploitation of men, the most frequently noticed pattern includes forced labor. Taking a look at the role that society assigned to males, they are usually expected to be the breadwinner of the family, which results in men becoming exceptionally vulnerable to labor exploitation. Furthermore, to keep up the facade and not seem weak or not smart enough, oftentimes they not only do not seek help but even fail to admit that they indeed have fallen victim to being exploited. When it comes to the gender-based policies that I have mentioned above, they most often than not focus on women and are based on their experiences, which puts men at a disadvantage when it comes to accessing services (Bąkowski, Voronova, 2021).

Figure 5: Shares of children among the total number of detected victims in Europe, by countries (2018 or more recent)



Source: Bąkowski, Voronova: Understanding EU action against human trafficking (2021)

The horrible issue of trafficking children is very significant worldwide, but we have to mention, that low-income regions are affected by this phenomenon in a disproportional manner. In these countries they mainly exploit kids for child labor, meanwhile, in higher-income regions – such as in the European Union – child trafficking gets detected less, and it usually means sexual exploitation. In Europe, the children trafficked for forced labor only account for 1% of the total number of victims detected. Other forms of exploiting children include forcing them to beg on the streets and to carry out criminal activities, such as trafficking drugs. The offenders usually choose victims that come from poor socio-economic situations and that have difficult

family backgrounds, so that they can pursue them with the promise of belonging somewhere. Based on the data collected, many times the relatives of the children are involved in the trafficking as well (Sarrica, 2009).

A fourth group that I find important to mention concerns the LGBTQ+ community. It is shown by documents, that not only the governments are not very proactive when it comes to understanding the ways that LGBTQ+ individuals are in a vulnerable position in regards to human trafficking, but that they are by nature facing even greater exposure to trafficking in human beings. This is especially true in the case of children and young adults of the community, as they are prone to be trafficked for sexual exploitation and forced labor. Their young age plays a great role in this on the one hand, as they are rather inexperienced and often naive. On the other hand, as I stated before when people are marginalized from society and left without help from friends or even are forced to leave their homes due to their family not accepting them, they are likely to take on risks to have a place to sleep or to make ends meet. Due to the societal stigma that still exists, LGBTQ+ youth is over-represented when we take a look at young people who live on the streets. Individuals being left without support or protection is exactly what traffickers are looking for (Sarrica, 2009).

2.2. The Role of the Internet and New Technologies in Human Trafficking

As the internet became widely available, and as mobile phones became 'smart', most criminal activities – just like human trafficking- switched their focus and their way of operating to the online sphere. The very first online trafficking incident recorded by UNODC happened in the early 2000s. Already back in 2016, Europol brought attention to the way that the internet is getting more and more crucial when it comes to trafficking in human beings. Later in 2020 the organization stated in a report, that the phenomenon transformed into '*a new business model, in which the online component is an essential part of criminals' modus operandi*' (Bąkowski, Voronova, 2021).

These days, the internet is involved in every stage of human trafficking from recruiting to the exploitation of individuals. To identify potential victims, traffickers engage in online profiling. They can do this in passive ways, also called 'fishing strategies', meaning that they post advertisements both on social media and job portals, as well as set up fake employment agency profiles or websites. The other strategy is the active, or 'hunting' one, which involves

looking for victims' job-seeking advertisements on social media, and replying to them (Sarrica, 2009).

Whereas using traditional methods includes physically restricting victims and using violence as means of keeping them controlled, new technologies offer modern solutions. Blackmail is a frequently used tool, where traffickers threaten trafficked individuals that they will release different compromising files or pictures (such as sexual content, proof of previous criminal actions of theirs, etc.) in case do not comply with their will. A virtual way of physical restriction is also available these days with the use of technologies such as GPS monitoring, smartphone cameras, and different location-sharing applications (Sarrica, 2009).

Not only do all of these technological advances help traffickers remain anonymous and make their actions more undetectable, but they also support them in broadening their operations in geographical scope as well. They are able to attract a wider audience and operate across borders, reaching multiple locations via the internet. What is more, they do not only contact victims this way but people seeking their services as well, making the whole process a lot easier and faster, and helping traffickers earn a lot more profit (Sarrica, 2009)(Bąkowski, Voronova, 2021). (CAN BE EXTENDED BASED ON UNODC 119)

2.3.COVID-19's Consequences Regarding Unemployment Rates

The pandemic of COVID-19 that started in 2019 led to a significant economic downturn, that is expected to create a recession so remarkable, that experts argue, it will be the most severe one since World War II. Despite both the developed and developing parts of the world being affected by this unfortunate phenomenon, it is anticipated that vulnerable communities will end up suffering the most and that they will likely experience catastrophic humanitarian consequences. However, the region of the European Union is still facing problems that it did not have before (Sarrica, 2009).

In the following paragraphs, I will be explaining the different factors related to or altered by the COVID-19 pandemic, that brings changes to the state of trafficking in human beings.

As we know, COVID-19 leads to rising rates of unemployment which then leads to a more increased chance of human trafficking. Experts took the Global Financial Crisis of 2007-2010 (that is going to be mentioned as the 'Financial Crisis' from here on) as a reference when attempting to forecast how the different possible changes in a state's share of unemployed

citizens might end up affecting trafficking in human beings. Trafficking of exploited individuals from certain countries, significantly impacted by a longstanding increased unemployment rate, was increasingly witnessed in particular destination countries during the Financial Crisis. Between the years 2007 and 2009, while it had the biggest impact, multiple states' economies all around the globe were seriously altered. According to different calculations, even more than 60 countries started experiencing a recession due to the Financial Crisis' impact on their economies. Back in 2007, the mentioned transnational downturn first started affecting the countries with the globally most significant economies and ended up affecting their outputs in the period of the two subsequent years immensely. These economies (that are often referred to as high-income ones) during the last quarter of 2008 underwent an average decline of 7.5% in real GDP. What is more, during the first quarter of the subsequent year, their output kept on falling nearly as speedy as it was in the period before (Sarrica, 2009).

We can say that it is not surprising that the Financial Crisis shifted into a social crisis rather swiftly. The rising unemployment rates, not only in the richer but also in poorer countries, frankly, made this an especially logical consequence. However, it is important to note the fact that not all states were affected in the exact same form. The inconsistency in the rate of recovery of the countries certainly appears to have affected the numbers of human trafficking. What illustrates this phenomenon perfectly, is the pattern, that in states that were able to manage a speedier recovery, a rather risen number of trafficked individuals were documented, migrating from countries with high unemployment rates, as well as stagnating economies (Sarrica, 2009).

Figure 6: Relationship between unemployment rates in Bulgaria and Bulgarians as a share of potential trafficking victims detected in the Netherlands between the years 1998 – 2017



Source: UNODC Global report on trafficking in persons (2020)

As a good means of illustrating the situation, the graph above displays the parallelly existing tendencies of the unemployment rate in Bulgaria and the number of Bulgarian individuals recorded in the Netherlands who have fallen victim to human trafficking. As it is clearly visible, in the duration of the examined time period (1998-2017), it can be concluded that as unemployment rates rose in Bulgaria, the number of exploited Bulgarian citizens residing in the Netherlands was on a rise as well (Sarrica, 2009).

According to the 2020 UNODC report on the state of trafficking in persons, a similar pattern can be noted for Hungary and the Hungarian victims of trafficking in human beings residing in the Netherlands from 1998 until 2016 (Sarrica, 2009).

On the other hand, states that managed to recover at a more rapid speed did not seem to have a rise in their numbers of trafficked citizens. From 2008-to 2013, during the period of the financial crisis and its consequences, states like Czechia experienced descending tendencies in unemployment and a briefer span of the mentioned economic stagnation. Just as expected based on the trends mentioned above, no rise in the discovery and documentation of Czech national victims of human trafficking was observed in the Netherlands (Sarrica, 2009).

It is evident based on the data and statistics, that as in the natal countries the economic and working conditions start worsening, the number of individuals in danger of being misled and conned by promising job opportunities or drafted into exploitative labor conditions might start to increase. Human traffickers are more than likely to take advantage of these circumstances of people being in economic and financial need.

This trend is illustrated, once again, in the documenting of exploited individuals coming from countries that are suffering from more elevated rates of poverty and more significant unemployment tendencies than in destination regions that are more wealthy.

This dynamic is particularly applicable today. This is due to the fact, that the non-pharmaceutical interventions (also referred to as NPI) and the documented tendencies of behavior that the COVID-19 Pandemic provoked have caused a transnational recession portrayed by rising amounts of unemployed individuals. The harsh upsurge in the rates of unemployment that is already being experienced in a lot of regions around the globe is likely to raise the number of cases of cross-border human trafficking. This is especially true when we take a look at states that are currently undergoing the speediest and most continuous declines in employment rates. Countries that are reliant on tourism, travel, hospitality, as well as entertainment in an economic sense, are experiencing significantly extreme disruptions as a consequence of COVID-19 (Sarrica, 2009).

As the 2020 UNODC report on the state of trafficking in persons states: *'the Organisation for Economic Co-operation and Development (OECD) predicts that unemployment rates in Central and South-Eastern Europe will rise from 3-5 per cent recorded in 2019, to 6-8 per cent for the year 2020, and 5-6 in 2021. Considering these economic predictions, and according to the statistical analysis presented, assuming all conditions remain constant, it can be expected that the number of victims trafficked from Central and South-Eastern Europe to Western Europe will increase substantially over the course of the next two years, after a decreasing trend reported over the last five years'*. Alike concerns can be drawn established on the pessimistic economic predictions for different source countries of trafficking in human beings (Sarrica, 2009).

The two crises examined each show tendencies and trends that are comparable when we are looking at the most affected sectors of employment, as experts have noted. The kinds of employment that showed to be less impacted by the effects of the Financial Crisis were just as less influenced during the examined first six months of the recession triggered by the COVID-19 Pandemic. The initial estimations and research of the Pandemic Recession and the lessons comprehended from the Financial Crisis demonstrate parallels that are worrying to say the least. We can conclude that a general uprise in the rates of unemployment in states of origin is likely to result in an increased number of vulnerable individuals inclined to take high risks in hope of more promising monetary opportunities. What is more, it is important to mention that the disturbance of the labor market is disproportionally affecting certain groups of the population that were already impacted by different preexisting structural disadvantages. Furthermore, this phenomenon might even have a multiplier impact on the vulnerability of these groups of individuals to human trafficking (Sarrica, 2009).

3. Main Forms of Exploiting the Trafficked People

3.1. Sexual Exploitation

Out of the different forms of exploiting the trafficked individuals, it is not only a global but also a European trend, that most of them fall victim to sexual exploitation. Between 2017- and 2018, at the level of the 27 countries that belonged to the European Union, approximately 60% of the victims had been trafficked for sexual exploitation. Out of them, 92% were women and girls, similarly to global trends. Overall, women are trafficked more frequently than girls, but in the South-East region of the EU, the number of child victims is higher than in the rest of the EU countries. This form of exploitation is dominating most of the Member States of the European Union, meaning that in 15 of them, sexual exploitation is the most frequently detected outcome of trafficking in persons (Sarrica, 2009)(Bąkowski, Voronova, 2021).

Many forms of sexual exploitation can be witnessed.

Some of them are more on the visible side of the scale, for example, street prostitution is one of these types. Other public locations are used frequently as well, such as massage parlors that can provide a wide range of unusual services. In these cases, they do not employ trained masseuses, as a real massage parlor should, but rather employ and exploit trafficked women. Another example of a more straightforward public venue is a strip club. These are becoming more popular due to women working and being successful in the industry glamorizing this type of lifestyle fairly often on different platforms of social media. However, the promise of great amounts of money and a free-spirited way of living is not nearly close to the reality of working in a strip club. Both verbal and physical assault is a daily phenomenon in these types of workplaces that the girls not only receive from customers, but also from their bosses and from the other girls as well. Oftentimes women are extremely competitive in these environments causing them to become violent. Not only it is mentally and physically challenging for anyone to live like this, but due to many dancers working in one place the pay is not that glamorous either. The region where the venue is located can be an indicator of violent and poorly paying customers. Not only aggression is a phenomenon to note, but the traffickers of these girls usually get them addicted to different types of drugs as well, so that on the one hand they are more manageable and enjoy working more, but on the other hand to make them afraid of not being able to afford those drugs if they leave. Women working in the sex industry are almost

always addicted to money and the lifestyle they can afford with it, making it extremely challenging for them to even try to leave and find a regular job.

More clandestine forms of sexual exploitation include brothels for example or even private homes. In these cases, the trafficked women are more hidden from the regular citizen, and usually, a trusted circle of customers are the ones visiting them on the regular. Coercion, violence, and drugs are present in these situations as well due to the same reasons that I mentioned above when talking about the more hidden forms of sexual exploitation. However, clandestine forms are different in the sense that usually, due to being hidden from plain sight, it is even harder for the women involved to look for help from the outside (Sarrica, 2009)(Bąkowski, Voronova, 2021).

The destigmatization of the sex industry would make the conditions improve and exploiting women would become harder. Their lives could be less violent and dangerous, as they would not have to stay as hidden from society as they are now, and the regular check-ups (both health and legality-wise) would improve their working conditions a lot.

The European Union recognizes the act of trafficking individuals for sexual exploitation as a severe form of violence and crime, that is largely based on gender inequalities. It is known and mentioned in the European Parliamentary Research Service (EPRS) study published in 2011, called *Trafficking in Human Beings from a Gender Perspective Directive*, that the majority of females that have been detected to be a victim of trafficking for sexual exploitation, have experienced violence in their lives even before falling victim to trafficking. It is proven that once you have suffered from abuse, you are more likely to find yourself in a similar situation in the future than people who have not. These women experience psychological manipulation, both physical and sexual violence, being under somebody's control without having any freedom, all of which alters their brain causing changes in their physical and mental health. Even if they manage to escape, since they have experienced all of this, they are highly likely to end up being trafficked again. A report published by the European Institute for Gender Equality (EIGE) states, *'it is crucial to differentiate victims of trafficking for sexual exploitation from victims of other forms of trafficking (such as forced labour), and to contextualise the former as victims of violence against women'*. By noting this difference, we can not only understand better the reasons why and how individuals fall victim to exploitative situations but also identify these people better (Bąkowski, Voronova, 2021)(Scherrer, Werner, 2011)(EIGE, 2018).

3.2. Trafficking for Forced Labor

The second-most detected form of trafficking individuals to exploit them is trafficking for forced labor. Globally between the years 2006 and 2018 the share of people trafficked for forced labor among the cases that got detected rose from 18% to 38%. This type of exploitation concerns men the most, their share out of all victims was 59% at the time, meanwhile out of the children concerned, 66% were boys. Between 2017-and 2018, at the level of the 27 countries that belonged to the European Union, approximately 15% of the victims had been trafficked for forced labor, of which 68% were men. In the region of the Member States of the European Union, an increase has been witnessed in the number of cases dealing with this form of exploitation. Based on the information gathered by the Council of Europe it can be said, that in some EU countries trafficking for forced labor is emerging as the primary form of trafficking in persons (Bąkowski, Voronova, 2021).

The phenomenon of forced labor has not always been as monitored as it is today. The reason for this is that it was a widely accepted misconception, that this issue exists solely within the realms of different illegal activities. For the past approximately 10 years this changed and the information that forced labor does indeed concern mainstream industries has become known. Despite all of this, trafficking for this particular activity is still under the radar too many times due to victims either being unaware of the fact that they are forced labor workers and being exploited, or because they are hesitant about turning to law enforcement to ask for help. Many reasons can count for this, for example, they can be afraid they will be prosecuted for illegal acts they were forced to carry out, or they can be afraid of the anger and possible revenge of their traffickers (Bąkowski, Voronova, 2021).

Trafficking individuals for forced labor is the form of exploitation that is most commonly exposed as a cross-border occurrence rather than a domestically carried out one. The reason for this is the fact that forced labor is closely related to migrating for better labor opportunities or conditions. This is especially true for high-income regions and countries.

It is said that in the European Union there is a system for trafficking individuals for labor exploitation. As I mentioned before, the migration waves flowing into the EU are feeding the industry with even more and more people that speak no languages, have no papers, and stays within the borders of the European Union illegally. They are especially vulnerable to getting trafficked, and traffickers know that. They have no protection, and no one to turn to, making them easy to exploit. The other factor that is crucial to mention is the flexible labor

market and the lack of regulation in both member state and all-around EU wise. These conditions are largely beneficial to exploit workers (Bąkowski, Voronova, 2021).

The most affected industrial sectors tend to include cleaning services, domestic work, hospitality, agriculture, food processing, forestry, and construction. As I stated before, most victims in these sectors are men with the exception of domestic work. In some of these sectors, there is a lot of seasonal work, which allows exploiters to continuously hire and fire low-skilled workers, who tend to be mobile. This causes greater and more frequent changes than what we can see in other sectors. To find suitable candidates, employers have to ask for the help of recruitment agencies that can find a new workforce on short notice. At this point, we bump into the next problem, which is that these agencies in the European Union are most often than not private, which leaves them largely unregulated. Many of them operate either barely legal or not at all, as they are taking part in criminal activities related to trafficking people for forced labor (Bąkowski, Voronova, 2021).

The exploitation of individuals that fall victim to trafficking for forced labor can happen in many different ways, such as *'non-payment or deduction of wages and charging the victims exorbitant prices for (often imaginary) services provided by the traffickers, such as transport to the workplace, housing, etc.'* (Bąkowski, Voronova, 2021). There are often many reasons why victims stay exploited by their traffickers. These reasons may include the absence of a work permit, debt bondage arrangements, and the retention of documents that makes an individual identifiable. Bąkowski and Voronova state that most exploited individuals are not physically confined to the venues where they work. However, according to the European Court of Human Rights, that is not necessary to happen for it to be considered trafficking for forced labor (Bąkowski, Voronova, 2021).

3.3. Other Forms of Human Trafficking

When it comes to other forms of human trafficking, within the borders of the European Union trafficking for forcing individuals to carry out criminal activities, forced begging and coming into the possession of both social and financial benefits, and trafficking people for confiscating their tissues and organs are the most frequent ones, based on Europol's 2021 EU Serious and Organised Crime Threat Assessment (SOCTA 2021). Some gender-specific forms of exploitation mentioned in the report include trafficking women to force them to take part in lawbreaking surrogacy programs, as well as sham marriages (EUROPOL, 2021)(Bąkowski, Voronova, 2021).

What is interesting to note is the fact that the United Nations' Palermo Protocol does not make a straightforward notation regarding trafficking individuals for either criminal activities or for begging. However, Directive 2011/36 did extend the definition in order for it to include these phenomena (Bąkowski, Voronova, 2021).

Crimes related to drugs, and organized property crime are some of the most frequent forms of forced criminality. These can include the distribution of different types of drugs, shoplifting, pickpocketing, and other forms of stealing as well (Bąkowski, Voronova, 2021).

It is not only difficult but also highly problematic to identify the victims of these types of trafficking of persons. This is mostly due to the fact, that it is fairly hard to make a differentiation between the offender and the victim status of the individuals in question. A good example to illustrate this issue is for instance when trafficked people turn to traffickers, later on, related to e.g. sexual exploitation. There are many reasons that make it hard to identify these victims, such as the exploited people not feeling like they are victims, or the lack of awareness that authorities might have (Bąkowski, Voronova, 2021).

There are limited statistics that are collected by only a few Member States of the European Union. However, based on these, we can conclude that the group most affected by these forms of trafficking in persons is children, especially the ones coming from difficult family backgrounds.

A study called Trafficking for Forced Criminal Activities and Begging in Europe that was published in 2014 by Anti-Slavery International claims, that in the Member States that were covered in the research, the people exploited by these forms of trafficking mainly originated from south-east Europe, and from south-east Asia, no matter their gender or age. Individuals trafficked from Europe were mainly of Roma ethnicity and the Asian nationalities most affected were Vietnamese and Chinese (Bąkowski, Voronova, 2021).

Trafficking for Forced Criminal Activities and Begging in Europe sheds light on the fact, that although forced partaking in criminal activities and exploitative begging are accepted forms of human trafficking, frankly, most victims regarding these phenomena are not identified. What is more, it is a frequent occurrence that they in fact get prosecuted for carrying out acts that they were coerced into performing. I will give further explanation of the European Union's legislation in connection with human trafficking in later parts of my thesis. However, something that is important to mention in this unit is that these people get punished despite the EU legislation stating that they must not be prosecuted due to crimes that they were coerced into

performing. International legislation is proven to take into consideration the fact that exploited individuals are likely to be forced to break the law while being trafficked. Despite their efforts being mainly theoretical but as stated before usually failing in practice, they do claim that it is (or rather would be) a basic part of human rights to prevent them from getting punished. Article 26 of the 2005 Trafficking Convention claims that all sides shall *'provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so'*. Furthermore, article 8 of the EU Directive (2011/36) states the following: *'Each Party shall take the necessary measures to ensure that competent national authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities... [which are committed as a result of their trafficking].'* The part 'not to prosecute or impose penalties' makes the differentiation between the two punishments so that the victim is ensured that they not only will not get prosecuted but also will not be subject to any forms of administrative type of penalties, e.g. financial ones (Bąkowski, Voronova, 2021)(Anti-Slavery International, 2014).

4. National and International Trafficking of Human Beings Within the Borders of the European Union

Based on the data collected from detected cases, the European Union is affected by human trafficking in three different ways: most Member States are destination countries for the exploited, a less amount, but still, a significant number of countries are the origins of the victims, and in many countries, the trafficking of citizens happens domestically (Sarrica, 2009).

4.1. Domestic Trafficking

The idea that foreigners are the ones that get trafficked has been spreading among people for decades. However, this claim has not only been proven to be wrong but as it turns out, data points out, that domestic human trafficking is a serious element of modern-day human trafficking. Due to the false idea that has been accepted as truth for a long time, the measures taken to combat the phenomenon are just simply not sufficient in dealing with the issue at hand. Some of these measures include the informing and training of employees of Consulates and Embassies in order to identify and handle both traffickers and their victims, working on customs efficiency (especially when it comes to monitoring people crossing borders so that customs personnel can point out irregular cases of migration, and with that, potential victims). Moreover, there have been efforts made regarding the ethnolinguistic integration of the region, and awareness campaigns to let citizens know what to watch out for have been created in different corners of the European Union, just as globally (Sarrica, 2009).

The phenomena of domestic human trafficking have been detected in at least 11 European countries out of the 38 that were considered by the United Nations Office on Drugs and Crimes' (UNODC) study called Trafficking in Persons: Analysis on Europe. The publication states, that in certain regions most exploited victims are citizens of the given country. It brings the following example to demonstrate the situation described above: *'This is the case for the Netherlands where Dutch victims were by far more numerous than other nationals. In 2007, the number of detected German victims in Germany was 184 of a total of 689 victims, making them the largest group of detected victims.'* (Sarrica, 2009). Other countries where this is the case of domestic human trafficking as well are for example France, Italy, and Romania. The study mentions, that in the Netherlands, these ratios are partly due to the loverboy phenomenon that affects Dutch women. They are taken advantage of and exploited by their boyfriends, who pressure their girlfriends into prostituting, in most cases by using different

psychological tactics and manipulation. This is a technique that can be observed in other parts of Europe as well (Sarrica, 2009).

It is a frequently seen practice, that some criminal justice systems might not identify the majority of citizens who are exploited by domestic human trafficking victims of trafficking in human beings, but rather victims of different crimes, such as sexual exploitation, forced labor, or kidnapping. This is due to the fact, that nationals falling victim to human trafficking is not a foreseen occurrence. However, this difference in labeling cases may cause false statistics and prevent us from exploring similar patterns among different countries' situations in domestic human trafficking (Sarrica, 2009).

4.2. Europe as Origin and Intra-Europe Human Trafficking

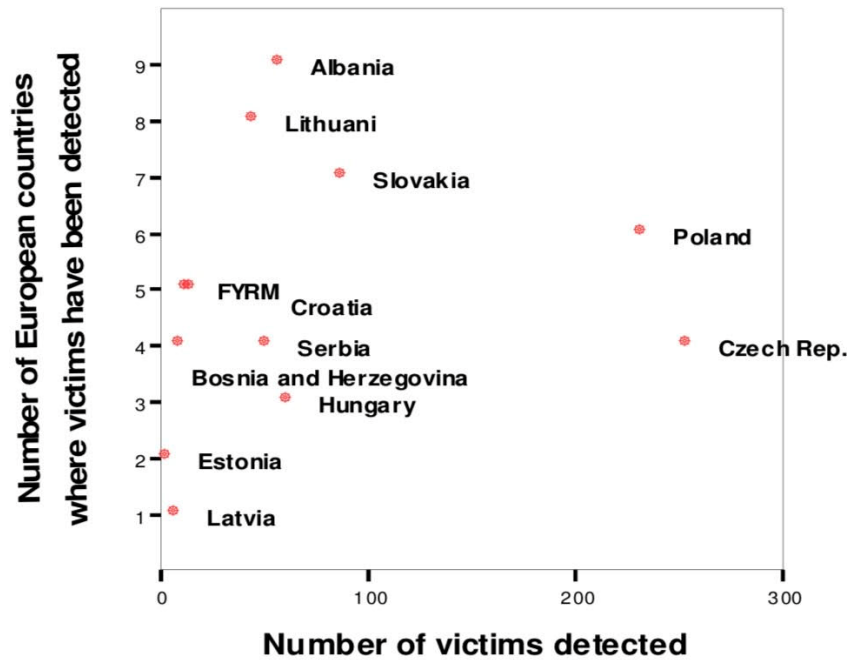
When it comes to Europe as the origin of individuals that fall victim to human trafficking, two regions are more affected than others. These are non-others, than Central Europe and the Balkans (South-East Europe). When citizens of the countries found in these areas get trafficked, they are usually facing exploitation in Western or Southern parts of Europe. The detection of victims originating from European countries being trafficked to different continents and parts of the world is rare (Sarrica, 2009).

A distinctly evident global trend is that people originating from less prosperous countries are more likely to fall victim to exploitation, and European tendencies are the same when looking at intra-European human trafficking. The reason for this is that the citizens are more likely to take risks in order to acquire more satisfactory living conditions and earn more money.

The regions most affected are Eastern Europe and the Balkans, and some of the countries that illustrate the issue perfectly are, for example, Bulgaria and Romania. I am going to be talking about their cases in a more detailed manner later on in this segment of my thesis, as they are significant to consider when dealing with the root causes of human trafficking.

This, unfortunately, makes them a lot more vulnerable both when residing in their home countries and even when traveling to other regions of Europe. Later on, in the case study part of my thesis, I will mention real-life occurrences from the past ten years, of which a few illustrate this issue perfectly.

Figure 7: European countries of origin of victims detected in Europe, according to the number of victims detected and the number of countries where victims were detected (2005-2007).



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

The figure above shows the European countries of origin of victims detected in Europe, according to the number of victims detected and the number of countries where victims were detected between the years 2005-2007 (Sarrica, 2009).

When it comes to Central Europe and the Baltics, statistics show different trends among countries in the region. According to the data covered, the two most noticeable dots show how Polish and Czech victims of human trafficking were detected in a moderate amount of countries, but in large numbers. Looking at the statistics of Lithuania and Slovakia, only a relatively low number of victims originating from these regions were discovered, but in many European countries. Other countries belonging to Central Europe and to the Baltic states, such as Hungary, Estonia, and Latvia have a limited amount of victims found in a few European countries only. Out of these three, Hungary was the home of the most exploited people residing in the most amount of countries, but these numbers are still considered relatively low (Sarrica, 2009).

Looking at the Western Balkans, we can say that all in all between 2005 and 2007 the number of detected victims does not seem to be especially high. On average, exploited citizens originating from these regions were discovered in four or five countries of Western and South

Europe. However, Albanian victims have been detected in up to nine countries in the same areas (Sarrica, 2009).

The two hot spots when it comes to the home countries of victims trafficked within Western and Southern Europe are Bulgaria and Romania. Their statistics are out of scale, as a result, they did not fit the figure above, and they are not represented visually. Their numbers are way too high not only on axis x, which shows us the number of victims detected but on axis y as well, which indicates the number of European countries where victims have been detected. This means, that both Bulgaria's and Romania's cases are more severe regarding the flow and the scale of destinations of the exploited individuals than any other one of the mentioned countries'. Within the examined period of time, 600 Bulgarian victims were recorded in not less, than 17 European countries. Data from Romania is even more severe, as more than 2,000 Romanian victims were detected in 21 countries originating from around Europe (Sarrica, 2009).

4.3. Europe as Destination

As I have mentioned above, the number of European victims within the borders of Europe is significant. However, they are only a small part of all of the trafficked individuals, meaning most of them originate from outside of Europe. What is more, taking a look at the detected cases of human trafficking within the EU, we can see, that this region has a significantly more diverse range of people based on their home countries than any other region (Sarrica, 2009).

During the period 2005-2007 mentioned above, a large number of East Asian individuals being exploited were discovered in different parts of Europe. They were mostly of Chinese, Filipino, Thai, and Vietnamese origins. In some countries in the region of Western and Southern Europe North African, West African, and South American citizens were also detected in the same time period, as shown in the figure down below (Sarrica, 2009).

Figure 8: Country of citizenship of detected victims trafficked to Europe between 2005 and 2007.

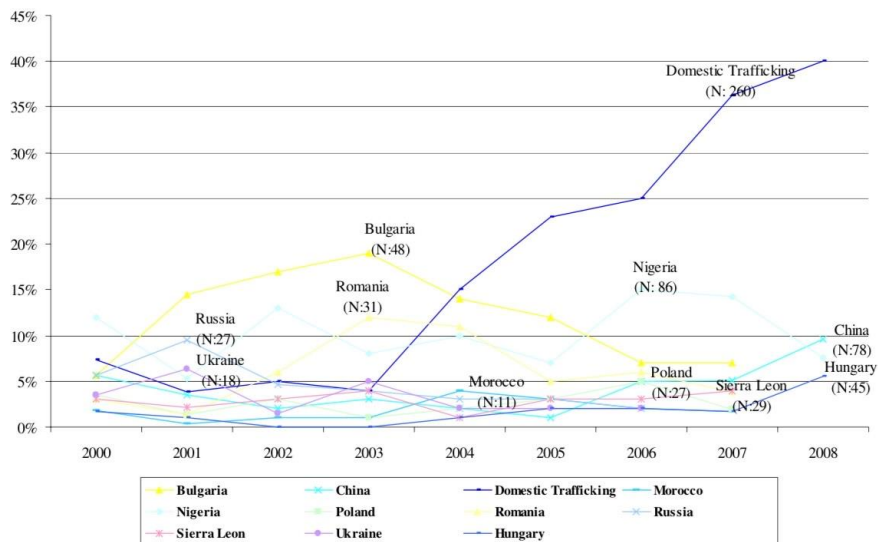
(Meaning the minimum scope of countries affected, as in some occasions the nationalities of exploited individuals may not be reported, or in case of them originating from a country that's citizens are discovered rarely, they may be included in the category of 'other nationalities'.)



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

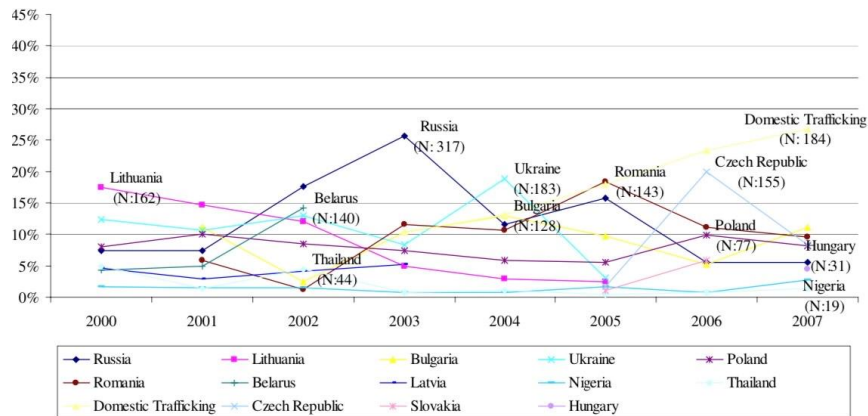
Looking at available statistics, different trends can be concluded, especially when it comes to the increase or decrease of trafficking in human beings in various regions.

Figure 9: Trends in the main origin of discovered victims of human trafficking detected in the Netherlands between 2000 and 2008.



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

Figure 10: Trends in the main origin of discovered victims of human trafficking detected in Germany between 2000 and 2007.



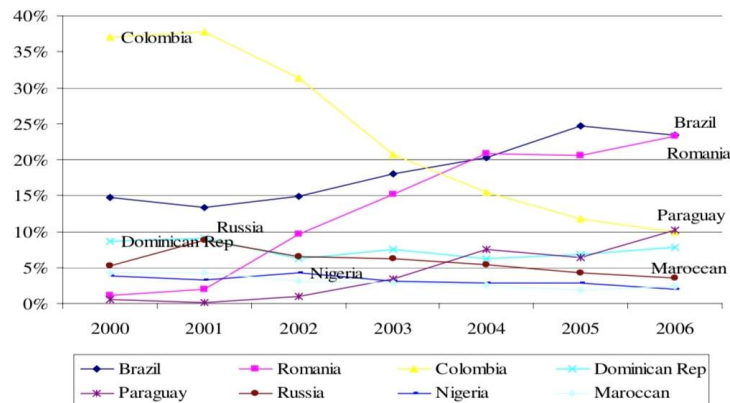
Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

The charts above illustrate the cases of the Netherlands and Germany in regards to the trends of origin of discovered victims. As I mentioned before in the part dealing with the issue of domestic human trafficking, these are both countries in which the share of exploited nationals between the years 2005 and 2007 has been more significant than in any other member state of the European Union. These statistics are clearly visible on the charts above (Sarrica, 2009)(UNODC, 2010).

However, taking a look at the earlier years illustrated by the available data, we can see, how Bulgarians, Russians, Romanians, and Nigerians have been taking up a significant share of exploited nationalities within the borders of the Netherlands. Other origin countries include Poland, Hungary, and Ukraine from within Europe, and Sierra Leon, China, and Morocco from other parts of the globe (Sarrica, 2009)(UNODC, 2010).

When it comes to the chart illustrating the trends in Germany, from the year 2000 right until the second half of 2001 Lithuania was the origin country where most exploited individuals were coming from. Russia took over the lead until the end of 2003, after which Ukraine resided in first place for a bit less than a year. From the second half of 2004 until 2007 which is the end of the timeline of the available data shown on the chart above, Romanian and Czech citizens accounted for the biggest share of exploited individuals, right along with the domestically trafficked people. Other origin countries included Belarus, Bulgaria, Latvia, Slovakia, Hungary, and Poland from within Europe, and Nigeria and Thailand from other parts of the world (Sarrica, 2009)(UNNODC, 2010).

Figure 11: Trends in the main origin of discovered victims of human trafficking detected in Spain between 2000 and 2006.



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

What is interesting to note, is that the United Nations Office on Drugs and Crime’s publication titled *Trafficking in Persons; Analysis on Europe* points out, how the trends in the main origin of discovered victims of human trafficking detected in Spain between the years 2000 and 2006 show different patterns from every other European Country. As the chart above illustrates the data available, we can see how most exploited individuals originate from South American countries, such as Colombia and Brazil, but individuals from the Dominican Republic and from Paraguay are also represented by a significant share. Out of them, the number of Colombian individuals seemed to decrease consistently from 2001. However, the share of Brazilian and Paraguayan citizens has been increasing during the monitored time period. Just like the Netherlands and Germany, Spain too experienced an increase in exploited individuals originating from Russia around the year 2001. From 2000 until 2006 the number of Romanian victims kept increasing rapidly. The share of trafficked Nigerian people detected in Spain showed a rather stable pattern within the observed years (Sarrica, 2009).

Concluding the statistics analyzed above, it is clear to see that the diversification of the origin countries of the trafficked and exploited individuals detected within Europe started early in the decade, and has not stopped since. More towards the end of the decade many new nationalities have entered the continent, which includes the above-mentioned Chinese, Thai, Sierra Leonian, and Paraguayan victims, as well as Uzbeks for example. What is more, we can conclude, that the domestic trafficking of citizens has been increasing swiftly and by great numbers (Bąkowski, Voronova, 2021).

5. Response from the EU

5.1. The Evolution Of The Judgement Of Human Trafficking Of The International Community And The European Union

It is a fact, that right until the end of the 20th-century human trafficking was mostly viewed as more one-dimensional than it is. What illustrates this statement perfectly is the 1949 UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, where we can see, that human trafficking at the time was only viewed as the exploitation of commercial sex trafficking. Today we know that forced prostitution is just one of the many forms of exploiting individuals and that fighting all forms of trafficking is a must when it comes to protecting the exploited individuals – something which was not as evident back at the time of the convention as we can see. This incomplete and insufficient idea of what the phenomena entail failed to keep from harm the people suffering the consequences of other different and less-known forms of exploitation. Since the 1990s some Central European as well as Western European countries already had existing legislation in place concerning trafficking for sexual exploitation, meanwhile other countries of Europe adopted theirs in the earlier years of the 2000s (Sarrica, 2009)(Bąkowski, Voronova, 2021).

What brought change and a new perspective regarding the topic was the adoption of the UN Trafficking Protocol as a part of the Palermo Convention in 2000. From then on, the scope of trafficking did not only entail forms of sexual types of trafficking, but it also introduced new, non-sexual exploitation forms, such as forced labor. Due to this, the UN Trafficking Protocol became an important milestone when it comes to the reevaluation of the issue. This, of course, does not mean, that it was not incomplete. What we have to take into account is the fact, that the UN Trafficking Protocol approached the issue solely from the perspective of law enforcement, as it adopted an approach towards trafficking that was overbearingly crime-based. As we know, this left out the extremely important component of the equation, that is human rights and the well-being of the exploited people. (Sarrica, 2009)(Bąkowski, Voronova, 2021).

Thankfully there have been a lot of improvements since then (as I will showcase), as in the more recent years a greater emphasis was taken on the latter part as well. Most of the legislation presently in place in the countries of the European Union was taken into account in the legislation of Member States when the UN Trafficking Protocol was opened for signature after the year 2000. During the duration of the following years, from 2002 to 2003, human

trafficking was established as a specific offence in many countries. Despite the shortcomings of the UN Trafficking Protocol, we have to note that it started a process both Europe-wide and internationally, of an acceleration in the number of the countries that included human trafficking in their criminal codes as a specific offence (Sarrica, 2009)(Bąkowski, Voronova, 2021).

The Council of Europe Convention on Action against Trafficking in Human Beings in 2005 also proved to be an important factor that made a difference by focusing on the human rights aspect of the phenomenon and demanding nations to do the same by offering the vulnerable the necessary services as well as protection that is satisfactory. Between the years 2005 and 2008, more than 10 countries modified their criminal code to include forms of human trafficking that were not previously recognized as criminal acts, by making amendments to their anti-trafficking legal frameworks (Sarrica, 2009)(Bąkowski, Voronova, 2021).

Today it can be claimed, that both the international and European policies combatting the phenomena of human trafficking are based on a multi-disciplinary approach. What this entails is, that governments are no longer focusing on the issue based solely on a law enforcement-based manner, but they are also making efforts to utilize different tools when it comes to prevention of the crimes, protection of the victims, and supporting the exploited. The effectiveness of these measures is up for debate, as I will demonstrate later on in my thesis, but all in all, we can definitely conclude, that there is an improvement regarding the issue. However, this does not mean that there is no room for more reforms.

5.2. The Anti-Trafficking Legal Framework Of The European Union

The act of human trafficking is recognized as a violation of fundamental rights across the Member States of the European Union. Article 5 of the EU Charter of Fundamental Rights prohibits it explicitly. When it comes to Article 83 of the Treaty on the Functioning of the European Union (TFEU), it categorizes the act of trafficking in human beings and sexual exploitation of women and children as serious crimes with cross-border dimensions. What is more, it goes further claiming, that due to their nature of taking no notice of borders, there is a chance to introduce common minimum rules on not only the definitions of the criminal acts and offences, but on the consequential sanctions as well. Two other Articles provide a complementary foundation for EU action in this sector, namely 82(2), dealing with the rights of people in criminal procedure and the rights of victims of crime, and 79, concerning immigration policy (Bąkowski, Voronova, 2021).

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 also called the EU Anti-trafficking Directive 2011/36/Eu is the most important tool of the European Union when it comes to trafficking in human beings. This directive is based on not only the UN Trafficking Protocol but on the Council of Europe's Convention on Action against Trafficking in Human Beings as well. What is more, it is more advanced than the Council Framework Decision from 2002, as it had the issue of focusing too much on the law enforcement part, leaving no significant space for either prevention of violence or the protection of victims, something that most earlier legislation had as a common issue as I mentioned above. As the Understanding EU action against human trafficking summarizes the content of the EU Anti-trafficking Directive 2011/36/Eu: *'(The directive) adopts a victim-centred approach and, in addition to prosecution of offenders, addresses prevention and support, which must be gender-specific and child-sensitive. It recognises that women and men are often trafficked for different purposes, and that assistance and support measures should therefore also be gender-specific. It also seeks to undermine demand for services provided by victims of trafficking, by requiring Member States to consider criminalising the knowing use of services resulting from the exploitation of trafficking victims.'* (Bąkowski, Voronova, 2021).

What is important to mention, is that the Directive 2009/52/EC, also known as the Employers' Sanctions Directive already criminalized the request of need for the labor of exploited and trafficked people back in 2009. It brought a change by *'providing minimum standards on sanctions and measures against employers who use the work or services of illegally staying third-country nationals knowing that they are victims of human trafficking'*(Bąkowski, Voronova, 2021). I find it important to mention, that the Directive 2011/93/EU, also known as the Child Sexual Abuse Directive criminalizes getting into sexual contact with a trafficked child exploited for child prostitution. In cases where this act happens, offenders are punishable whether they knew about the trafficked condition of the victim in question or not (Bąkowski, Voronova, 2021).

Another aspect of the topic that the European Union tries to put a lot of emphasis on is non-other than the protection of victims. Taking a look at the EU legislation, we can see that the right to health care services and assistance, labor rights, means of entry to justice, legal defense, and compensation are just some of the rights that the Union tries to provide for the exploited individuals. Directive 2012/29/EU, also known as the Victims' Rights Directive

'obliges Member States to ensure that victims of crime – including victims of human trafficking, who often require special support and protection because of the high risk of secondary and repeat victimisation, intimidation and retaliation – receive appropriate information, support and protection' (Bąkowski, Voronova, 2021). Moreover, Directive 2004/81/EC is also mentioned, as it not only states that it is the duty of the member countries to take into legislation and enforce the rules of exploited individuals' access to the labor market, but it also describes the conditions for providing residence permits to those particular third-country victims of human trafficking, who do cooperate with the designated authorities (Bąkowski, Voronova, 2021).

5.3. Policy Framework And Operational Cooperation

The European Commission harmonizes the Member States' efforts and establishes prerogatives via dedicated policy documents and instruments to use, while the countries accept direct accountability for eliminating the phenomenon of human trafficking (Bąkowski, Voronova, 2021).

The first EU dedicated plan was adopted back in the year 2012. It not only supplied policies on how to transpose and enforce Directive 2011/36/EU that I have mentioned above, but it also illustrated a sequence of steps in order to manage the gender dimension of trafficking, which, as I have stated before, are very disproportional depending on what types of trafficking we are looking at (Bąkowski, Voronova, 2021).

Back in 2017, the Commission revised the plan, pinpointing additional substantial actions aimed at disrupting traffickers' ways of operating, allowing victims to 'exercise their rights more effectively', as well as enhancing coordination of both the internal and external elements of actions of the European Union. No less than ten years after the adoption of the Anti-trafficking Directive, in 2021, the Commission submitted its latest plan on fighting trafficking in human beings. This strategy is for the 2021-2025 period. It embraces an all-around approach, meaning that it is encompassing not only the prevention of trafficking crimes, but also the protection of victims, and prosecution of offenders. What it puts emphasis on is the very important act of early identification of victims, and encouraging as well as simplifying their re-integration into society. Within these, the Directive focuses mainly on women and children. The EU with this Directive intends to shift trafficking into not only an even more high-risk, but

also a low-return crime. It intends to do so by diminishing the demand for services and by encouraging the international collaboration of countries (Bąkowski, Voronova, 2021).

The EU anti-trafficking coordinator (EU ATC) is responsible for the monitoring of the implementation of the EU strategy. The coordinator's primary duties include enhancing coordination among the organizations, agencies, and institutions of the European Union, among the Member States as well as third countries and international actors. Furthermore, it is responsible for improving the coherence among various policy areas. These, among many, include the police and judicial collaboration among states, the protection of human rights, management of the external relations of the Union, the harmonization of migration policies, as well as improvement of the coherence of social and labor law among members. Furthermore, the EU ATC also simplifies the job of the EU network of national rapporteurs or equivalent mechanisms (NREMs), launched following the Council decisions of 2009. Appointed by all member countries of the European Union, as required by the Anti-trafficking Directive, the NREMs task is to monitor the execution of anti-trafficking policy at a national level. They also play a vital part in gathering data on both national and EU levels about trafficking in human beings (Bąkowski, Voronova, 2021).

What is more, in 2013 an EU Civil Society Platform against Trafficking in Human Beings was launched and it compiles roughly 100 civil society organizations from all over the European Union, as well as from a handful of chosen non-EU countries of great importance. An online ePlatform was created later on in 2014 in order to incorporate further participants (Bąkowski, Voronova, 2021).

Since 2011, the role of the relevant EU agencies has been greatly improving, which is due to the fact that this was the year when seven of them decided to sign a joint statement. By this, they committed to operating closely together in order to manage trafficking in persons, all of them the best they can based on their areas of expertise. These competencies range from monitoring, collecting intelligence, and promoting prosecution in human trafficking cases, to harmonizing member countries' measures to help the exploited and to stop victimization and re-victimization. The EU agencies in question are the following: the European Union Agency for Law Enforcement Cooperation (Europol), the EU Agency for Law Enforcement Training (CEPOL), the EU Agency for Criminal Justice Cooperation (Eurojust), the EU Agency for Fundamental Rights (FRA), the European Asylum Support Office (EASO), European Border and Coast Guard Agency (Frontex), and the European Institute for Gender Equality (EIGE). Their promise to keep working together was renewed in 2018. This time three additional

agencies of the European Union joined. These are the EU Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), and the European Foundation for the Improvement of Living and Working Conditions (Eurofound) (Bąkowski, Voronova, 2021).

Europol (European Union Agency for Law Enforcement Cooperation) and Eurojust (EU Agency for Criminal Justice Cooperation) both play a major part as essential EU agencies not only when it comes to police but also to judicial cooperation. Europol launched an 'operational platform' back in 2019 called the Joint Liaison Task Force Migrant Smuggling and Trafficking in Human Beings (JLT-MS) coordinated by its European Migrant Smuggling Centre (EMSC). Its job is to facilitate the harmonized development of operational procedures and manage cross-border processes, as well as to support investigations of a great number of high-priority events and incidents. Meanwhile, Eurojust manages international collaboration on both investigation and prosecution (Bąkowski, Voronova, 2021).

The war combatting human trafficking and all means of exploitation was a priority of the 2018-2021 EU policy cycle for organized and serious international crime as well. Once again, it has been recognized as one of the top 10 European Union crime emphases approved by the Council for the current policy cycle that entails the years 2022-2025. It was decided based on the advice of Europol's Serious and Organised Crime Threat Assessment (SOCTA 2021) (Bąkowski, Voronova, 2021).

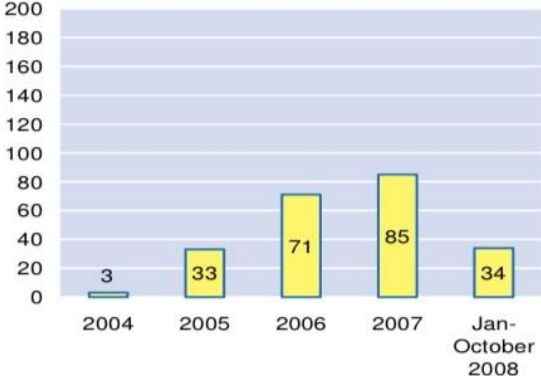
5.4. The Slow Evolution Of The European Union's Criminal Justice Response

As expected, the more Member States of the European Union have adopted different legislation regarding trafficking in persons throughout the years, the more identification and conviction of this type of criminal offence started happening in said countries. This pike in the numbers was noted between 2003-04 and 2006-07 in the region of the EU, meaning a 30% increase in convictions at the time period.

However, it is rather interesting to see and to mention, that this rise in numbers was mainly due to two countries: Romania and Bulgaria. *'While Bulgaria convicted three persons of human trafficking in 2004, in 2007, the number had risen to 85. Preliminary data for 2008 indicate a possible decrease. The number of convictions in Romania went from 49 in 2003 to*

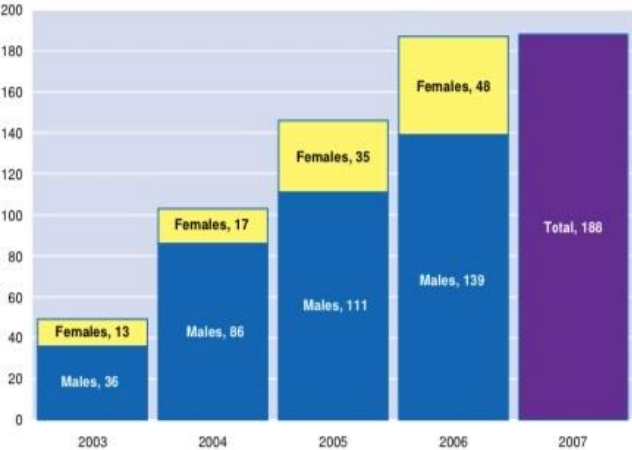
188 in 2007.’ (Bąkowski, Voronova, 2021). The graphs below illustrate the increase of numbers in both countries.

Figure 12: People sentenced for human trafficking in Bulgaria in the time period between 2004-2006



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

Figure 13: People sentenced for human trafficking in Romania, by gender in the time period between 2003-2007



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

Dissimilarities in tendencies (which are shown on the graph below) can be undoubtedly recognized in case of assessing the numbers at the subregional level.

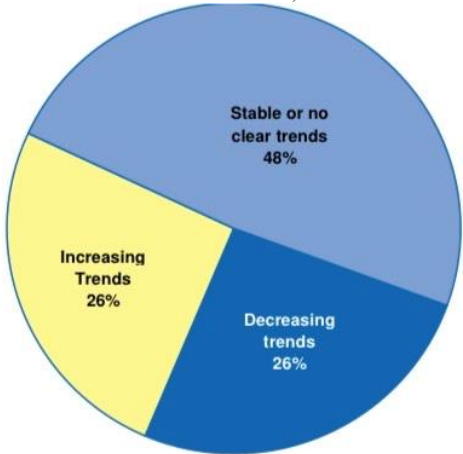
An example of this phenomenon is, that all South-East European countries documented an increase in the number of individuals investigated, prosecuted, or sentenced for trafficking in persons during the certain reporting period, with the only exception of Montenegro.

On the contrary, nearly all of the Central European Member States of the European Union demonstrated a trend of decrease in the number of individuals investigated or prosecuted for trafficking in persons from the year 2003 up until 2007.

In the region of Western Europe, the tendencies were rather mixed. On the one hand, the countries that documented declining trends in the number of criminal proceedings related to human trafficking over the period of reporting were Belgium, Netherlands, Germany, Greece, and Italy. On the other hand, Denmark, France, as well as the United Kingdom documented increasing tendencies (Bąkowski, Voronova, 2021).

Figure 14: The trends in the number of recorded convictions regarding human trafficking in Europe from 2003 until 2007, percentage of countries

(when trends in convictions were not available, trends concerning prosecutions or investigations were considered)

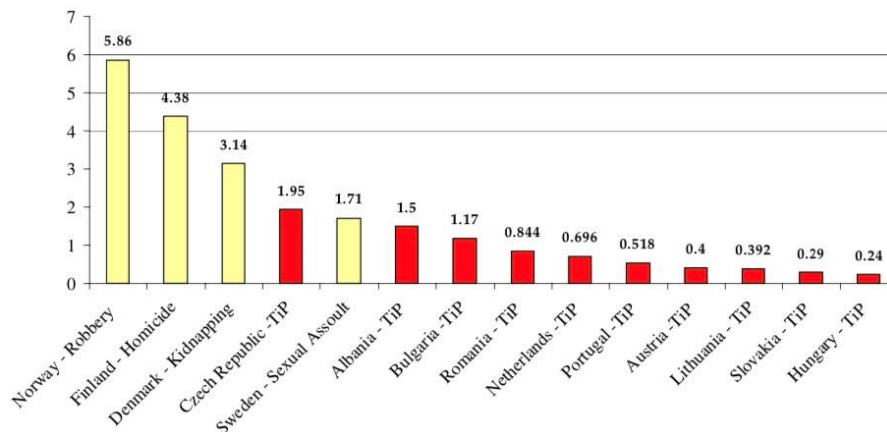


Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

The response to trafficking in human beings was still weak at the time in terms of the number of convictions documented yearly particularly approximated to the number of the exploited people that are estimated to be trafficked in Europe et the period. Their number was thought to be about 250,000 yearly. The majority of European countries document nationwide human trafficking conviction rates below one convict per 100,000 individuals. Exceptions were registered in some countries. These include the 'Czech Republic (1.9 per 100,000 people in 2005), Albania (1.5 for 100,000 people in 2006) and Bulgaria (1,17 per 100,000 people in 2007)' (Bąkowski, Voronova, 2021).

In case we are trying to illustrate the conviction rates at the time for trafficking in human beings, rates for other different criminalities can be assessed. These statistics are shown on the graph below.

Figure 15: Conviction rates per 100,000 people for human trafficking and selected crimes in selected European countries in the examined time period



Source: Fabrizio Sarrica: United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe (2009)

As we can see, within the examined time period, inside the borders of Europe, there were more convictions recorded for rare criminalities than for human trafficking. Good examples of this phenomenon include kidnapping convictions in Denmark (3 per 100,000 people), homicide convictions in Finland (4 per 100,000 people), and even robbery convictions in Norway (5.8 per 100,000 people) (Bąkowski, Voronova, 2021).

This research may give us a conclusion of one of the two following explanations. One of them is that human trafficking is an offense that is small in dimension despite being much-discussed (which might be illustrated by the fact that its numbers are less than kidnappings in Denmark or homicides in Finland). The other possible explanation is that it is less often detected and punished than most other criminalities. It is true that calculations of the scope of human trafficking frequently lacked a trustworthy methodological base ground at the time, and that it is still not perfect today. However, the understanding of the presence of exploitative and trafficking practices in Europe (such as exploitative youth begging, forced work under irregular labor conditions, exploitation of the prostitution of individuals, domestic servitude, and many more) leads us to the deduction that the trafficking aspects of these criminal phenomena are rather massive. This is especially true approximated to the few cases recorded. As time passed since the publishing of the study, the second possible conclusion provided at the beginning of the paragraph came out on top by a landslide (Bąkowski, Voronova, 2021).

5.5. The Role of the European Parliament In The Fight Against Human Trafficking

The European Parliament has played a significant part in creating anti-trafficking policies at the level of the EU since first discoursing the phenomenon in 1989.

The Parliament evaluated the implementation of the Anti-trafficking Directive from a gender standpoint back in 2016. It highlighted the fact that trafficking is, just as I mentioned before, a gendered issue and therefore instructing Member States of the EU to adopt gender-specific prevention of trafficking, assistance of victims, and aid efforts. The European Union stated that trafficking is transnational criminality and voiced worry at the inadequate measures and harmonization of multinational cooperation back in a 2016 resolution on the war against human trafficking related to the EU's exterior associations (Bąkowski, Voronova, 2021).

Established on a report adopted together by the Committees on Civil Liberties, Justice and Home Affairs (LIBE) and Women's Rights and Gender Equality (FEMM), the Parliament accepted a thorough verdict on the implementation of Directive 2011/36/EU in 2021. The resolution highlighted the need for a corresponded, harmonized, and coherent EU strategy. It also stated the need for more efficient inspection and follow-up tools. A series of recommendations were made, for example on the role of online technologies. These pieces of advice entailed topics such as both the expansion and prevention of trafficking in human beings, the early identification of exploited individuals, and the strengthening of a 'horizontal gender- and child-sensitive perspective across all forms of trafficking'. Additionally, it suggested that the directive should be amended in order to enhance the prevention and prosecution of the type of trafficking that concerns sexual exploitation, and guarantee that countries of the European Union illegalize knowing usage of the services of the victims of trafficking (Bąkowski, Voronova, 2021).

6. The Problems With Enforcing The Promises Of The European Union – Case Studies

We have taken a look at the instruments and policies that the European Union introduced into the lives of the Member States during the past two decades in order to fight the phenomenon of human trafficking. While noting all of the EU's efforts is crucial if we intend to understand the state of trafficking in human beings in the region, by doing so, we only illustrate one aspect of the whole picture.

In order to see if the measures taken so far have proven to be effective in the everyday life of the Union and its citizens, we have to analyze actual human trafficking cases that have occurred more recently. The source that helped me find summaries as well as original court documents regarding detected human trafficking instances is the United Nations Office on Drugs and Crimes' website called SHERLOC (Sharing Electronic Resources and Laws on Crime). On this page, I was able to search crime cases based on not only time and country but also based on the type of the committed crime, which I found extremely useful when looking for resources. Although I did find many documents that were published before 2011, I wanted to focus on the cases that occurred after the production of the Anti-trafficking Directive of the European Union (except for one). My reason for this is that I only wanted to take into consideration those samples of trafficking that happened after the Union issued its first complex and comprehensive strategy to prevent the phenomenon. This way it is easier to see how effective the directive was in the last decade, as well as to draw conclusions on what further efforts are needed to enhance the potency of the strategy and the legislation of the European Union.

The ten court cases I selected to summarize and reflect on are very versatile within the scope of the topic of human trafficking. My intention was to try to focus on many different aspects in order to illustrate how multifaceted this issue really is. What is more, I compiled the cases ranging from 2012 right until 2021, as well as from many different countries of the European Union (or at the time being part of it), including the United Kingdom of Great Britain and Northern Ireland, Czechia, Spain, Croatia, Denmark, France, Italy, the Netherlands, and Germany. The nationalities of the traffickers and the exploited individuals are even more diverse, originating from both the regions of the European Union and from outside of it. The types of exploitation include sex trafficking and prostitution, forced labor and labor exploitation, human smuggling, and forced begging. The offenses discussed are all regarding

human trafficking of both adults and children. Acts of the discussed criminals in these specific cases, based on SHERLOC, include recruitment/hiring, harboring, transfer, transportation, receipt, buying/purchasing/selling, organizing and directing other persons, and participating as an accomplice. The means used listed on the website include deception, abuse of power or a position of vulnerability, the threat of the use of force or other forms of coercion, and fraud. Some of the perpetrators worked alone, some in groups, and others belonged to criminal organizations. The ages of the victims vary as well.

What I expected to find when looking for the court cases was proof to my suspicion that meanwhile the European Union does indeed have a directive and is trying to work on promoting cooperation among Member States as well as the harmonization of national legislation these efforts are simply not enough. In my opinion, the focus is stirred more towards wording campaigns nicely and building up a forefront of reputation and a sense of responsibility, rather than focusing resources on bringing to life a truly effective and well-monitored strategy. This is an issue that often comes up in connection to the European Union's different measures that would aim to change already existing problems. A great example of my statement is the Environmental Policy of the Union. They do indeed publish reports, as well as strategies for every period that covers just a few years in time, but many argue that their efforts are simply not as serious as the problems would require them to be. My theory is that this phenomenon of emphasizing the threatening nature of issues, but then not setting up strict-enough measures, not enforcing the legislation, and not monitoring the problem at hand is a tendency that can be witnessed with regard to the state of human trafficking too within the EU.

6.1. 2012, United Kingdom of Great Britain and Northern Ireland

The first case that I intend to summarise dates back to the spring of 2012 when a Philippine woman (referred to as Victim 1 from now on) started working for Mr. and Mrs. Aljaberi in Abu Dhabi. Victim 1 was hired to carry out 'domestic and childcare work' every day of the week from 7 am until 10 pm and was promised to earn US\$ 400 monthly. Despite this, she only received approximately US\$ 200/month. When in 2013 Mr. Aljaberi was offered a diplomatic position by the London Embassy of the United Arab Emirates, Victim 1 joined the family and agreed to 40-hour workweeks, with a promised earning of £1,000 monthly (Royal Courts of Justice, 2020).

Due to a Certificate of Sponsorship from the Embassy, the family acquired a Tier 5 visa for Victim 1, which meant that if she was to leave her employment, her right to stay in the UK would be revoked. It is important to mention that Victim 1 testified only moving to London due to the promise of the payment (Royal Courts of Justice, 2020).

Victim 1 claimed that in various ways she was mistreated by the Aljaberi family during her stay in the UK. First of all, they required her to work far more hours, 14-15 daily, and the family paid her a lot less, meaning about £100 to £200 monthly. Her movement was restricted in the sense that she usually was not allowed to leave the house, did not have her passport on her, and was denied the previously promised medical assistance when she got sick (Royal Courts of Justice, 2020).

Victim 1 quit her employment with the Aljaberi family in May of 2013 and turned to the police in January 2014. Law enforcement, at first, was unwilling to start an investigation on the incident due to the diplomatic immunity of the family. The Crown Prosecution Service (CPS) believed that Victim 1, despite her claims, had not been exploited and as a consequence, refused to prosecute. Following the incident, Victim 1 appealed and applied for judicial review. Investigations started but later on discontinued in 2015. In 2017, in the end, law enforcement referred this incident to the CPS for a charging decision (Royal Courts of Justice, 2020).

The following sentences summarize perfectly a few of the legal problems when dealing with this case: *'The Court noted that while there was discretion to accept that a conviction based on section 4(4)(a) of the 2004 Act (i.e. slavery, servitude, forced labor or compulsory labor) was implausible, but had failed to consider whether there was a prospect of conviction on the basis of exploitation as described in section 4(4)(c) (i.e. deceit with respect to working hours and pay as inducement to come to the UK). They failed to consider the evidence concerning the discrepancy between the terms for pay and hours agreed upon prior to the Claimant's departure for the UK compared to the actual hours required and salary made for Victim 1's work in London and whether this constituted deception and if it was deception, whether Victim 1 was induced by the original terms to come to work in the UK.'* (Royal Courts of Justice, 2020).

One of the questions raised by this case for the European Union to consider is what is important: diplomatic immunity or investigating the exploitation of a possible individual? I find it unnerving that the inspection of the issue at hand could be halted and dragged on for ages because of a diplomatic title. This case illustrates perfectly the reason why reforms in connection to diplomatic immunity should be considered. What is more, when the possibility

of human trafficking or exploitation of people is suspected, there should be a stricter way of investigation, especially if the suspected person has a high rank of any kind.

6.2. 2007, Czechia

The following case I wanted to include in spite it occurring before the publication of the Anti-trafficking Directive of the EU due to the fact that this is the first-ever conviction in the Czech Republic that concerns human trafficking for the purpose of labor exploitation. I found it interesting to see that it happened in 2012, and I think it is important to consider among the case studies.

The defendant in question decidedly sought out individuals that were dealing with socially disadvantageous problems in order to exploit them. He promised them accommodation and a regular wage of 80–150 CZK hourly. The job in question was construction work that was performed for different construction companies that, in fact, did pay the employees and did not take part in their exploitation. They used the companies' identities to keep the offender undercover. The affected companies did not know about the exploitation, with the exception of one, that due to a bribe provided its data to the offender (SHERLOC, 2012).

All in all, 22 people performed the construction work often seven days a week, starting at 7 am, finishing at 1-6 pm. Their documents were taken from them. Employment contracts were not signed by the trafficked individuals, and as a consequence, their social security and health insurance were not accounted for. Claiming that he will pay out their full wages sometime in the future, instead of the agreed 150 CZK per day they only received 150 CZK per day. Threats of the possibility of carrying out physical violence were made when the workers refused to do their job, and as it was reported, it did indeed occur in some instances. The offender repeated these acts at least from 2007 until the spring of 2009, which brought him a net profit of more than 11 million CZK in total. Two other individuals were accused of supervising the exploited people in their work and paying them their 150 CZK daily. Soon, the vulnerable people in question realized the fact that they have nowhere to go and no steady source of income, leaving them dependent on the offender (SHERLOC, 2012).

As the SHERLOC website claims: *The court imposed the punishment by prison judgments of ten years to the main perpetrator, which however was subsequently reduced under the appellate proceedings to prison judgments of eight years and six months. The principal accused was also imposed the punishment of forfeiture of their personal vehicle Mercedes-Benz*

ML 320 CDI 4-Matic.' (SHERLOC, 2012). However, it is important to note, that this judgment was then revoked by the Supreme Court, as it claimed, that there was no evidence the car was purchased from the credit acquired by the criminal activity. One of the co-accused people got a sentence of four years in prison, while the other three (SHERLOC, 2012).

As I mentioned at the beginning of the segment, this was the first-ever labor exploitation case in the Czech Republic that resulted in a conviction. The targeted recruitment of vulnerable people is a well-known and frankly often used tactic. There are a number of steps the European Union has to follow in order to prevent cases like this from happening. Some of these include the education and protection of people, especially the groups that are more frequently trafficked and exploited. This means giving guidance not only on the existing threats and how to notice them but also on what to do and who to contact in case one gets trafficked. Another important step is the even stricter monitoring of employers and employees within the European Union.

6.3. 2012, Spain

The appellant of the following case was a chauffeur in Spain at the Embassy of Equatorial Guinea in the summer of 2012 when he contacted the victim. This act took place via Facebook. He offered her help in not only obtaining her touristic visa but organizing her trip and helping her reside in the country permanently as well. In reality, he wanted to coerce her into having a long-term sexual relationship, but she was unsuspecting and accepted his offer. To obtain the visa, she needed different documentation, of which one was an invitation letter that the appellant filled out falsely claiming her to be his niece (Consejo General del Poder Judicial, 2015).

After the 15-day touristic visa was acquired in October of 2012 the victim traveled to Madrid and got picked up by some of her relatives that she went to stay with. She kept in touch with the appellant via phone and decided to meet him a few days later when he picked her up. He claimed to have to complete a task related to his work, so they headed to Hotel Ibis. He convinced her to go up to a room until he is finished. In the room, he notified the victim of his false claims and true intentions as well as took her passport. He told her that he will have her removed from the country in case she does not comply and had intercourse with him. Being vulnerable, she obeyed and had sex with the appellant, who later turned out to be HIV positive (Consejo General del Poder Judicial, 2015).

After he abandoned her in the hotel, her relatives came to get her. The victim contacted authorities and reported the incident. She suffered not only physical but also psychological

wounds that required the help of professionals. While searching the residence of the appellant, law enforcement managed to seize eight Equatorial Guinean passports (all belonging to different individuals), a Spanish citizen's driver's license, and someone else's residence permit (Consejo General del Poder Judicial, 2015).

After considering the evidence of declarations of the victim and the appellant, as well as the transcripts of their conversations exchanged on Facebook and the testimony of the witnesses, the Audiencia Provincial de Madrid convicted the victim. He was sentenced due to human trafficking and sexual aggression. However, according to the Supreme Court, 'the conduct did not integrate the crime of trafficking in human beings. Rather, it convicted the appellant for crimes against the rights of foreign citizens.' (Consejo General del Poder Judicial, 2015).

I chose this case to summarize and reflect on for two reasons.

One of them is that it is not only an international case of human trafficking, but the victim is from outside the European Union. Citizens of not as developed or financially and economically wealthy regions are easy to mislead and groom for people that live in more prosperous parts of the world. The reason for this is that, as illustrated perfectly by this case study, they can feed them the (false) hope of moving across the globe to have better living conditions and opportunities. This is an attractive opportunity, but people might never know the intentions of individuals they are talking to via social media platforms. Taking the risk can either end up being the best decision they ever made, but frankly, in many cases, this is not how the story goes. Once they arrive, they are at a pace they do not know, and usually, they have no one to protect them from criminals. In this specific instance, the girl did have family in the destination country that was able to come to her rescue at the time of need. She is extremely lucky for this reason. Who knows what else would have happened to her and how long the man in question would have ended up abusing her. Being left without alliances and resources in a distant country is not ideal for anyone, especially not for young women as we know.

The other aspect I would like to highlight is the fact that, once again, the offender was a person that had access to an alibi and different resources due to his line of work. We can conclude that this is a pattern to notice and to find solutions to prevent from continuing. This issue is rather harmful, especially because these people do not get monitored as strictly as they should be. Diplomatic immunity and just the overall positive prejudice towards people in different positions should be reconsidered and reformed in the near future.

6.4. 2012, Croatia

Back in the Fall of 2012, a Croatian woman, the victim of the case, filed a complaint against the defendant. She carried out the act while claiming she had been forced into prostitution for many months in 2011 (European Court of Human Rights, 2020).

The defendant (T.M, a former police officer) offered the victim to find her a job through Facebook. However, what ended up happening was that he provided an opportunity for her to take part in offering services of sexual nature. He made this possible by either driving her to where clients wanted to meet or by letting her work at the apartment that he rented. Half of the money earned from her services had to be given to him at all times. Furthermore, she was threatened to comply with his wishes in case she did not want to get punished (European Court of Human Rights, 2020).

At the end of the year, the defendant was indicted, and the woman officially received the status that declares her to be a victim of trafficking in human beings. T.M was brought to trial in 2013 after an investigation (European Court of Human Rights, 2020).

Because the claim that T.M either pressured or forced the woman to provide said sexual services could not be proven, the Municipal Principal Court acquitted the defendant. Based on the courts' claims, the testimony of the woman was 'incoherent and unreliable, causing the prosecution to not be able to bring evidence sufficient enough for the trial to end with a conviction. It was also brought to light that the woman provided sexual favors in a voluntary manner as well (European Court of Human Rights, 2020).

After a bit of back and forth, in the August of 2014, the application of the victim was lodged with the European Court of Human Rights. The national authorities were not able to apply the applicable criminal-law instruments in connection with her testimony of trafficking in human beings, exploitation, and forced prostitution claimed the victim. She specifically highlighted the fact that the process of the investigation did not go through the needed order of the inquiry by several witnesses being left out of the testimony process. She claimed this was the reason for the defendant's, T.M's impunity (European Court of Human Rights, 2020).

The Grand Chamber delivered its decision regarding the case in the summer of 2020. As the website articulates: *'This concluded that the national criminal investigation and the criminal proceedings against the defendant were defective to such a degree that they amounted*

to a violation of procedural obligations under Article 4 of the Convention for the Protection of Human Rights and Fundamental Freedoms.' (European Court of Human Rights, 2020).

Without minimizing the seriousness of the other summarized instances, I would like to note that this is one of the cases I found especially blood boiling. My reason for this is the fact that the offender is a former police officer. He is one of the people that should be especially aware of how mentally and physically scarring it can be to fall victim to exploitation. He swore on protecting people and on helping the ones in need. In contrast to this, he managed to target a vulnerable individual, then mislead and exploit her (European Court of Human Rights, 2020).

This case raises two extremely important aspects that we have to consider in order to fight human trafficking.

The first one is the morality of people in power. Stricter and more frequent monitoring should be carried out in the case of people that hold a rank within a government or governmental institution, especially when it comes to law enforcement. My reasoning for this is that these particular individuals have the access to different databases, information, and other instruments that can cause extreme harm if the wrong people start exploiting them. Talking about the police, in many instances, they even have a history of rescuing and working together with people that frankly fallen victim to human trafficking and exploitation. Due to this, police are usually more experienced in what these people's mind looks and works like and what the reasons are that caused them to end up in the awful situation that they did. Knowing their weak spots and tendencies, they can easily look for similar people either in real life or on the internet, and they will know exactly how to mislead them into complying with their will.

The other issue is the perception of human trafficking and the related phenomena (such as prostitution in this case) in certain cultures and regions. As we know, regions experiencing warmer weather have a calmer way of living life and managing issues. These are not stereotypes, but measurable virtues, that we have tools for illustrating. One of these tools is Hofstede's dimensions. Looking at Croatia, it is one of the Mediterranean countries of Europe. In regions like this, people tend to think they will not get caught doing something wrong because people are generally more forgiving than, for example, Scandinavian citizens. For this reason, the harmonization of the EU legislation among the Member States can be a tricky task to carry out. Different countries have different perceptions of certain topics, and they draw lines at different distances. We have to always keep in mind that the European Union is a supranational organization comprising many different countries with different historical and cultural

backgrounds. For this reason, it is especially important to always consider the differences that might emerge when harmonizing strategies or legislation. The topic of trafficking in human beings is no different either.

6.5. 2013, Denmark

The following case of human trafficking took place in Denmark between the years 2012 and 2013. As the SHERLOC website claims: *'The offense was committed in association with further three people specified by names, whose cases were processed separately, plus several unidentified co-offenders.'* (SHERLOC, 2013).

The defendants, after recruiting seventeen Romanian women arranged their travel to Denmark. Upon arriving, they were sorted out into separate accommodations under different addresses but all in a certain region of Copenhagen. In the following months, they were required to work on the streets as prostitutes, offering sexual services for money. The defendants not only decided on the women's housing for them, but they also determined their working places and hours as well as took their papers of identification. What is more, the earned money had to be handed over to either the defendants or to the co-offenders I mentioned at the beginning (SHERLOC, 2013).

Many of the women in question were either currently or formerly married to or living together with a number of the offenders. During the investigation of the case came light to the fact that by the time of their arrival to Denmark, the Romanian women were already living with, belonging to, sold to, and owned by the defendants. Most of the procurers were men, and as a consequence, they had authority over the women to make decisions for them. Violence and threats of violence were used against them, causing them to be unable to leave their unfortunate situation and to remain under the control of the defendants with regard to the already mentioned residence, working hours, and earned money, as well as their transportation. They were restricted and only used for earning an income for the defendants (SHERLOC, 2013).

This instance of human trafficking illustrates perfectly the gender dimension of the phenomenon, as well as the inequality between men and women. It is heartbreaking to see how men exploit the bodies of women, especially in cases where they were supposed to protect them. This issue is rather hard to monitor and handle due to its specific nature. However, this is another aspect on which the European Union should concentrate and make more efforts to educate its citizens. The act it could certainly carry out without the introduction of any new

legislation is the education of women. It would bring significant change to provide them with information on how not to get into situations like this, how to notice being exploited, and who to contact in order to seek assistance.

6.6. 2014, France

MA faced the charges of being involved in a criminal network that trafficked a minimum of seventeen young women originating in Eastern Europe. MA sexually exploited these individuals from the summer of 2014 until the end of the fall of 2015 in Paris, France (SHERLOC, 2014).

MA harbored these women in order to force them to provide sexual services, from which they earned money for him. Based on this and the plurality of his victims, The Court found that there was an overlap between pimping and aggravated sex trafficking in this case. Furthermore, as the SHERLOC website notes: *'Furthermore, the Court held that the transposition of the crime of trafficking in persons into French law as per Article of the Trafficking in Persons Protocol, to which it makes explicit reference, is not contrary to Directive 2011/36/EU of April 5, 2011.'* (SHERLOC, 2014).

The reason why I intended to include the summary of this human trafficking case is due to the quote above at the end of the last paragraph. The idea of criminalizing human trafficking in France by legislation and based on the existing Directive of the EU was considered by the court. I find this to be an important and exciting milestone in the efforts of France on fighting human trafficking.

However, I find it disappointing that something as awful as the sexual exploitation of at least seventeen young women had to happen for it to be an important enough issue. In case the French acted faster, maybe this instance could have been prevented from happening, just as other ones. This showcases the importance of encouraging the Member States of the European Union to adopt their published ideas and legislation as soon as possible.

6.7. 2015, Italy

The following case of human trafficking is the case of an internationally operating organized criminal group that was charged with migrant smuggling and human trafficking for exploiting the individuals in a sexual sense. The countries where these acts took place are Nigeria, Maghreb countries (especially Libya), and Italy (SHERLOC, 2015).

Defendant J.O. was a crucial personality of said organized criminal group. She, in Italy, was responsible for the logistics of transnational activities and gathered income earned by exploited Nigerian girls. Furthermore, she kept the girls in a state of dependence and submission so that they kept complying. J.O. and defendant O.G.A. are the ones that punished the trafficked girls when they felt the need to. J.O. and defendant E.C. managed the logistics of the transportation of the girls to Italy. Furthermore, J.O. and defendant I.B. rented the housing for the girls to stay and work. What is more, they provided SIM cards for the girls to ensure communication is possible in order to threaten the exploited individuals so that they remain intimidated and dependent (SHERLOC, 2015).

Three victims were identified and made statements. They were promised work opportunities in Italy, for which they agreed to engage in a 30 000 Eur debt that was supposed to cover the costs of their trip to Italy as well as other expenses. The way of celebrating the agreement was the performing of voodoo rituals, which made sure the girls were scared to leave the organization. First, the victims were transported to Libya, where they had to wait secluded for their transfer to Italy. This happened against their will. Here they were informed that they were to take part in providing sexual services, which they tried to refuse. They were repeatedly threatened by voodoo rituals and received SIM cards to use once they arrive in Italy (SHERLOC, 2015).

The girls arrived in Italy at the beginning of May 2015 and days later were taken to the property of J.O. where they had to offer sexual services to third parties (SHERLOC, 2015).

Almost a year passed until they were able to escape the house. On the one hand, they became free from the direct control of J.O.. On the other hand, they continued providing sexual services in different Italian regions due to constantly receiving threats via their phones (SHERLOC, 2015).

I would like to highlight the international nature of this particular case. As per my summary above, the girls had to undergo a long transportation process with extra stops before arriving at their final destination in Italy. I noted, based on the report on the SHERLOC website, that as they learned they will be obligated to perform prostitution, they became restless and intended to abandon their plans on going to Italy. While I do understand the fact that they were repeatedly intimidated by different voodoo rituals and, by chance, were forced to act unsuspecting. However, I still think there would have been some chance to discover the migrant smuggling aspect of the transportation of the girls and filter them out at a border. The monitoring of arrivals

at the border of the European Union should be reformed and most likely made stricter along specific strategies based on this case and many others as well.

I did note previously in my thesis that there is a phenomenon that is especially conspicuous when it comes to organized Nigerian human trafficking groups. It is a well-known fact, based on the recorded data, that women tend to work their way up to the top of the hierarchy of these cells and become cruel leaders. This case of human trafficking illustrates this issue perfectly. As I mentioned before, in many instances, these women previously suffered from being the exploited party. In spite of the research I did regarding this case, I did not find any evidence that this might have been part of the background of the woman in question.

6.8. 2018, the Netherlands

This case of human trafficking concerns two defendants that were accused of the exploitation of three Hungarian girls that they transported to Amsterdam. What is important to note is that the second defendant herself has been in a relationship with the first defendant since a young age and ended up becoming trafficked herself. She took part in the act of forcing victims to provide sexual services, as well as collecting a big portion of the money they earned performing said efforts. She was also involved in laundering the revenue. All of the girls (including defendant 2) arrived in the Netherlands abandoning their origin country, Hungary, in hopes of having better living standards than the extreme poverty that they were used to. Most of their income had to be handed over to their traffickers, which they viewed as collateral damage. The reason for this is that they claimed other pimps took even more significant portions of the girls' money, and there was no option for them to work independently from anyone, as they did not speak the language of the country and were not familiar with the Dutch situation. It was claimed that they had a debt towards the defendants that needed to be repaid, and every time they earned less money for the day, said debt grew in amount. Threatening the victims in order for them to keep working was not unusual (SHERLOC, 2018).

Both defendants were found guilty of trafficking human beings by the Amsterdam Court of Appeals. The defense tried excluding the responsibility of defendant two by claiming she was psychologically manipulated into carrying out the acts she was involved in. Later on, she was charged as a co-perpetrator, and the Supreme Court decided that the non-punishment principle did not apply in her case (SHERLOC, 2018).

As the SHERLOC website states: *'The Court concluded that acts can only be seen as a direct consequence of the coercion exercised if the coercive measures with which the accused herself was exploited and the condition in which she was kept also led the victim to commit the offences alleged against her. According to the court, coercion leading to an exploitative situation does not directly lead them (at least in this case) to exploit someone else. In other words, 'it must be assumed that a victim of trafficking in human beings is forced or induced to commit offences that are less closely related to that exploitation by the exploitation situation in which he has ended up'.*' (SHERLOC, 2018).

I intended to include this case to reflect on the quote above, as well as highlight the similarity between the previously mentioned phenomenon that is especially noticeable in the Nigerian human trafficking scene. As per the last case study and other previous parts of my thesis we can conclude the fact that psychology bears out: abused people are likely to become abusers.

On the one hand, I agree with the decision that these individuals should not walk free without any consequences for their actions, as they caused great harm to innocent people. Having been a victim of human trafficking does not give one the right to become the trafficker and exploit others.

On the other hand, I do not find it entirely fair against people whose brains became altered by experiencing trauma to only punish them. We have to help them as well. Their rehabilitation should be a priority not just to help them rehabilitate to society and better their future but also to end the eternal cycle of exploited people exploiting people. This case gives me a chance to call attention to the importance of not only the prevention, detection, and conviction of human trafficking instances but of dealing with the consequences of them as well. It is crucial to provide professional help for all victims, including the ones that later on themselves turned out to be perfect students of their masters. The European Union should invest more energy into this process in my honest opinion, and I hope to see them try in the near future.

6.9. 2019, Germany

The offenders of the following case are four different people: a father (referred to as G.A), and his three children (E.A, K.A, and S,A), who were accused of recruitment, transportation, and exploitation of five Polish citizens. They were enlisted at the German-Polish border that resides across Berlin and was forced to steal from different shops. Later on, due to the

defendants claiming the victims had a debt to them due to their transportation, two of them (the women) ended up being coerced into providing sexual services. After their arrival in the country and the confiscation of their identity cards, they were transferred into an apartment of a German citizen (P.) that was uninvolved in the crimes until this point. In the next two weeks, the Polish citizens were coerced into stealing different items such as alcohol, food, cosmetics, electronics, etc. They could not leave their housing during the day by themselves, and the apartment was locked with a key every night. P., three of the offenders, and the victims all shared the living space where the Polish citizens were repeatedly threatened, insulted, and beaten. One of the two female victims was coerced into providing sexual services for P. as a payment for the continued use of the housing. What is more, she was forced to perform sexual acts with one of the male victims as a form of degradation and display of the offenders' power over them. Two of the defendants (one being underage) did a recording of the incident while humiliating the exploited people and instructing them on what to do (SHERLOC, 2019).

After the police arrested the victims while attempting to steal items from a supermarket, their trafficking came to an end (SHERLOC, 2019).

6.10. 2021, The United Kingdom of Great Britain and Northern Ireland

The following case of human trafficking concerns two Albanian victims of sexual exploitation, M.D., and E.H.. They were recruited in Albania and transferred to the UK while being single mothers. As the SHERLOC website claims: *'At the time of the proceedings, they were receiving support in the UK under the support regime for victims of trafficking. They have also sought for asylum and been recognised as refugees.'* (SHERLOC, 2021).

During their Home Office interviews, where they had to testify and share details of their trafficking and abuse, their dependant children were forced to listen (SHERLOC, 2021).

This specific case of human trafficking showcases the importance of helping mothers fallen victim to trafficking human beings with the needed money so that they can afford childcare at times they are attending appointments to help their recovery. The way the children of these two women got exposed to listening to them reliving their suffering and traumatic events could have ended up causing them mental issues as well. As the website states: *'The case raises the issue of the "exclusionary rule" which denies child trafficking support payments to asylum seeking victims of trafficking with dependent children, whose trafficking-related needs in respect of*

their children are no different from those of non-asylum victims of trafficking.' (SHERLOC, 2021).

In this case, in the end, the judgment found a violation of Article 14 of the European Convention of Human Rights (prohibition of discrimination). Justice was brought, and the women received compensation for the distress causing discrimination (SHERLOC, 2021).

Without the needed help for these asylum-seeking victims to be able to pay for the care of their children, they are not able to afford themselves in the vulnerable and dependable position that they are in. These appointments in question are needed for their rehabilitation into society. These can be, for example, legal appointments, medical visits, or even counseling. It can be hurtful and harmful for both the parents and for the children to have to be in the same space when these appointments are happening, and the European Union has to work on preventing these people from suffering even more than they already did. It is not only costly but also time-consuming for these people to tend to their needs.

The inclusivity when it comes to sorting out the issues of asylum-seekers and trafficking victims is still a work in progress that the Union has to focus on more. It has to take into account the future of not only the people in question but their possible children as well and work towards preventing them from suffering from more psychological problems than what they might be already experiencing.

7. What The Future Holds

The latest adaptation of the Commission regarding the issue of human trafficking within the European Union is the EU Strategy on Combatting Trafficking in Human Beings (2021-2025), which was published on 14 April 2021. As the name suggests, this initiative deals with the current period that started in 2021 and will last until 2025. It describes different new ideas in tools when it comes to prevention of the crimes, as well as the protection and empowerment of the exploited victims in order to report their situations and the people that took advantage of their vulnerable situations (ec.europa.eu, 2021)(European Commission, 2021).

The Commission highlights the publishing of the EU Strategy to Tackle Organised Crime (2021-2025), as it is closely related to and is supporting the initiative of the EU Strategy on Combatting Trafficking in Human Beings (2021-2025). Alongside the publication of these strategies the Commission also adopted a recommendation to the Council in order to start negotiations with Interpol regarding a possible cooperation agreement between the European Union and the international organization. This way the agencies of the European Union would be given the right to exchange their most recent data and information on the criminals and crimes documented by Interpol (ec.europa.eu, 2021)(European Commission, 2021).

Within the scope of the EU Strategy to tackle Organised Crime & EU Strategy on combatting Trafficking in Human Beings: Questions and Answers page on the website of the Commission came up the question of what is the reason for the institution to propose a strategy on organized crime at the time that it did. The Commission stated, that the threat that organized crime represents stays high since criminals are continuously developing their *modi operandi*, meaning they are introducing new technologies into their operations and are not afraid of seizing the upcoming opportunities. They highlighted that despite all of this, they value the effort and progress made by the Member States of the European Union during the previous period. The Commission went on to talk about the experience gathered so far during the COVID-19 pandemic: *The coronavirus pandemic illustrated the agility of organized crime groups in adapting their operations to changes in their environment. As reported by Europol, criminals have exploited the health crisis to sell counterfeit medical products (such as vaccines, test kits, and personal protective equipment) and to engage in cyber-related attacks, online scams, and other criminal activities online. The volatile economic situation resulting from the pandemic is also increasing the risks of organized crime infiltrating society and the legal economy, for instance taking over weakened companies and exploiting new possibilities for*

corruption and money laundering.' (ec.europa.eu, 2021). The institution stated that the issue is more burning than ever before and it is crucial to protect sectors put at risk, as well as to support the adaptation of the latest developments, especially the ones concerning the internet (ec.europa.eu, 2021)(European Commission, 2021).

The Commission explained that the nine main criminal markets in the European Union include 'illicit drugs, trafficking in human beings, migrant smuggling, fraud, environmental crime, illicit firearms, illicit tobacco, cybercrime activities and organised property crime'. The revenue from these sectors amounted to €139 billion back in 2019. This sum corresponds to 1% of the Gross Domestic Product of the Union. As the newest Serious and Organised Crime Threat Assessment Report published by Europol concludes, these criminal groups more and more frequently end up resorting to the use of violence, as well as money laundering and different corruption activities. Furthermore, looking at the numbers, we can state as a fact that over 80% of organized criminal groups have a history of trafficking in illicit drugs, as well as being involved in organized property crime, excise fraud, trafficking in human beings, online and other frauds, or migrant smuggling (ec.europa.eu, 2021)(European Commission, 2021).

While drug trafficking amount to most instances of illegal activities, the threats of cyber-dependant crimes have been showing a rising tendency during the previous years. The Commission claimed that migrant smuggling and human trafficking are still a significant part of the activities of criminal networks operating within the European Union. Organized property crimes remain high, and illicit tobacco products are getting produced even more in the Union (ec.europa.eu, 2021)(European Commission, 2021).

As the Commission states: 'According to the 2021 EU Serious and Organised Threat Assessment report by Europol, 43% of organized crime groups are structured around a core group, and 40% are hierarchically structured.' Knowing this, the strategy for the current period puts emphasis on the importance of not only taking hold of any illegal items or taking lower-level criminals into custody but also on putting more effort into arresting the high profile criminals and organized crime networks that prove to be a more significant risk to the security of the European Union. This way the cooperation of the Member States and the Europol will be highlighted. As some of the countries are already ahead of founding special bodies designated to fight criminals and human trafficking, the sharing of these so-called best practices will be highly encouraged (ec.europa.eu, 2021)(European Commission, 2021).

The Commission also works on making the EMPACT (European Multidisciplinary Platform on Organised Crime) available for use in the countries. This platform is in use since 2010 and is proving to be highly effective in the fight against criminals. In the year 2019, it helped conclude 8 000 arrests, played a role in the discovery of 1 400 human trafficking and child sexual abuse victims, and also helped to prevent €400 million in fraud affecting the business of the European Union (ec.europa.eu, 2021)(European Commission, 2021).

The Commission knows that challenging the finances of criminals is significant in order to get a hold of their operations and to prevent them from infiltrating the real-life legal economy and society. Despite previous measures taken by the European Union, only a small portion of money laundering is detected and as small of a share as 1% of assets of offenders are confiscated within the Union. Legislative proposals are getting prepared in order to not only reinforce but also to further develop the EU Anti-Money Laundering Framework. Revisions of different other already existing frameworks are also getting revisioned in the near future (ec.europa.eu, 2021)(European Commission, 2021).

In order to improve the already existing tools and skills of law enforcement, as well as supply them with new technological solutions, new plans are set out. One of these is the ongoing bettering and delivering of training by the European Cybercrime Training and Education Group. This will be a tool for improving the different experts' IT expertise regarding the topic. Funds will be allocated in order to finance a network of law enforcement management, academia, and sheltered cells that will create new specialized technical instruments, bypassing license fees for law enforcement authorities, under the coordination of the Europol Innovation Lab. (ec.europa.eu, 2021)(European Commission, 2021).

The current strategy encourages all Member States to join the e-Evidence Digital Exchange System. Their participation is needed to make it easier and faster for law enforcement to access electronic data while making sure it is stored safely. This is especially important regarding cross-border cases (ec.europa.eu, 2021)(European Commission, 2021).

Since the publishing of the EU Anti-trafficking Directive in 2011, considerable advancement has been reached in the Union's efforts to combat trafficking in human beings. However, as the Commission states, criminality has grown and further threats have surfaced. The reason for this is the fact that traffickers are continuously adjusting their way of operating and forcing their activities into the online space. As stated in my thesis previously and emphasized by Europol, the COVID-19 pandemic is likely to produce the circumstances for

grown exploitation by offenders of human trafficking. The EU's Strategy puts forward measures to recognize and eliminate the phenomenon of trafficking in persons early in the process. Getting onto offenders by shifting trafficking from a low-risk and high-return criminality into high-risk and low-return offense, safeguarding the exploited, and helping them in their rehabilitation is highlighted by the Commission. Something that I find crucial is the plan to tackle a study for the Anti-trafficking Directive's evaluation to see whether it is still suited for its goal (ec.europa.eu, 2021)(European Commission, 2021).

Following the tendencies listed in my thesis, it is easy to see in the Union that women and minors are especially in danger of falling victims to human trafficking, mainly sexual exploitation. The Strategy suggests a collection of measures for tending to their explicit necessities and to guarantee that they acquire personally complied service and aid, as well as secure housing and shelter. These incorporate *'support for shelters for victims of trafficking, including specialised facilities for women and children, promoting gender-sensitive and child rights based training for practitioners likely to come into contact with the victims, and facilitate re-integration and victim empowerment programmes, as well as enhancing dialogues between Member States and relevant Internet and technology companies.'* (ec.europa.eu, 2021)(European Commission, 2021).

Criminalizing the use of services of the exploited people is encouraged by the Commission (ec.europa.eu, 2021)(European Commission, 2021).

Another type of human trafficking that the current strategy works on preventing is forced labor. According to the collected data about recorded cases, agriculture is still a sector where a lot of exploitation is taking place, and stricter monitoring of the issue is needed. The Commission encourages Member States to look into their workers even more in order to try to recover the exploited individuals that take up 15% of all trafficked individuals within the European Union (ec.europa.eu, 2021)(European Commission, 2021).

According to the available data, in 2020 alone, more than 120 countries registered victims from even more than 140 distinct countries of origin. With the help of the European External Action Service, the Commission will further deepen and strengthen collaboration with non-EU nations of source and transit of exploited people, as well as with transnational and regional allies. These measures will be backed by utilizing the already existing foreign policy mechanisms and tools of the European Union. These instruments include, for example, the dedicated human rights and protection discussions, organized attention of the Union's

delegations, and more immediate collaboration with Common Security and Defence Policy missions and different distinct procedures. The Commission will be persistent in encouraging sustainable development objectives. Furthermore, it will continue working on human rights and employment criteria and will evaluate whether existing transnational measures against trafficking in human beings could be more sufficiently contemplated when it comes to different trade agreements (ec.europa.eu, 2021)(European Commission, 2021).

Conclusion

Throughout my work, I have argued that the European Union is lagging behind when it comes to combating human trafficking promptly and in an adequate manner.

Looking at the history and tendencies of trafficking in human beings within the borders of the EU, I found that while the main trends did not change drastically, the pandemic and the new technological advancements significantly altered the scene and accelerated most operations. These are key changes in terms of the conditions defining and altering the scene of trafficking in human beings. These modifications and developments include but are not limited to the means of operating of the criminals in order to recruit and exploit vulnerable individuals and the speed of exchanging information among different organizations. It is necessary to investigate the means of working and the various tactics of these cells that are not yet known by the law enforcement of Member States. Provided the necessary changes are made and strategies are prepared, the fight against these criminal organizations could become more advanced and rewarding.

While the European Union did in fact start addressing the issue relatively promptly side by side with different organizations, to all intents and purposes the first outstanding development came with the publishing of the 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 also called the EU Anti-trafficking Directive 2011/36/Eu.

In line with my initial assumptions, I did find this act to be more of a diplomatic gesture rather than a strong-handed strategy brought to life in order to eliminate the issue of human trafficking once and for all. Although this accomplishment is a definite breakthrough in the history of combatting trafficking in human beings within the borders of the European Union, it is a long way from being the utmost plan of action on how to put an end to the phenomenon completely. What proves this statement to be accurate is my findings upon examining court cases dealing with trafficking in human beings that have taken place after the publishing of the EU Anti-trafficking Directive 2011/36/Eu.

As I stated, it is obvious that a significantly more pronounced emphasis should be put on the education of people, the prevention of crimes, and the rehabilitation of victims. Abuse of power by individuals in high-ranking positions or working in law enforcement and

diplomatic fields could be prevented by this, as well as the transportation of exploited individuals could be traced down in more cases.

The role of educating citizens concerning the dangers and modus operandi of human traffickers is more urgent than ever, and it could in fact save the sanity and lives of many unfortunate vulnerable people. The numbers are self-evident. The preexisting campaigns and educational materials, by and large, do not generate the change they are supposed to. It would be crucial for Member States to increase and improve both the quantity and quality of these instruments. Furthermore, considerably encouraging their utilization in youth clubs, cultural facilities, job agencies, and any place where it is appropriate and needed is particularly required. It is as crucial to inform grown-up individuals as it is to educate children from a young age so that we can raise the upcoming generations into prudent adults.

This writing has proven that human trafficking is a hazard to take very seriously and that it is not enough only to acknowledge its existence and advise the Member States of the European Union on how to handle the matter.

Harmonizing the legislation and the operations of the countries is key in order to deal with the issue. Some of the strategies of the EU that I find crucial in enhancing information flow and sharing of best practices are part of the EU Strategy on Combatting Trafficking in Human Beings (2021-2025) and the EU Strategy to Tackle Organised Crime (2021-2025). Namely, the tighter cooperation of the Member States and Europol and making the EMPACT (European Multidisciplinary Platform on Organised Crime) available for use in the countries are two key strategies that will certainly speed up the harmonization of the procedures and investigations.

Despite concluding that the efforts in combatting human trafficking have not been sufficient enough in the past decade, I do think that the strategies that the European Union is intending to implement in this cycle are more on-hand methods and solutions rather than simply friendly suggestions. However, it is apparent, that designing strategies and making them widely accessible is not enough. Change is needed to further encourage and even to kindly but firmly pressurize Member States to start utilizing the instruments that they are provided with. The path the organization is taking is significantly more promising than the previous strategies and I do expect to see the results of these reforms in the upcoming years hopefully, provided the necessary changes are made.

List Of References:

1. Piotr Bąkowski, Sofija Voronova (2021): Understanding EU action against human trafficking
Source: [Understanding EU action against human trafficking | Think Tank | European Parliament \(europa.eu\)](#)
Downloaded: 12.13.2021.
2. Fabrizio Sarrica (2009): United Nations Office on Drugs and Crime: Trafficking in Persons; Analysis on Europe
Source: [Trafficking in Persons \(unodc.org\)](#)
Downloaded: 12.13.2021.
3. Amandine Scherrer, Helmut Werner (2011): European Parliamentary Research Service: Trafficking in Human Beings from a Gender Perspective Directive 2011/36/EU
Source: [Trafficking in Human Beings from a Gender Perspective \(Directive 2011/36/EU\): European Implementation Assessment | Think Tank | European Parliament \(europa.eu\)](#)
Downloaded: 12.13.2021.
4. European Institute for Gender Equality (EIGE)(2018): Gender-specific measures in anti-trafficking actions: report
Source: [Gender-specific measures in anti-trafficking actions: report | EIGE \(europa.eu\)](#)
Downloaded: 12.13.2021.
5. EUROPOL (2021): Serious And Organised Crime Threat Assessment
Source: [Internet Organised Crime Threat Assessment \(IOCTA\) 2021 | Europol \(europa.eu\)](#)
Downloaded: 12.13.2021.
6. Anti-Slavery International (2014): Trafficking for Forced Criminal Activities and Begging in Europe
Source: [Trafficking for Forced Criminal Activities and Begging in Europe Exploratory Study and Good Practice Examples \(unodc.org\)](#)
Downloaded: 12.13.2021.
7. UNODC (2010): Trafficking in Persons to Europe for sexual exploitation
Source: [Trafficking in Persons to Europe for sexual exploitation \(europa.eu\)](#)
Downloaded: 12.13.2021.
8. Official Journal of the European Communities (2002): Council Framework Decision Of 19 July 2002 On Combating Trafficking In Human Beings
Source: [EUR-Lex - 32002F0629 - EN - EUR-Lex \(europa.eu\)](#)
Downloaded: 12.13.2021.
9. Official Journal of the European Union (2011): 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
Source: [EUR-Lex - 32011L0036 - EN - EUR-Lex \(europa.eu\)](#)
Downloaded: 12.13.2021.

10. Official Journal of the European Union (2009): Directive 2009/52/Ec Of The European Parliament And Of The Council Of 18 June 2009 Providing For Minimum Standards On Sanctions And Measures Against Employers Of Illegally Staying Third-Country Nationals
Source: [EUR-Lex - 32009L0052 - EN - EUR-Lex \(europa.eu\)](#)
Downloaded: 12.13.2021.
11. Official Journal of the European Union (2011): Directive 2011/92/Eu Of The European Parliament And Of The Council Of 13 December 2011 On Combating The Sexual Abuse And Sexual Exploitation Of Children And Child Pornography, And Replacing Council Framework Decision 2004/68/JHA
Source: [EUR-Lex - 32011L0093 - EN - EUR-Lex \(europa.eu\)](#)
Downloaded: 12.13.2021.
12. Official Journal of the European Union (2012): Directive 2012/29/Eu Of The European Parliament And Of The Council Of 25 October 2012 Establishing Minimum Standards On The Rights, Support And Protection Of Victims Of Crime, And Replacing Council Framework Decision 2001/220/JHA
Source: [EUR-Lex - 32012L0029 - EN - EUR-Lex \(europa.eu\)](#)
Downloaded: 12.13.2021.
13. Official Journal of the European Union (2004): Council Directive 2004/81/Ec Of 29 April 2004 On The Residence Permit Issued To Third-Country Nationals Who Are Victims Of Trafficking In Human Beings Or Who Have Been The Subject Of An Action To Facilitate Illegal Immigration, Who Cooperate With The Competent Authorities
Source: [EUR-Lex - 32004L0081 - EN - EUR-Lex \(europa.eu\)](#)
Downloaded: 12.13.2021.
14. Royal Courts of Justice (2020): Case No CO/4120/2019
Source: [The Queen On The Application Of L v. The Director Of Public Prosecutions \(unodc.org\)](#)
Downloaded: 12.13.2021.
15. SHERLOC (2012): 17 T 6/2010
Source: [17 T 6/2010 \(unodc.org\)](#)
Downloaded: 12.13.2021.
16. Consejo General del Poder Judicial (2015): Sentencia 298/2015
Source: [Sentencia 298/2015 \(unodc.org\)](#)
Downloaded: 12.13.2021.
17. European Court of Human Rights (2020): S.M. v. CROATIA
Source: [S.M. v. Croatia \(unodc.org\)](#)
Downloaded: 12.13.2021.
18. SHERLOC (2013): Case n 160414
Source: [Case n 160414 \(unodc.org\)](#)
Downloaded: 12.13.2021.

19. SHERLOC (2014): N° de pourvoi: 19-80372
Source: [N° de pourvoi: 19-80372 \(unodc.org\)](#)
Downloaded: 12.13.2021.
20. SHERLOC (2015): Proc. N. 18496/2015/DDA R.G.N.R.
Source: [Proc. N. 18496/2015/DDA R.G.N.R. \(unodc.org\)](#)
Downloaded: 12.13.2021.
21. SHERLOC (2018): 17/03852
Source: [17/03852 \(unodc.org\)](#)
Downloaded: 12.13.2021.
22. SHERLOC (2019): (513 Kls) 255 Js 637/18 (38/18)
Source: [\(513 Kls\) 255 Js 637/18 \(38/18\) \(unodc.org\)](#)
Downloaded: 12.13.2021.
23. SHERLOC (2021): [2021] EWHC 1370 (Admin)
Source: [\[2021\] EWHC 1370 \(Admin\) \(unodc.org\)](#)
Downloaded: 12.13.2021.
24. ec.europa.eu (2021): EU Strategy to tackle Organised Crime & EU Strategy on combatting Trafficking in Human Beings: Questions and Answers
Source: [Organised Crime & Trafficking in Human beings: Q&A \(europa.eu\)](#)
Downloaded: 28.04.2022.
25. European Commission (2021): Communication From The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions On The Eu Strategy On Combatting Trafficking In Human Beings 2021- 2025
Source: [EU Strategy on Combatting Trafficking in Human Beings 2021-2025 | European Economic and Social Committee \(europa.eu\)](#)
Downloaded: 28.04.2022.