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**Research based on case studies
of victims of trafficking in human beings
in 3 EU Member States,
i.e. Belgium, Italy and The Netherlands.**



Payoke
Belgium
(CAW De TERP)



On The Road
Italy



De Rode Draad
The Netherlands

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EXECUTIVE SUMMARY

GENERAL RECOMMENDATIONS

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1. General introduction

This is the report of a research project concerning women and men who are being trafficked for the purposes of sexual exploitation or bonded/forced labour and slave like practices to countries other than their own as well as victims of smuggling. The outset of the project was to identify the practices and mechanisms of transnational crime related to trafficking. The project also aimed to contribute towards policy recommendations with a view to defining durable solutions for preventing and combating trafficking in human beings.

The countries of origin of victims of trafficking into the three participating EU Member States have become increasingly diverse over the last decade. The main regions of origin are Central and Eastern Europe (e.g. Moldavia, Albania, Russia, Romania, Ukraine, FYROM and Bulgaria), Africa (e.g. Morocco, Algeria, Nigeria, Sudan and Sierra Leone), Asia (China, Sri Lanka, Pakistan and Afghanistan) and South-America (e.g. Brazil, Dominican Republic and Ecuador). Over recent years Belgium, Italy and the Netherlands have been witnessing an increase of criminal networks originating from the Balkan region, i.e. Albania and West-Africa, i.e. Nigeria. Therefore it is important to identify the reasons behind these trends and the mechanisms of trafficking flows.

When addressing the causes for migration it is important to discuss the root factors. The main reasons for migration to Europe are generally political and socio-economic crises, civil war, religious and ethnic conflicts and the attraction of a prosperous life in the West. For example, the collapse of the communist regimes in Central and Eastern Europe has led to the destruction of the social fabric, community life, family structures and norms. More to often trafficking is perceived as the solely income-generating strategy for women and men. Even though the root causes of the trafficking phenomenon should be addressed by long-term strategies focussing on economic and social development, special measures in the field of crime prevention and criminal justice as well as interconnected measures of victims assistance can result in a substantial reduction of this phenomenon.

The smuggling and trafficking in human beings has increased throughout the world. The problem is exacerbated in size and seriousness by the growing involvement of organized crime groups. The phenomenon of trafficking in human beings is of growing concern to the European Union and the international community. The European Union and the United Nations have been developing a legislative and policy framework to combat trafficking as well as initiatives to provide assistance to victims and awareness and prevention campaigns to counteract the trafficking phenomenon.

A further effort to combat trafficking in human beings was the signing by over one hundred nations of the UN "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime" and the "Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime", which sets guidelines to counteract the trafficking issue.

Furthermore, with the European Union Framework Decision on Combating Trafficking in Human Beings the international community is now advancing in the elaboration of an international framework of legal instruments to curtail trafficking in human beings. Although these initiatives are welcomed steps in the fight against trafficking, the phenomenon is constantly evolving. Subsequently, targeted analysis is needed so as to address the rapid changes and new trends in trafficking flows, such as routes, various

methods of recruitment and coercion, modalities of transportation, profile of the victims, countries and regions of transit and origin, ...

Moreover, the latest European Commission Communications pointed out that there is still a lack of reliable data on the phenomenon of trafficking in human beings. Although various NGO's and social services, law enforcement bodies, immigration services and other concerned government authorities are working on issues related to trafficking, recent regional and international meetings on the issue pointed out that there is still a lack of analytical data and detailed information on the scope of trafficking in human beings. Insufficient empirical data is available on the involvement of criminal groups, their structure as well as their modus operandi. Even so, only scattered data are available on the institutional responses to trafficking practices, particularly as it concerns the role of the law enforcement and the criminal justice system in countering this phenomenon. Therefore there is a strong need for accurate and reliable information so as to better understand the evolution of the problem and to point out the most effective measures to counteract and prevent trafficking.

The project consisted of research in three EU Member States: Belgium, Italy and the Netherlands on combating and preventing trafficking in human beings. While information from victims is necessary for investigative purposes, these three countries have implemented witness protection programs providing residence permits along with special assistance programs for victims of trafficking. The research is primarily based on case file analysis of victims as these testimonies lead up, in the framework of witness cooperation programs, to investigative procedures in order to identify organized crime groups and to prosecute traffickers. Special attention was be paid to victims of smuggling in human beings as under the Belgium legislative framework the witness protection programs are open to victims of smuggling.

The project hopes its conclusions, reached through research, are able to contribute to the design of additional measures on which operative guidelines for a criminal justice counter-strategy can be based. The research findings will surely be able to contribute to the adjustment and improvement of existing measures and the design of specific measures which could be transferred to other EU Member States which have not yet implemented specific interventions in this field.

2. Aims and limits of the research

The grant application specified that this research project concerned women and men who are being trafficked for the purposes of sexual exploitation or bonded/forced labour and slave-like practices to countries other than their own, as well as victims of smuggling. Aims of the project were:

1. to identify the practices and mechanisms of transnational crime related to trafficking,
2. to contribute towards policy recommendations with a view to defining durable solutions for preventing and combating trafficking in human beings, in the form of a contribution to design additional measures on which operative guidelines for a criminal justice counter-strategy should be based, and in the form of a contribution to the adjustment and improvement of existing measures and the design of specific measures which could be transferred to other EU Member States which have not yet implemented specific interventions in this field.

Research was carried out in three EU Member States participating in the project: Belgium, Italy, the Netherlands. These three countries have implemented witness protection programs providing residence permits along with special assistance programs

for victims of trafficking. The rationale behind those programs is simple: information from witnesses is necessary for investigative purposes, and victims are the main witnesses.

Initially, the research would be primarily based on case file analysis of victims, as these testimonies lead up, in the framework of witness cooperation programs, to investigative procedures in order to identify organized crime groups and to prosecute traffickers. However, the Dutch NGO withdrew its agreement to assess their case files. Other Dutch expertise was solicited and found, but without access to case files. Therefore, whilst the Belgian and the Italian research is primarily based on case file analysis, the Dutch research uses in-depth interview as their prime source of data. In order to compensate the difficulty of comparing data, Belgian and Italian researchers also carried out in-depth interviews with a number of victims.

As to the national scope of the research in the three countries, the following limits should be taken into account when viewing the country reports. In Belgium, there are three centres offering assistance to victims of trafficking, recognised by the Federal Government. The project includes data from two of those three centres, more precisely *Payoke*, the centre responsible for the Flemish region and *Pag-Asa*, the centre responsible for the Brussels region. In total, data was collected from 321 case files. For the files analysed at *Payoke*, additional information was provided by the assistance team of *Payoke*. In addition, 7 victims were interviewed with the help of an interpreter.

In the Netherlands, the research was eventually taken up by *The Red Thread* (De Rode Draad) and was carried out in cooperation with the University of Groningen with Ruth Hopkins and Jan Nijboer as researchers. As The Foundation Against Traffic in Women (FATW, or STV: Stichting Tegen Vrouwenhandel) – the sole organisation in the Netherlands with centralised data – had redrawn from the research projects, the researchers faced a situation of immensely scattered information. The Dutch report includes data collected from five reception centres for victims of trafficking (Rotterdam, Den Haag, Amsterdam, Groningen and Leeuwarden). In total, 68 files were analysed. These files differed with respect to the information they contained. In some cases, missing information was obtained with the cooperation of social workers. Of the 68 analysed files, three victims were interviewed, and another 12 victims of whom there was no file accessible were interviewed as well. Some women were interviewed with the assistance of an interpreter for a short period of time, while others were interviewed in two sessions of two hours, with the victim being able to express herself fluently in Dutch. The women were asked the same questions as have been used in the file analysis. Both the files and the interviews have been statistically processed, leading to quantitative results of in total 80 cases. In addition, 27 experts working in the field of combating trafficking in human beings were interviewed, based on a selection of problems signalled by the national rapporteur on trafficking.

With regard to Italy, the project-partner was *On the Road*. Their operational activities, hence primal data-collection covers the Marche, the Abruzzo and the Molise regions. Interpretations of the data and conclusions are scientifically limited to that part of Italy. The data was collected from 80 files of victims of trafficking who decided to enter into the Programme of Social Protection and Assistance managed by *On the Road*, completed with interviews with the psychologist, the legal consultant, the sociologist in charge of the job insertion, and the assistance team (mainly psychologists and social workers) of the association's shelter. Besides that, 10 interviews with trafficked women were conducted by the psychologists of the association.

3. Operationalisation of research aims

In order to operationalise both research aims sufficiently, a hybrid research methodology was necessary. A structured questionnaire¹ was used to collect data from case file reviews. The questionnaire² includes following chapters:

- individual characteristics,
- status of the judicial case,
- degree of integration,
- social background in the country of origin,
- motives of the victim to accept the recruiter's offer and type of offer made,
- characteristics of recruitment,
- pressure, coercion, violence in the process of exploitation,
- characteristics of the criminal network involved.

Using pre-designed response categories, quantitative data was generated through coding and cross-tabulations – where relevant and statistically significant. In Belgium and Italy, the same questionnaire was used to assess the case files. However, not all questions could be answered. The reason for this is that the case files are build up according to the laws and definitions regarding trafficking, and these differ in the respective countries. A further elaboration on this is provided in each country report.

This descriptive analysis of the questionnaires leads to several profiles of victim types, victim drop out and offender types with regard to trafficking networks. In order to reduce national bias concerning laws, definitions and assistance programs, we decided to split up the descriptive analysis into three modules: sexual exploitation, economical exploitation and smuggling of human beings.

In-depth interviews³ with a number of victims were the primal data for the Dutch research, for reasons mentioned above in point 1. In Belgium and Italy, in-depth interviews with a number of victims was also carried out, for two reasons:

1. to obtain the narrative that could complement the quantitative data from the case file reviews,
2. to be able to – with the necessary prudence – include the Dutch research in comparing the country research results.
- 3.

Overview of data collection

Method	time span files & cases	N
structured questionnaire	Belgium: 1999 – 2001	Belgium: 321
case file review	Italy:	Italy: 80
	Netherlands: 1993 – 2002	Netherlands: 68
in-depth interview	Belgium: 1999 – 2001	Belgium: 7
victims	Italy: 2000 -- 2002	Italy: 10
	Netherlands: 1993 – 2002	Netherlands: 15
Interview		Belgium: /
Experts		Italy: /
		Netherlands: 27

¹ This questionnaire was an adapted version of the questionnaire designed by professor Jan Nijboer and Judith Vocks, see: Nijboer, J. and Vocks, J.: 2000. "The promised land, A study of trafficking in women from central and eastern Europe to the Netherlands." *European Journal of Crime: Criminal Law and Criminal Justice*, **8**, 3, 379-388.

² For the full questionnaire, see annex 1

³ For the in-depth interviews, a semi-structured questionnaire was used. For the full questionnaire, see annex 2

**Research based on case studies of victim of trafficking in human being in 3 EU Member States, i.e. Belgium, Italy and The Netherlands.
European Commission, DG Justice and Home Affairs
Hippokrates JAI/2001/HIP/023**

Country report

BELGIUM

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Chapter A. Introduction

In Belgium the phenomenon of trafficking in human beings caught public attention following the publication of a series of articles and a book “They are so sweet, sir” by the Flemish journalist Chris De Stoop. The author traced in his book the international mechanisms of trafficking in human beings and exposed the exploitation of victims. The publications gave rise to the setting up in 1992 of a parliamentary investigation committee charged with the task to develop a structural counter-trafficking policy. The work of the investigation committee resulted among other things in a comprehensive set of recommendations in view of countering trafficking and the adoption of the 1995 Law on the Suppression of Trafficking in Human Beings and Child Pornography as well as the 1994 Circular on the issuance of residence documents and work permits to foreigners, victims of trafficking in human beings.

The 1995 anti-trafficking law amended the Criminal Code as well as the Immigration Law making a clear distinction between trafficking for the purpose of sexual exploitation and trafficking for the purpose of economical exploitation as well as smuggling.

The anti-trafficking law introduced article 77bis in the 1980 Aliens Law on the access to the territory, stay, residence and removal of foreigners which aims at penalising trafficking for the purpose of economical exploitation and smuggling.

“Art. 77bis § 1 Whoever contributes in any manner, directly or through an intermediary to facilitate entry, stay or transit and

1. employs, directly or indirectly, deception, violence, threats or any form of constraint towards a foreigner;

2. or abuses a particularly vulnerable situation in which a foreigner finds himself/herself due to his/her illegal administrative or precarious situation, pregnancy, sickness, disability, physical or mental deficiency or his/her status as a minor shall be sentenced to a one to five-year term of imprisonment and a five hundred to twenty-five thousand franc fine.”

§ 2. The offence referred to in § 1 will be punished by imprisonment and a five hundred franc to twenty-five thousand franc fine if it constitutes a regular activity.

§ 3. The offence referred to in § 2 will be punished with a ten to fifteen year term of hard labour and a thousand franc to a hundred thousand franc fine if it constitutes an act of participation in the mainstream or secondary activity of an association no matter whether the offender has the quality of ringleader or not.

The amendment of the Criminal Code aims at the penalisation of trafficking for the purpose of sexual exploitation and further penalises any form of forced prostitution, the exploitation of prostitution and brothel keeping. The law pays particular attention to the situation of minors by providing higher sentences in case the victim is a minor.

The existing article 379 of the Criminal Code is replaced by

Article 379: “Whoever commits a sexual offence by provoking, encouraging or assisting in the debauchery, corruption or prostitution of a minor of one or another sex to satisfy the passions of others shall be sentenced to a five to ten-year term of imprisonment and a five hundred to twenty-five thousand franc fine.

He/she shall be sentenced to a ten to fifteen-year term of imprisonment and a five hundred to fifty thousand franc fine if the minor concerned is below the age of sixteen. There shall be a penalty of a fifteen to twenty-year term of imprisonment if the minor concerned is below the age of fourteen.”

Article 380bis of the same code is replaced with the following provision:

“ Article 380 bis §1 Will be sentenced to a one to five-year term of imprisonment and to a five hundred to twenty-five thousand franc fine anyone who:

- 1. in order to satisfy the passions of others, hires, trains, seduces or detains for the purposes of debauchery or prostitution even with his/her consent a person who has reached the age of majority;*
- 2. runs a brothel;*
- 3. sells, rents out or puts at the disposal of other people for the purposes of prostitution rooms or any other premises with the aim of making an abnormal profit;*
- 4. exploits debauchery or prostitution of others in any manner.*

§ 2. Any attempt to commit the offences referred to in paragraph 1 will be punished by a six month to three-year term of imprisonment and a hundred to five thousand franc fine.

§ 3. Shall be punished by a ten to fifteen-year term of imprisonment and a five hundred to fifty thousand franc fine the offences referred to in paragraph 1 insofar as their perpetrator:

- 1. employs towards the foreigner directly or indirectly deceptions, violence, threats or any form of constraint;*
- 2. or abuses a particularly vulnerable situation in which the foreigner finds himself/herself due to his/her illegal administrative or precarious situation, pregnancy, sickness, disability or physical or mental deficiency.*

§ 4. Shall be sentenced to a one to five-year term of imprisonment and to a five hundred to twenty-five thousand franc fine anyone who:

- 1. in order to satisfy the passions of others, hires, trains, seduces or detains for the purposes of debauchery or prostitution even with his/her consent a minor;*
- 2. runs directly or through an intermediary a brothel where minors indulge in prostitution or debauchery;*
- 3. sells, rents out or puts at the disposal of other people for the purposes of prostitution rooms or any other premises with the aim of making an abnormal profit;*
- 4. exploits in any manner the debauchery or prostitution of minors;*
- 5. by giving, offering or promising material or financial benefits the prostitution or debauchery of a minor.*

§ 5. Shall be punished by a fifteen to twenty-year term of imprisonment and a one thousand to one hundred thousand franc fine the offences referred to in paragraph 4 if they are committed against a minor below the age of sixteen.

§ 6. Shall be sentenced to a one month to two-year term of imprisonment and a hundred to two thousand franc fine whoever abets the prostitution or debauchery of a minor.

Since the setting up the parliamentary investigation committee the Belgian authorities have developed a multi-disciplinary counter-trafficking policy which is focused on four pillars: penal law, administrative law labour and social law and victim support.

In December 2000 on the initiative of the Prime Minister a task force on trafficking in human beings has been set up which gathers on a bimonthly basis concerned agencies in order to further develop initiatives as to improve the implementation of an integrated and comprehensive counter-trafficking policy.

As already mentioned the initiatives taken under the framework of penal law mainly consisted to broaden up the existing definition of trafficking to the penalisation of trafficking for the purpose of economical exploitation and smuggling.

Apart from this the Ministry of Justice issued in 1999 a directive on the investigation and prosecution policy with regard to trafficking in human beings and child pornography. The directive further aimed at enhancing the collaboration between the judicial authorities, the police services and the departments of social inspection. One of the key points of this directive was the appointment of liaison magistrates on trafficking in each of the judicial districts. Those liaison magistrates act as focal points on trafficking and have to organise meetings with concerned agencies as well as to report on initiatives undertaken in their judicial districts.

On an administrative level the Belgian government took several initiatives to counter the abuse of the asylum procedure, marriage and adoption procedures, abuses of work permits for cabaret artists, abuse of visa for the purpose of education, au pair, family reunion, sports, etc.

The aforementioned administrative procedure had been prone to abuse to traffickers using them as a mechanism to facilitate the trafficking process.

Following the recommendations of the parliamentary investigation committee as well as the recommendations of the sub-commission on prostitution and trafficking of the Belgian Senate it was apparent that there was a need to involve the concerned agencies of labour, employment and social law inspection. In this regard a protocol on close collaboration between concerned agencies has been signed in 2001 as to carry out specific controls in those sectors of the economy prone to abuse by traffickers.

With regard to victim assistance the 1994 circular on the issuance of residence documents and work permits for foreigners, victims of trafficking regulates the deliverance of residence documents and work permits to victims of both trafficking and smuggling on the condition that they are collaboration with the judicial authorities and are assisted by a specialised centre for the assistance of victims of trafficking and smuggling. Core responsibility is given to the Immigration Office, which in each step of the residence procedure collects information from the prosecutor's offices and specialised centres in view of the issuance of the residence documents.

Under the framework of the aforementioned circular an order to leave the territory is given to persons who have ceased all links with the trafficking environment and whom a specialised centre is supporting. Persons who are issued a 45-days order do not have the right on legal employment. A declaration of arrival for the duration of three months is granted to those persons who file within 45 days a declaration with police service or the prosecutor's office against their traffickers. Persons whom are given a declaration of arrival can be legal employed for the duration of the residence document.

The Immigration Office contacts the prosecutor's office in order to be informed on the outcome of the declaration or charges pressed by the victim. In case that the charges or complaint have not been classified, a permit of stay for a duration of more then three months is issued (a certificate of registration in the foreigners register for the duration of six months) after approval of the Immigration Office. In case of extension the permit of stay will be prolonged for another period of six months. The concerned person can apply for a permanent permit of stay, when the person against whom she or he has pressed charges or filed a complaint is summoned before the court of first instance. The permanent permit of stay can be provided on the condition that the charges or complaint has been significant for the criminal proceedings. Persons whom have been issued a permit of stay longer then three months can be employed officially.

In all phase of the residence procedure the Immigration Office must be informed on all unfavourable elements regarding each individual case.

In Belgium three ngo's offer specialised assistance to victims of trafficking and smuggling.

By Royal Decree core responsibility is given to the Centre of Equal Opportunities and Combating Racism, a governmental institution, with regard to the co-ordination of the three specialised centres for assistance. Moreover the Centre drafts annual reports collecting information of all agencies involved in the counter-trafficking policy and file recommendations to improve this policy.

The assistance provided by the specialised centres is focused on three levels: administrative, judicial and psycho-social assistance.

On an administrative level the specialised centres are entitled to apply for the residence documents and monitor their follow up in close co-operation with the Immigration Office.

The judicial assistance focalises on the provision of pro bono and specialised lawyers and the constitution by the centre itself as a civil party in all trafficking cases brought before the court.

Victims of trafficking and smuggling residing in the country on the base of the aforementioned residence procedure have access to education and vocational training, financial allowance, employment and physical and mental health care. Most of those services are outsourced to the regular service providers and followed up by the specialised centres.

Chapter B. Scope of the phenomenon

There is a clear lack of sufficient and accurate data on the incidence and scope of the phenomenon of trafficking in human beings as well as on the result of the criminal proceedings initiated by complaints of the victims.

This became once more clear when the aforementioned 1999 directive on the investigation and prosecution policy with regard to trafficking in human beings and child pornography.

In order to investigate the efficiency and the impact of this directive a questionnaire was sent to the different police services and prosecutor's office. Apart from other things this resulted in a fragmented collection of data on the incidence of trafficking. In order to tackle this problem the task force on trafficking in human beings launched the initiative to create a national database which will collect all relevant information from different agencies in order to create a comprehensive overview on the phenomenon.

According to the Immigration Office 1.101 foreigners have been given a residence document under the residence procedure for victims of trafficking in the period between 1993 and 2001.

Between 1999 and 2001 for 524 cases the residence procedure has been applied.

Of particular interest is however the fact that the evaluation of the 1999 directive showed out that only a minority of victims are referred to the specialised centres and therefore benefit from the residence procedure. This can be explained by the fact that not all intercepted victims are willing to testify against their traffickers and that in a lot of cases the police services do not refer the victim when he or she doesn't see himself or herself as a victim of trafficking.

Chapter C. Research

1. Methodology: data collection and processing

Between February and August 2002, 321 ‘Trafficking in Human Beings’ (THB) case files were reviewed using a structured questionnaire. In addition to that, and during the same time span, 7 in-depth interviews were conducted with victims of THB.

The case file review was carried out in two specialised centres for reception of victims of THB: Payoke and Pag-Asa. In order to make the reception of and support for victims of trafficking in human beings possible, the Belgian Government recognises and finances a specialised centre for reception in every Region: Payoke in Flanders (Antwerp), Pag-Asa in Brussels and Sürya in Wallony (Liege). These centres take care of the socio-psychological support of the victims and offer juridical support to the victims who wish to defend their stakes in a judicial procedure. These three centres are, together with the centres named in the circular letter of 7 July 1994, authorized to request stay permits for victims of trafficking in human beings.

128 case files came from Pag-Asa. These date from the period 1999-2000.

193 case files came from Payoke. These date from 1999-2001. The 7 in-depth interviews were conducted with victims assisted by Payoke, and their case also dates from that period. The in-depth interviews with victims were completed during April and May 2002. They were conducted in English, and where necessary with the help of an interpreter.

Not all case files were complete. For the Payoke case files dating from 2001, there was the opportunity to question the assistants for further information so that the population of victims for whom the questionnaire could be completed was enlarged. The data from the files was statistically analysed with ‘SPSS’ software, using 125 variables. If no information was available to answer the particular question, we used code 99 as a missing value input. Code 88 was used to answer particular questions which were no longer relevant due to a previous negative answer.

The findings of the research were split up into three modules: sexual exploitation, economical exploitation and smuggling. As mentioned in the general chapter on methodology, this was done to enhance the comparability of the research findings between the national chapters. Since both the Dutch as well as the Italian research restricts themselves to sexual exploitation – for reasons mentioned and argued in the respective chapters – their can only a comparing of findings from the different modules (sexual exploitation, economical exploitation, smuggling) for Belgium.

2. Female victims of trafficking for the purpose of sexual exploitation in prostitution

2.0. Introduction

The files of 173 victims of sexual exploitation through trafficking in human beings were analysed. In 72 cases only the written file could be examined. In 101 other cases the HV could be asked as well, which results in a more accurate view of the victim populations. That's why for some questions, one could only refer to the victim population of these 101 cases because the data for such were at hand and/or were more accurate.

2.1. Individual characteristics (personal details)

2.1.1. Age

Table 1 birthdate

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	1952	1	,6	,6	,6
	1957	1	,6	,6	1,2
	1959	1	,6	,6	1,7
	1963	1	,6	,6	2,3
	1964	2	1,2	1,2	3,5
	1965	2	1,2	1,2	4,6
	1966	2	1,2	1,2	5,8
	1967	2	1,2	1,2	6,9
	1969	4	2,3	2,3	9,2
	1970	4	2,3	2,3	11,6
	1971	5	2,9	2,9	14,5
	1972	6	3,5	3,5	17,9
	1973	6	3,5	3,5	21,4
	1974	11	6,4	6,4	27,7
	1975	17	9,8	9,8	37,6
	1976	12	6,9	6,9	44,5
	1977	14	8,1	8,1	52,6
	1978	13	7,5	7,5	60,1
	1979	19	11,0	11,0	71,1
	1980	26	15,0	15,0	86,1
	1981	6	3,5	3,5	89,6
	1982	8	4,6	4,6	94,2
	1983	5	2,9	2,9	97,1
	1984	2	1,2	1,2	98,3
	1985	3	1,7	1,7	100,0
Total		173	100,0	100,0	

The largest group of victims (65%) was born in the period between 1974 and 1980, the age category of twenties. 15% of the victims were born in 1980.

Case G.S.: 15 year old Albanian girl

G was found in 1999 by the police in a prostitution bar at Aerschotstreet in Brussels, known as a red light district in Belgium. She was born in 1984 and originates from Albania. Her family wanted to marry her in Italy. But once she arrived there, the man concerned was already married to another girl. Friends of her family then brought her to Belgium, where they dumped the minor victim in a Brussels Prostitution bar. The victim has left afterwards the aidcentre for victims with an unknown destination. Child Focus has been informed, but without any result.

2.1.2. Nationality

Table 2 nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	31	17,9	17,9	17,9
	Russi	16	9,2	9,2	27,2
	Hongar	4	2,3	2,3	29,5
	Romani	10	5,8	5,8	35,3
	bulgari	9	5,2	5,2	40,5
	Serbi	2	1,2	1,2	41,6
	Czech	4	2,3	2,3	43,9
	slovaki	4	2,3	2,3	46,2
	greece	1	,6	,6	46,8
	Marocc	1	,6	,6	47,4
	nigeri	22	12,7	12,7	60,1
	Peru	1	,6	,6	60,7
	thailan	3	1,7	1,7	62,4
	indonesi	1	,6	,6	63,0
	china	4	2,3	2,3	65,3
	polan	2	1,2	1,2	66,5
	Hait	1	,6	,6	67,1
	Ukrain	14	8,1	8,1	75,1
	Moldavi	21	12,1	12,1	87,3
	Uzbekhista	2	1,2	1,2	88,4
	Belaru	4	2,3	2,3	90,8
	Kazakhsta	2	1,2	1,2	91,9
	Equado	1	,6	,6	92,5
	Brazili	1	,6	,6	93,1
	Litoue	1	,6	,6	93,6
	Estlan	1	,6	,6	94,2
	Algeri	1	,6	,6	94,8
	Suda	1	,6	,6	95,4
	Spai	1	,6	,6	96,0
	Macedoni	1	,6	,6	96,5
	Ghan	2	1,2	1,2	97,7
	Mali	1	,6	,6	98,3
	Gambi	1	,6	,6	98,8
	Dominican	1	,6	,6	99,4
	Philippine	1	,6	,6	100,0
	Total	173	100,0	100,0	

The victims are mainly originating from Albania (18%), Nigeria (13%), Moldavia (12%), Russia (9%) and Ukraine (8%).

2.1.3. Gender

All 173 victims of sexual exploitation of trafficking in human being are female.

2.2. State of the Dossier

2.2.1. Initial intake of the victim at the centre and start of the procedure

43% of the intake-dossiers date from the year 1999; 40% of the registrations date from 2000, 17% from 2001. One has to add that for the registration year 2001 some dossiers of Payoke could be studied. For the registration year 1999 en 2000, only the dossiers of Payoke and Pag-Asa were analysed.

2.2.2. Referent

Table 3 referred by

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	police	119	68,8	70,0	70,0
	justice	7	4,0	4,1	74,1
	asylumcentre	4	2,3	2,4	76,5
	other	12	6,9	7,1	83,5
	social	9	5,2	5,3	88,8
	victim	16	9,2	9,4	98,2
	other	3	1,7	1,8	100,0
	Total	170	98,3	100,0	
Missin	99	3	1,7		
Total		173	100,0		

The police are with a score of 70% the authority, which directs most victims through to the victims Aid centre. In almost one tenth of the cases (9%) the victim reports her/himself, either directly or through her lawyer or through a friend. In 7% of the case they have been sent through to another by one of the other aid centres for victims. The Ministry of Justice refers only 4% of the cases through. Only 2% of the victims are being referred to an asylum centre. In 3 dossiers the referring authority was unknown.

2.2.3. State of the criminal investigation

Approximately one fourth of the dossiers (23%) are still running. 16% of the dossiers were sentenced and a verdict was made. 8% of the victim dossiers were dismissed. In almost half of the cases (44%) the reason for this dismissal is unknown. In more than half of the cases the victims' centres do not know the criminal course of the dossier because the juridical authorities are not informing them.

Table 4 state dossier

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	runnin	40	23,1	23,1	23,1
	verdict	27	15,6	15,6	38,7
	dismissa	14	8,1	8,1	46,8
	unknow	92	53,2	53,2	100,0
	Total	173	100,0	100,0	

In 26 of the 27 juridical verdicts there was a conviction for trafficking in human beings. When the court case does not go in appeal or the conviction maintains in appeal, a permanent residence permit is issued to these 26 victims, provided that they were not already regularised through another procedure, or were repatriated on a voluntary basis or that their procedure was stopped because they came into contact with the criminal milieu.

Already 10 dossiers were sentenced in appeal, in which in all these cases the conviction for trafficking in human beings was confirmed. Of this only one victim has still to obtain a permanent residence permit. The remaining victims' dossiers already obtained their permanent residence papers before, based on the Commission for Regularisation or was repatriated on voluntary basis. It needs to be stressed that the Commission for regularisation was a once-only offer procedure in Belgium, of which victims can no longer make use in the future.

2.2.4. Closed dossiers

142 dossiers of 82% of the victims were already concluded. 31 dossiers of 18% of the victims are still in the procedure for the victims' statute.

Within this group the concluded dossiers 13% of the victims obtained a permanent residence permit on basis of the Regularisation Commission (12%) and a regularisation because of humanitarian grounds (1%). The 2 victims whose dossier was dismissed, but obtained a permanent residence permit on the basis of the Regularisation Commission, were included as well.

2% of the group of victims with a concluded file obtained a permanent residence permit on the basis of the acquisition of the nationality.

6% of this group of victims was sent through to another authority.

More than one fifth (21%) of this group of victims were, on their own request, voluntarily repatriated to their country of origin. 2% of the victims were repatriated under force.

One third of the group of victims with a concluded dossier left without a known reason to an unknown destination.

In largely one tenth of the group of victims with a concluded dossier (12%) the procedure for obtaining a permanent residence permit was stopped by the victims aid centre itself. In 72% of the cases or concretely in 13 dossiers it was stopped because of lack of co-operation of the victim. In case of 5 dossiers or 18% of these victims, the procedure was stopped because of a reversion or the fact that the victim came into contact with the criminal milieu.

Of largely 8% of the victims with a concluded dossier, the public prosecutor dismissed their dossier. In largely 40% of the cases the reason for such was not told to the victims aid centre by the public prosecutor.

Table 5 suspension reason

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	dismissal	12	6,9	8,5	8,5
	suspension organisation	17	9,8	12,0	20,4
	residence permit on humanitarian grounds	2	1,2	1,4	21,8
	commission of regularisation	15	8,7	10,6	32,4
	obtaining nationality	3	1,7	2,1	34,5
	referred	9	5,2	6,3	40,8
	voluntary repatriation	30	17,3	21,1	62,0
	forced repatriation	3	1,7	2,1	64,1
	departure without known reason	47	27,2	33,1	97,2
	dismissal and commission regularisation	2	1,2	1,4	98,6
	victim deceased	1	,6	,7	99,3
	other	1	,6	,7	100,0
	Total	142	82,1	100,0	
Missing	88	31	17,9		
Total		173	100,0		

Case Z.C. Voluntary repatriation

A 38 year old Ecuadorian had been recruited with the promise of a job as waitress. Upon arrival she was forced into prostitution. In the end she escaped and filed a complaint against her traffickers.

At first she wanted to build a new life in Belgium. When she heard however that her mother could not longer take care for her children she decided to be returned voluntary to her home country.

2.3. Degree of integration

2.3.1. Degree of participation in the social integration program

Table 6 participation integration

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	not	85	49,1	50,0	50,0
	active	85	49,1	50,0	100,0
	Total	170	98,3	100,0	
Missin	99	3	1,7		
Total		173	100,0		

In case of 170 files it could be defined if the victim was or was not participating actively in the social integration program, which consists a.o. out of a Dutch language course. Half of the victims were marked as active.

Almost 60% of the non-active group of victims had gone back into prostitution. Almost 20% left with an unknown destination. In 12% repatriation was done on voluntary basis and they therefore did not need an integration program in Belgium. 6% came originally through a smuggling route, but were forced on their way through into prostitution and wanted to leave as fast as possible, in order to be smuggled further through to the country they've intended to reach originally, but were they finally never arrived.

Case M.V.

The 22 year old Russian victim was unemployed when in 1996 she met her Armenian recruiter who promised her to work in Germany as a prostitute as to earn a lot of money. In Germany she escaped and as to work independent as a sex worker. When her exploiter found her, he threatened her, abused her and locked her up. He then moved her to Antwerp where she was constantly controlled and had to give all her earnings to the exploiter.

Via another pimp she could away and went to the Ukraine and returned to Belgium with a fake Polish passport. Her new pimp however gave her less money then agreed upon and advised her to submit an asylum application. Upon a negative reply, she was locked up in a detention centre. She then explained her story and sought for assistance. She was supported by a specialised centre but disappeared after four days supposedly to continue working as an independent sex worker.

2.3.2. Work

Table 7 work in Belgium

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	21	12,1	13,5	13,5
	no	135	78,0	86,5	100,0
	Total	156	90,2	100,0	
Missin	99	17	9,8		
Total		173	100,0		

In case of 156 dossiers (90%) the working status of the victim in Belgium could be determined.

Only 13% of the victims seemed to have had a job in Belgium.

40% of these victims found a job in the house holding business or as cleaners. One fourth of this group of victims found a job in the hotel and catering business.

2.3.3. Family situation

Table 8 family life Belgium

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	cohabitation	15	8,7	13,5	13,5
	weddingplans-	7	4,0	6,3	19,8
	boy /girl friend	10	5,8	9,0	28,8
	child born	14	8,1	12,6	41,4
	alone	65	37,6	58,6	100,0
	Total	111	64,2	100,0	
Missin	99	62	35,8		
Total		173	100,0		

In case of 111 dossiers (64%) the relational status of the victim in Belgium could be determined.

12% of this group of victims has a child, which was born in Belgium. Approximately 30% of these victims live together with their partner. Approximately 70% of these victims live alone with a child.

14% of this group of 111 victims lives together with a partner. 6% has weddingplans and 9% has a boyfriend. 59% of the victims are single.

2.4. Social background in the country of origin

2.4.1. Family situation

With whom lived the victim in the country of origin at the time of recruitment?

Table 9 family situation in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	alone	33	19,1	23,1	23,1
	partner	18	10,4	12,6	35,7
	family	82	47,4	57,3	93,0
	friends	5	2,9	3,5	96,5
	other	5	2,9	3,5	100,0
	Total	143	82,7	100,0	
Missin	99	30	17,3		
Total		173	100,0		

In the case of 143 dossiers (83%) the family status of the victim in the country of origin could be determined.

57% of this group of victims lived with their family. 23% lived alone and 13% was living together with a partner.

Case V.M. Rejected by parents and incest.

The 19 year old girl V.M. wanted to escape from her miserable situation in her country of origin. She never knew her father and had been rejected by her mother. At the age of 16 she was entrusted to her uncle who abused her over a period of two years. A social service placed her in a youth centre, where she stayed for a couple of years.

In 1999 her boyfriend came up with the idea that it wouldn't be too difficult to find a job in Belgium as a waitress or as seamstress in a confection atelier. He contacted an acquaintance who recruited people for what later seemed a prostitution ring. Upon arrival in Belgium she was forced into prostitution. When she refused at first she was physically abused and had to give all the money she received from her clients.

2.4.2. Civil status

Table 10 civil status in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	marrie	10	5,8	6,5	6,5
	living	8	4,6	5,2	11,6
	divorced (for the	15	8,7	9,7	21,3
	living	6	3,5	3,9	25,2
	widow	3	1,7	1,9	27,1
	alone	113	65,3	72,9	100,0
	Total	155	89,6	100,0	
Missin	99	18	10,4		
Total		173	100,0		

In case of 155 dossiers (90%) the civil status of the victim in the country of origin could be determined.

In a large majority of the case (73%) the victims were single. Approximately one tenth was legally divorced. 4% of the victims were still married officially, but lived in practise separated. 6% of the victims were married and 5% lives together with a partner. 2% of the victims were widowed.

2.4.3. Children in the country of origin

Table 11 children in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	112	64,7	71,8	71,8
	1	28	16,2	17,9	89,7
	2	14	8,1	9,0	98,7
	3	1	,6	,6	99,4
	4	1	,6	,6	100,0
	Total	156	90,2	100,0	
Missin	99	17	9,8		
Total		173	100,0		

In 156 of the dossiers (90%) the number of children of the victim in the country of origin could be determined.

According to the available information a large majority of the victims (72%) has no children in the country of origin. 18% has one child and 9% of the victims have two children in the country of origin.

22% of these children came along with the victim to Belgium. Half of the children stayed behind in the country of origin with the parents in law. 7% of the children stayed behind in the country of origin with the partner of the victim.

2.4.4. Standard of living

Table 12 standard of life in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	none	11	6,4	7,6	7,6
	below subsistence	50	28,9	34,5	42,1
	equal at subsistence	56	32,4	38,6	80,7
	above subsistence	28	16,2	19,3	100,0
	Total	145	83,8	100,0	
Missin	99	28	16,2		
Total		173	100,0		

Of 84% of the victims the extent of financial means and the level of the standards of living in the country of origin could be determined.

Of the group of which the standard of living was known, 42% of the victims lived under the standard of living of the country of origin. 39% lived on the level of the standard of living. 19% lived above the standard of living.

2.4.5. Work

Table 13 working-experience in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	78	45,1	63,9	63,9
	no	44	25,4	36,1	100,0
	Total	122	70,5	100,0	
Missin	99	51	29,5		
Total		173	100,0		

The extend of working-experience in the country of origin could be determined for 70% of the victims. Out of this it appears that 64% of this group of victims had already acquiered working-experience in the country of origin.

Within the group of victims with working-experience 15% used to have a job in the hotel and catering industry. 15% were shop assistants or worked at the market. 17% worked as factory worker in the textile industry or in another sector.

A bit less than one tenth (9%) of the victims group with working-experience already worked in the country of origin as a prostitute. 4% worked as a dancer in the country of origin. 8% has working-experience as a hairdresser. Another 8% of the victim group were active in the agricultural sector. 5% worked in the household sector or as cleaning personnel.

2.4.6. School education

Table 14 school education

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	55	31,8	64,7	64,7
	no	30	17,3	35,3	100,0
	Total	85	49,1	100,0	
Missin	99	88	50,9		
Total		173	100,0		

In almost half of the dossiers the school education of the victims could be determined. Approximately 65% of these victims group has followed a school education. 40% of the victims group with a school education has followed have once started a higher education.

2.4.7. Age of the victim at the time of departure

Table 15 age at time of departure

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	13	2	1,2	1,2	1,2
	15	2	1,2	1,2	2,4
	16	8	4,6	4,8	7,1
	17	11	6,4	6,5	13,7
	18	6	3,5	3,6	17,3
	19	13	7,5	7,7	25,0
	20	28	16,2	16,7	41,7
	21	18	10,4	10,7	52,4
	22	13	7,5	7,7	60,1
	23	12	6,9	7,1	67,3
	24	11	6,4	6,5	73,8
	25	6	3,5	3,6	77,4
	26	6	3,5	3,6	81,0
	27	8	4,6	4,8	85,7
	28	6	3,5	3,6	89,3
	29	5	2,9	3,0	92,3
	30	2	1,2	1,2	93,5
	31	2	1,2	1,2	94,6
	32	2	1,2	1,2	95,8
	34	2	1,2	1,2	97,0
	36	2	1,2	1,2	98,2
	37	1	,6	,6	98,8
	40	1	,6	,6	99,4
	42	1	,6	,6	100,0
	Total	168	97,1	100,0	
Missin	99	5	2,9		
Total		173	100,0		

In case of 168 dossiers (97%) the age of the victim at the time of departure in the country of origin could be determined.

Out of this appeared that at their departure 14% of the victims were minor. There were even 2 victims who were 13 years old at the time of their departure.

The largest group (63%) could be found in the age category between 18-24. Especially the group of 20 en 21 scores with 27% rather high. In the age category 25-29 15% of the victims can be found. 8% of the victims were already 30 or older at the time o their departure.

2.5. Motives of the victim to accept the recruiter's offer and type of offer made

2.5.1. Motives

What was the motivation of the victim to accept the offer of the recruiter?

Within one dossier different options can be indicated, which is why the end result is not 100%. In the next table the different options about the motives of the victims are merged.

Money for primary needs	30%
Money for family	23%
Money for a more luxurious life	14%
Adventure	8%
Work	35%
Better future	17%
Kidnapping/compulsion	7%
Relation - addiction	8%
Better conditions to work as a prostitute	11%
Political instability in the country of origin	4%

Table 16 motives

The most important motive for the victims has obviously a financial background: money for primarily needs of life (30%), money for the family (23%), work (35%) and better future perspective in the West (17%). It appears that in the same dossiers these categories of motives regularly were crossed out altogether.

The group, which is looking for better prostitution conditions in the West, scores 11%. They are prostitutes of the country of origin who hope to gain more money in the West and to be able to work under better conditions as well.

Kidnapping was only in 7% given as a reason. Relation addiction scored 8%. In case of relation addiction the female victims falls madly in live and possibly marries the recruiter, who brings her to the West and drops her here into prostitution.

Case S.I. Financial motives

The 26 year old Indonesian girl was a widow when she was recruited through an advertisement in the newspaper that offered jobs abroad. After contacting the agency it became clear that the job offer was about prostitution.

She decided to comply in order to earn money for her family. When she arrived in Schiphol it became clear to her that she had to repay a considerable amount of money for the travel arrangements and the necessary documents. She was moved from the Netherlands to Belgium to work as a prostitute. She imagined working in prostitution to be totally different and ran away.

2.5.2. Promises

Which kind of work has been promised to the victim?

Different options concerning the promises, which have been made by the recruiter to the victim, have been merged into the next table. Within one dossier different options can be chosen, so the end result does not equal 100%.

Horeca	21%
Marriage	8%
Au pair	8%
Prostitute	13%
Dancer	5%
Transport	4%
Study	4%
None	28%

Table 17 promises

To 21% of the victims a job was promised in the catering and hotel industry. 13% of the victims were promised to be able to continue to work here as a prostitute. 5% of the victims were promised a job as a dancer.

To 8% a marriage, to 8% a position as an au air and to 4% the possibility to study here was promised.

The group 'transportation', with a score of 4% had only made a deal or were given promises to be smuggled through Belgium to the UK and in some cases to Southern Europe.

To 28% of the victims no promises at all were made.

Case S.S. Job promise in restaurant.

The Thai girl S. was 29 when she came in contact with an employment office that offered her a job in Belgium. The office paid her air ticket to Amsterdam where she was picked up by a man and a woman who brought her to a bar in Belgium. She was employed as a prostitute and didn't receive any money. The victim was voluntary repatriated. The centre that assisted the girl was however not informed on the proceedings of the court case.

Case M.K. Smuggling and prostitution.

M.K., an orthodox Christian, lived in Uzbekistan. She was discriminated against in her home country. Her muslin husband arranged her to be smuggled to Belgium. She took her daughter with her. A Russian smuggler arranged the transport to Belgium. Her trafficker accompanied her to the Immigration Office in order to seek asylum and gave her the necessary documents. He then left her and she never saw him back. In Brussels she met somebody who in the end took all her papers, social allowance and her personal belongings and forced her into prostitution. He also threatened her daughter. Over a period of six months, she was forced to receive clients in her apartment during daytime when her daughter went to school. Her pimp had also been looked for in Germany for similar offences.

2.6. Recruitment

2.6.1. Recruiting traffickers

Table 18 number of traffickers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	1	,6	,6	,6
	1	24	13,9	15,1	15,7
	2	30	17,3	18,9	34,6
	3	29	16,8	18,2	52,8
	4	12	6,9	7,5	60,4
	5	16	9,2	10,1	70,4
	6	19	11,0	11,9	82,4
	7	11	6,4	6,9	89,3
	8	7	4,0	4,4	93,7
	9	2	1,2	1,3	95,0
	10	3	1,7	1,9	96,9
	11	1	,6	,6	97,5
	12	2	1,2	1,3	98,7
	14	1	,6	,6	99,4
	20	1	,6	,6	100,0
	Total	159	91,9	100,0	
Missin	99	14	8,1		
Total		173	100,0		

In 159 dossiers (92%) the number of organisers of the trafficking mediators could be determined.

More than half (52%) of these-victims referred to 1 till 3 organisers. The highest scores are 0 organisers (19%) and 3 organisers (18%). The trafficking mediation with 1 organiser scores 15%.

Largely one third (36%) of the victims refer still to 4 till 7 organisers for trafficking mediation. Within this category the extremes are the trafficking mediation with 5 organisers (10%) and with 6 organisers (12%).

Approximately one out of ten victims refers to 8 or more organisers.

Case M.P. Extensive trafficking gang.

The 20 year old Czech girl was a victim of a more extensive trafficking ring with 9 traffickers. The victim had been approached by 2 different recruiters. During the trip she was accompanied by 4 traffickers. Upon arrival another five traffickers came into the game. The network was composed of different nationalities from the Czech Republic, Israel, Romania, Croatia, Morocco and Belgium.

The victim had been sold in 1998 by a Yugoslav to an owner of a prostitution bar in the Czech Republic. The victim had to pay off the debts of the bar owner and worked consequently for free. In this bar she was contacted by a new recruiter. He promised her that she could earn more money by working as a prostitute in Belgium and would face better working conditions so as to more quickly pay off her debts. In 1999, one month after the initial contact she left for Belgium passing through Germany. In Belgium she was forced to work in prostitution in the red light district of Antwerp and was forced to hand over all her earnings. The victim was heavily guarded, abused and threatened by her traffickers. In 1999 the traffickers were condemned by the court of first instance and the verdict was reconfirmed before the court of appeal.

2.6.1.1. Recruiters in the country of origin

Table 19 traffickers numbers in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	6	3,5	3,9	3,9
	1	80	46,2	51,6	55,5
	2	46	26,6	29,7	85,2
	3	19	11,0	12,3	97,4
	4	2	1,2	1,3	98,7
	5	2	1,2	1,3	100,0
	Total	155	89,6	100,0	
Missin	99	18	10,4		
Total		173	100,0		

In more than half of the cases (52%) the victims declared that they were at home, in their country of origin, contacted only once by the recruiters.

In almost one third of the cases (30%) the victims were approached twice by the recruiters.

In largely one tenth of the cases (12%) the recruiters approached the victims three times. 4% of the victims were not approached in their country of origin. They came out of their own initiative over here and were only later on approached by a recruiter.

2.6.1.2. Traffickers during the trip

Table 20 traffickers numbers during travel

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	21	12,1	13,8	13,8
	1	54	31,2	35,5	49,3
	2	31	17,9	20,4	69,7
	3	16	9,2	10,5	80,3
	4	17	9,8	11,2	91,4
	5	4	2,3	2,6	94,1
	6	4	2,3	2,6	96,7
	7	2	1,2	1,3	98,0
	8	1	,6	,7	98,7
	9	1	,6	,7	99,3
	10	1	,6	,7	100,0
	Total	152	87,9	100,0	
Missin	99	21	12,1		
Total		173	100,0		

In largely one third of the dossiers (36%) the traffickers approached the victim once during the trip.

In one fifth of the cases they approached the victim twice.

In one tenth of the cases (11%) they were approached three times.

In one tenth of the cases (11%) they were approached four times.

14% of the victims were not approached at all during the journey.

2.6.1.3. Traffickers in the country of destination or arrival

Upon arrival or in the country of destination the traffickers approached the victim in approximately one fourth of the cases (24%).

In comparison to other results, it is eye catching that in approximately one third of the dossiers (31%) the traffickers approached the victims twice in the country of destination or upon arrival.

In 22% of the dossiers the traffickers approached the victims three times in the country of destination or upon arrival.

In 8% of the dossiers the traffickers approached the victims four times in the country of destination or upon arrival.

In largely one tenth of the cases (12%) the traffickers approached the victims not less than five times in the country of destination or upon arrival.

Table 21 traffickers numbers in country of destination

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	2	1,2	1,3	1,3
	1	37	21,4	24,0	25,3
	2	48	27,7	31,2	56,5
	3	34	19,7	22,1	78,6
	4	12	6,9	7,8	86,4
	5	18	10,4	11,7	98,1
	6	2	1,2	1,3	99,4
	7	1	,6	,6	100,0
	Total	154	89,0	100,0	
Missin	99	19	11,0		
Total		173	100,0		

2.6.2. Nationality of the traffickers

2.6.2.1. Nationality of the ‘passeurs’

We consider ‘passeurs’ as all traffickers other than the recruiters.

In half of the dossiers, the nationality of the ‘passeurs’ could be defined.

Eye-catching are the ‘passeurs’ with Albanian nationality. They score the highest with 28%;

One has to draw the attention on the fact that these figures are only the files in which the victim referred only to Albanian ‘passeurs’, because some Albanians are also to be found in the group of ‘passeurs’ with mixed nationalities. We will come back to this later on.

Besides this the ‘passeurs’ with exclusively Nigerian nationality also have a high score with 16%.

In almost one third of the dossiers (29%) the victims refer to a group of ‘passeurs’ with different European nationalities. This group scores 13%. The mixed international group of ‘passeurs’ originating from different parts of the world scores 9%. The mixed group of ‘passeurs’ with exclusively Eastern European nationalities scores still 7%. In more than one fourth (28%) of all mixed groups together there are ‘passeurs’ with Albanian nationality.

Table 22 passeurs nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	24	13,9	27,9	27,9
	Russi	5	2,9	5,8	33,7
	Hongar	1	,6	1,2	34,9
	Romani	1	,6	1,2	36,0
	bulgari	2	1,2	2,3	38,4
	Serbi	1	,6	1,2	39,5
	slovaki	1	,6	1,2	40,7
	belgiu	4	2,3	4,7	45,3
	Marocc	2	1,2	2,3	47,7
	nigeri	14	8,1	16,3	64,0
	china	1	,6	1,2	65,1
	Moldavi	1	,6	1,2	66,3
	Wit-	1	,6	1,2	67,4
	Georgi	1	,6	1,2	68,6
	mixed	11	6,4	12,8	81,4
	mixed	8	4,6	9,3	90,7
	mixed East-	6	3,5	7,0	97,7
	Ghan	2	1,2	2,3	100,0
	Total	86	49,7	100,0	
Missin	77	72	41,6		
	99	15	8,7		
	Total	87	50,3		
Total		173	100,0		

2.6.2.2. Correlation between the nationality of the victim and the group of 'passeurs'

Table 23 correlation nationality between victim and all the passeurs

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes	38	22,0	44,2	44,2
	no	48	27,7	55,8	100,0
	Total	86	49,7	100,0	
Missing	77	72	41,6		
	99	15	8,7		
	Total	87	50,3		
Total		173	100,0		

In half of the dossiers it could be determined whether the nationalities of the victim and the group of 'passeurs' were the same.

While analysing these victims from all nationalities it can be found that in 56% of the dossiers the nationality of the victim and the group of 'passeurs' were different.

In order to get a full and accurate view of the correlation between the nationalities of the victims and the 'passeurs', we have to split off the dossiers of the Albanian or Nigerian victims. They give a totally different view than the other nationalities. In contradiction with the other nationalities, the 'passeurs' of these victim groups are compatriots.

Table 24 split off correlation nationality victim and passeurs

	Albania	Nigeria	rest
Same nationality	87%	93%	21%
Other nationality	13%	7%	79%

In 87% of the Albanian victim dossiers the victims referred in their statement to the involvement of 'passeurs' with exclusively Albanian nationality.

For the Nigerian victims the result is even more explicit. We can deduct clearly a positive correlation in case of Nigerian victims between the nationality of the victim and the 'passeurs'. In 93% of the Nigerian victim dossiers the victims referred in their statement to the involvement of 'passeurs' with exclusively Nigerian nationality. The Nigerian traffickers focus by the way also especially on Nigerian victims.

The result for the remaining group with other nationalities is clear. Only in 21% of the dossiers the victims declares that her 'passeurs' are compatriots. In 79% of these dossiers there seems thus to be a negative correlation between the nationality of the victim and the group 'passeurs'.

2.6.2.3. Nationality of the recruiters

In case of 40% of the victim files it was possible to retrieve the nationality of the recruiter(s). For this victim group the following results were found.

In 21% of the dossiers the victims referred in their statements to a recruiter of Nigerian nationality.

In 19% of the dossiers one referred to a recruiter of Albanian nationality.

In one tenth of the cases the victims referred to recruiter(s) as a Russian subject.

Table 25 recruiters nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	13	7,5	19,1	19,1
	Russi	7	4,0	10,3	29,4
	Hongar	2	1,2	2,9	32,4
	bulgari	2	1,2	2,9	35,3
	Serbi	2	1,2	2,9	38,2
	Czech	1	,6	1,5	39,7
	slovaki	1	,6	1,5	41,2
	Marocc	1	,6	1,5	42,6
	nigeri	14	8,1	20,6	63,2
	thailan	2	1,2	2,9	66,2
	china	1	,6	1,5	67,6
	Ukrain	2	1,2	2,9	70,6
	Moldavi	5	2,9	7,4	77,9
	Wit-	3	1,7	4,4	82,4
	Brazili	1	,6	1,5	83,8
	Georgi	1	,6	1,5	85,3
	Litoue	1	,6	1,5	86,8
	Algeria	1	,6	1,5	88,2
	mixed	2	1,2	2,9	91,2
	mixed East-	3	1,7	4,4	95,6
	Ghan	1	,6	1,5	97,1
	Ugand	1	,6	1,5	98,5
	Armeni	1	,6	1,5	100,0
	Total	68	39,3	100,0	
Missin	77	72	41,6		
	99	33	19,1		
	Total	105	60,7		
Total		173	100,0		

2.6.2.4. Correlation between the nationality of the victim and the recruiter

Table 26 correlation nationality between victim and all recruiters

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	49	28,3	71,0	71,0
	no	20	11,6	29,0	100,0
	Total	69	39,9	100,0	
Missin	77	72	41,6		
	99	32	18,5		
	Total	104	60,1		
Total		173	100,0		

This chart shows another image than in the one of the 'passeurs'. Here it proves the existence of a clearly positive correlation between the nationality of the victims and the recruiter. In 71% of the dossiers it turned out that a compatriot recruited the victim.

This seems to be logical since the victims were most of the time contacted and recruited locally, at home in their country of origin.

2.6.2.5. Albanian traffickers

Table 27 Albanian traffickers involved

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	33	19,1	38,4	38,4
	no	53	30,6	61,6	100,0
	Total	86	49,7	100,0	
Missin	77	72	41,6		
	99	15	8,7		
	Total	87	50,3		
Total		173	100,0		

In half of the dossiers the nationality of the traffickers could be traced through the declaration of the victim.

In largely 38% of the dossiers there was involvement of a trafficker of Albanian nationality.

Albanian traffickers clearly don't focus exclusively on Albanian victims, in which they do have almost a monopoly position. The next table shows the nationalities of all victims of Albanian traffickers.

Table 28 nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	15	45,5	45,5	45,5
	Russi	1	3,0	3,0	48,5
	Romani	4	12,1	12,1	60,6
	bulgari	1	3,0	3,0	63,6
	Serbi	1	3,0	3,0	66,7
	Ukrain	2	6,1	6,1	72,7
	Moldavi	6	18,2	18,2	90,9
	Belaru	1	3,0	3,0	93,9
	Macedoni	1	3,0	3,0	97,0
	Dominican	1	3,0	3,0	100,0
	Total	33	100,0	100,0	

From this we can conclude that less than half (45%) of the victims of Albanian traffickers are their Albanian compatriots.

18% of the victims of Albanian traffickers are Moldavians, 12% Romanians. The remaining victims originate almost completely out of other Eastern European countries.

2.6.2.6. Belgian traffickers

Table 29 Belgian traffickers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	11	6,4	12,8	12,8
	no	75	43,4	87,2	100,0
	Total	86	49,7	100,0	
Missin	77	72	41,6		
	99	15	8,7		
	Total	87	50,3		
Total		173	100,0		

From this we can deduct that 13% of the investigated victim group referred in their statements to Belgian traffickers. Hereto needs to be added that in one fifth of the dossiers with mixed nationalities of the traffickers there is the involvement of a Belgian trafficker as well. One of the Belgian traffickers appears in several dossiers. Another Belgian trafficker is an Israeli of Russian-Georgian origin, which was naturalized.

2.6.3. Time between contact and departure

For 66 victim dossiers (38%) data could be collected.

Of these victims as much as 29% left within two weeks after their first contact with the recruiter; 68% of the victims left within a month after their first contact. Almost one tenth of the victims needed one year or more after their first contact with the recruiter in order to leave.

Table 30 time interval (weeks)

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	,00	3	1,7	4,5	4,5
	,20	1	,6	1,5	6,1
	,25	1	,6	1,5	7,6
	,30	2	1,2	3,0	10,6
	,50	4	2,3	6,1	16,7
	1,00	8	4,6	12,1	28,8
	1,50	1	,6	1,5	30,3
	2,00	10	5,8	15,2	45,5
	3,00	4	2,3	6,1	51,5
	4,00	11	6,4	16,7	68,2
	6,00	2	1,2	3,0	71,2
	8,00	4	2,3	6,1	77,3
	12,00	2	1,2	3,0	80,3
	15,00	1	,6	1,5	81,8
	16,00	3	1,7	4,5	86,4
	20,00	1	,6	1,5	87,9
	39,00	1	,6	1,5	89,4
	44,00	1	,6	1,5	90,9
	51,00	1	,6	1,5	92,4
	54,00	1	,6	1,5	93,9
	78,00	1	,6	1,5	95,5
	80,00	1	,6	1,5	97,0
	150,0	1	,6	1,5	98,5
	468,0	1	,6	1,5	100,0
	Total	66	38,2	100,0	
Missin	99,00	107	61,8		
Total		173	100,0		

2.6.4. Initiative

Table 31 initiative taker of the contact

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	victim	35	20,2	21,6	21,6
	recruter	95	54,9	58,6	80,2
	family of the approached the	6	3,5	3,7	84,0
	recruter approached family of the victim	6	3,5	3,7	87,7
	other	20	11,6	12,3	100,0
	Total	162	93,6	100,0	
Missin	99	11	6,4		
Total		173	100,0		

For 162 dossiers (94%) data could be collected.

In 22% of the cases the victim contacted the recruiter out of her own initiative.

In 59% of the cases initiative came from the recruiter, who contacted the victim. In 4% of the cases family members of the victims approached the recruiter. In 4% of the cases the recruiter approached the family of the victim.

Case B.F. Sold by own husband.

A 25 year old Albanian victim had been married off through an arranged marriage. Her husband abused her and deceived her. When she was pregnant, the husband didn't accept the child and sold her to a prostitution ring. When she arrived in Belgium she refused to work as a prostitute and wept constantly. After two weeks the traffickers sent her back to Albania, where she was locked up for a couple of months. In January 1999, she was transported to Belgium where she had to work as a prostitute to reimburse the travel arrangements and the fake documents she was provided with.

2.6.5. Contact method

Table 32 contact method

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	advertisseme	11	6,4	7,1	7,1
	firm	6	3,5	3,9	11,0
	place of	26	15,0	16,9	27,9
	mouth by	18	10,4	11,7	39,6
	family	15	8,7	9,7	49,4
	acquaintance	35	20,2	22,7	72,1
	others	43	24,9	27,9	100,0
	Total	154	89,0	100,0	
Missin	99	19	11,0		
Total		173	100,0		

For 154 dossiers (89%) data could be collected.

The recruiter through their friends/acquaintances contacted 23% of the victims. 17% was contacted in a place of entertainment. 12% ended up with the recruiter through advertisement that went round. One tenth of the victims were contacted through the family by the recruiter. 7% came in to contact with the recruiter through an advertisement. 4% of the victims was recruited through an agency.

Case P.K. Recruitment through employment agency.

24 year old P.K. from Thailand came into contact with a Thai employment agency that offered her a job as cashier in an office in Belgium. The employment agency paid her trip to Amsterdam where she was picked up by a man, who brought her to a bar in Belgium. She never saw that man again. In this bar she was employed as a sex worker by a Belgian owner and wasn't paid. The victim war returned voluntary.

2.6.6. Relation of the victim with the recruiter

Table 33 relation recruiter

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	partner	16	9,2	9,9	9,9
	family	2	1,2	1,2	11,1
	friend	14	8,1	8,6	19,8
	acquaintance	21	12,1	13,0	32,7
	unknow	99	57,2	61,1	93,8
	other	10	5,8	6,2	100,0
	Total	162	93,6	100,0	
Missin	99	11	6,4		
Total		173	100,0		

For 162 dossiers (94%) data could be collected.

In 61% of the cases the recruiter was unknown to the victim.

In 13% the recruiter was an acquaintance of the victim. In one tenth of the cases the recruiter was de partner of victim. In 9% of the cases the recruiter was a friend of the victim.

2.6.7. Arrangements

What did the recruiter arrange for the victim?

Within one dossier different options could be chosen, so the total does not equal 100%. In the following table the different options, on what the recruiter arranged for the victim, have been merged.

Table 34 arrangements

Travel documents	58%
A loan travelling costs	66%
Debt redemption for the victim	0%
Debt redemption for the parents	1%
Financial care for victim's child	0%
The actual care of victim's child	1%

Out of the dossiers appears that in more than half of the cases the recruiter arranges the travel documents for the victims (58%) and gives them an advance for the transportation costs (66%).

Besides that needs to observed that the recruiter hardly at all engages himself with the debt restructuring or care for the child of the victim.

2.6.8. Confrontation victim

When did the victim suspect that the trafficker didn't meet the promised agreements?

Table 35 suspicion promises not met

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	before departure	14	8,1	8,4	8,4
	during the trip	46	26,6	27,5	35,9
	at arrival	15	8,7	9,0	44,9
	short time after arrival	74	42,8	44,3	89,2
	after police action	3	1,7	1,8	91,0
	others	15	8,7	9,0	100,0
	Total	167	96,5	100,0	
Missing	99	6	3,5		
Total		173	100,0		

For 167 dossiers (97%) data could be collected.

Almost half of the victims (44%) only suspected shortly after the arrival in Belgium that the trafficker did not meet the promised agreements.

More than one fourth of the victims (28%) were already during the travel confronted with the reality that the trafficker did not meet the promised agreement.

2.6.9. Debts

Table 36 has victim debts towards the trafficker

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	77	44,5	70,6	70,6
	no	32	18,5	29,4	100,0
	Total	109	63,0	100,0	
Missin	88	1	,6		
	99	63	36,4		
	Total	64	37,0		
Total		173	100,0		

For 109 dossiers (63%) data could be collected. 71% of these victims had debts towards the trafficker.

Of the victims group with debts it is furthermore known that three fourth have to pay off their travel expenses. One fifth of the victims group with debts had to buy themselves free from the trafficker.

A separate mention deserve the 8 smuggling victims, who through a system of debt bondage were forced into prostitution in order to pay off their smuggling debts. To all 8 victims the traffickers promised a trip to the U.K., but they were forced here into prostitution.

2.6.10. Asylum

Table 37 misuse of procedure

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	asylum	31	30,7	100,0	100,0
Missing	99	70	69,3		
Total		101	100,0		

In 101 dossiers an inquiry was made to find out whether or not there was abuse of the asylum procedure. In 31% of this group of victims a fraudulent use of the asylum procedure was determined. These victims had filed an asylum request upon arrival but actually were not eligible. At the start of their procedure for the victim statute, they had to withdraw their asylum request.

In 70 dossiers or 69% of this group there were not enough data at hand to determine an eventual abuse of the asylum procedure.

2.7. Pressure, coercion, violence in the process of exploitation

What type of pressure, coercion or violence did the trafficker use? Within one dossier several different options can be chosen, so that the total does not equal 100%.

Table 38 type of pressure, coercion, violence in the process of exploitation

The trafficker kept the official documents from the victim	26%
The victim could not return home (when wanted to)	13%
No return ticket at departure	5%
He abused the victim (physically, mentally, rape)	56%
Contradictory to agreement the victim had to prostitute herself	67%
The victim got less money than agreed	16%
He gave the victim no money at all	38%
Resold the victim without permission	31%
The victim was told that he owed a large amount of money, which couldn't be possibly correct	15%
A minimum amount of money a week had to be earned by the victim without mutual agreement	9%
No freedom allowed	46%
Continuously control over victim	35%
Threatening the victim	45%
Intimidating victim's family	23%
Not able to refuse clients	13%
When the victim found out under which circumstances he/she had to prostitute his/herself	5%
Religion-voodoo	10%

67% of all victims were, contrary to the agreement, forced into prostitution. The traffickers battered 56% of the victims.

In almost one third of the dossiers the victim was threatened (45%) or their liberty was taken away from them (46%).

In approximately one third of the dossiers the victim did not receive any money for the job they've done (38%), the victim was controlled continuously (35%) or the victim was sold through (31%).

In approximately one fourth of the dossiers it turns out that that residence or travel documents were not returned to the victims (26%) or that the victim's family was threatened (23%).

In largely one tenth of the dossiers the victims obtained less money for the job they did than agreed (16%), the victim was told that she still had a lot of debts towards the trafficker, although this was impossible (15%), the victim was not allowed to return home (13%) or to refuse clients (13%) or abuse was made of voodoo practices (10%).

Case V.M.

The 27 year old Albanian girl V.M. was mugged and raped in her house in Albania and then kidnapped. She was locked up in a house in Albania for two days and then transported by bus to Greece from where she left for Italy by boat. In Italy she was first pushed into a truck and then transported by train via France to Belgium. Upon arrival in Belgium she was forced into prostitution in the red light district of Antwerp. She had to send all her earnings to her father in Albania who actually didn't receive any money. Somebody else apparently picked up the money in Albania.

2.8. Criminal network

2.8.1. Trafficking route

Albania seems to score the highest with the victims as point of departure or transit country. In 59 victim's dossiers or largely one third of the victim's population concretely states Albania as departure country (31 dossiers) and transit country (28 dossiers). The other relevant departure countries are Nigeria (23 dossiers), Moldavia (21 dossiers), Russia (19 dossiers) en Ukraine (12 dossiers).

The outstanding example of a transit country is Italy. As in the case of Albania, Italy is stated in 59 dossiers. Germany scores high as well as a transit country with 40 dossiers, as well as Serbia and Romania, each with 25 dossiers. In 20 dossiers the victims passed through The Netherlands. The other relevant transit countries were Poland (19 dossiers) and the Czech Republic (12 dossiers).

In 158 dossiers the victims referred to Belgium as their planned destination. In 8 dossiers the planned destination was the UK. The matter a fact were these victims of a smuggling network, but who were dumped into prostitution on their way over.

Which means of transportation were used to cover the trafficking route?

It is self-evident that in one dossier several means of transportation could be used in order to cover the trafficking route.

In 126 dossiers a car was used during a part of the trafficking route. It strikes the attention that a car is mostly used at the departure and upon arrival.

For 69 dossiers a part of the way was covered by train and this especially upon arrival. In 60 dossiers the victims travelled by airplane (for a part of the trafficking route). In 57 dossiers the victims used a boat, in 43 dossiers a bus. In 10 dossiers also walked a part of the trafficking route. In only 6 dossiers they referred to the use of a truck during the trafficking route.

2.8.1.1. The Albanian route

The trafficking route from Albania runs through Italy to France in order to end up eventually in Belgium.

The victims leave Albania by boat to Italy. This is the case for 85% of the victims who come from Albania. Eventually they arrive by train or sometimes by car in Belgium.

2.8.1.2. The Nigerian route

The Nigerian trafficking route departs directly or indirectly through another Western African country, most of the time The Ghana, by airplane or by boat to Germany, The Netherlands or Belgium.

The Nigerian route ran in 40% of the dossiers through a neighbouring Western African country. This is in most cases The Ghana, but in some other cases this was Benin, Ivory Coast or Uganda. In other dossiers the victim travelled directly from Nigeria to The Netherlands or Germany.

2.8.1.3. The Moldavian route

The Moldavian route runs often through Romania to Serbia in order to arrive eventually in Belgium through the Albanian route.

78% of the victims leave from Moldavia by car or by train to Romania. Then it goes on by train, bus or in some cases on foot to Serbia. From Serbia they went by car or in some cases on foot to Albania. Once in Albania they left by boat to Italy and by train to France in order to finally end up in Belgium.

2.8.1.4. The Russian-Ukrainian route

In this case we can trace out two different routes. The most important runs via Poland, the Czech Republic and Germany to Belgium. The alternative route runs to Serbia in order to end up finally in Belgium through the Albanian route. The vehicles, which are mainly used during the transport, are train, bus and car. The planned final destination was for 10% of the victims the UK but they were on their way over dumped in prostitution in Belgium.

2.8.2. Criminal offences

Is there a link between the case and other criminal offences?

Table 39 link with other criminal offences

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes	129	74,6	80,1	80,1
	no	32	18,5	19,9	100,0
	Total	161	93,1	100,0	
Missing	99	12	6,9		
Total		173	100,0		

For 161 dossiers (93%) data could be collected.

In 80% of the dossiers the victim referred in her declaration also to other criminal offences, which were committed by the traffickers.

To which kind of criminal offences did the victim within this group refer to?

Within one dossier different options could be chosen, so the end result does not equal 100%.

Table 40 type of linked criminal offence

False, forged or stolen documents	63%
Money laundering	0%
Drugs	9%
Weapons	14%
Theft	3%
Violence	58%
Financial-economical	4%
Others	5%

In 63% of the dossiers the victim referred to the delivery of false or stolen documents by the traffickers. In 58% of the dossiers the victim referred to assault by the traffickers. In 14% of the dossiers one referred to the fact that the traffickers possessed

and/or used weapons. In 9% of the dossiers there was referred to traffickers possessing and/or trafficking drugs.

It is remarkable that in not one single dossier there is a connection with money laundering by the traffickers.

Case F. Russian-Georgian mafia.

The Russian victim F. was promised work as a prostitute in Belgium in order to earn a lot of money. She fell into the hands of a capo mafia of a Russian-Georgian crime ring in Antwerp, whose empire was build on illicit activities in prostitution and trafficking. According to the case his companies and shops were involved in the exploitation of an escort agency that provided sexual services for the vip's of the mafia active in the area of the Falconplein. Through his firm he was active in the retail and whole sale trade en offered advice and support for the commercial world. In December 2002 the above mentioned top criminal was sentenced by default for trafficking related offences.

This was not the first criminal case in which top criminal's M. name came up. His name had been mentioned in a case of label forgery, tax fraud and illegal copying business through his shops on the Falconplein, the corruption affair on naturalisations of the Russian-Georgian mafia for which he received 12.500 Euros per dossier, a car jacking of a Sabenabus that transported diamonds where he was acquitted and finally a former case of trafficking and prostitution.

In this former case from 1995 M. had been sentenced by the court of first instance with a 4,5 year term of imprisonment for rape but was acquitted of this charge before the court of appeal. In one of his shops on the Falconplein he locked up his victims then selling them to more "specialised houses".

2.9. Profiles

2.9.1. Nationality of the victim

2.9.1.1. Albania

In all Albanian victim dossiers there is a matter of involvement of Albanian traffickers. 23% of the Albanian victims were minor at the moment they left their country of origin. In the total population only 13% were minors.

Just like in case of the whole population half of the Albanian victims lived with their family. But what strikes the attention is that largely one third of the Albanian victims lived at the moment of their recruitment in the country of origin with a partner, while this is only the case for 13% if one looks at the entire population. Almost one third of the Albanian victims were subsequently lured with a promise of marriage.

It is therefore not a coincidence that in 40% of the Albanian dossiers the partner is the trafficker, while for the total population this is the case for only 10%. One third of the Albanian victims consequently gave relationship addiction as reason for leaving their home country, while in the total population this motive was only given in 8% of the cases.

One fourth of the Albanian victims were brought over here under force or were kidnapped, while this is only the case for 7,5% of the total population.

Another remarkable trend for the Albanian victims is the role of the family. In 20% of the dossiers the victim gets into contact with the recruiter through the family, while this is only happens in 10% of the cases of the total population.

The Albanian victims were significantly more ill-treated (84%). More than half of the victims did not receive any money. 58% was followed continuously. In 65% of the dossiers the victim was threatened and in 38% of the dossiers the family of the victim was threatened. In 93% of the dossiers the victim referred to other criminal offences, which the trafficker committed. In one third of the dossiers the victim referred to use

and/or possession of weapons by the traffickers. In 72% of the dossiers the victim referred to violent crimes, committed by the traffickers. More than half of the victims did not get any job experience in the country of origin, while this is only valid for 36% of the total population of the victims.

Concerning the victim statute. Half of the victims left Belgium with an unknown destination, while this is the case of one third of the whole victims population. 65% of the victims were did not follow the courses, which promote integration, while considering the total population this is the case of half of the victims. The reason why is eye-catching. Almost 90% gives as a reason for non-activity the fact that they went back into prostitution. For the total group of the non-active victims, in 66% of the dossiers going back to prostitution is given as the reason.

2.9.1.2. Nigeria

In all Nigerian victims dossiers are mentioning involvement of Nigerian traffickers. In case of 91% of the dossiers, the traffickers arranged the travel documents for the victims, which is significantly more than in case of the total population (58%). In 95% of the dossiers the victim referred in her declaration as well to swindle in false documents.

82% of the Nigerian victims are between 18 and 24 years old, while this is 58% in case of the total victim population.

84% of the victims lived with their family in the country of origin, while this was only the case with 57% of the entire population.

In half of the dossiers the victim came into contact with the trafficker in Nigeria through mouth-to-mouth advertisement (27%), which was 11% for the whole group and through their family (23%), which was 10% for the total population.

An important motive for the Nigerian victim is fulfilling the bare necessities of life (55%), money for the family (41%). The Nigerian victims got significantly more than the total victim population the promise of an au pair job (18%).

82% of the victims were forced into prostitution against their will. One third of the victims were palmed off debts wrongfully. In 55% of the dossiers the family of the victim was threatened. In case of two third of the dossiers abuse of voodoo practices were found.

Concerning the victim statute. 32% of the Nigerian dossiers were dismissed while this only the case in 10% of the dossiers of the total victim population.

2.9.1.3. Moldavia

In case of more than half (67%) of the Moldavian victims the traffickers were of Albanian nationality. The traffickers sold through largely 60% of the victims. In 77% of the dossiers the victim referred in her declaration to a swindle in false documents by the traffickers.

76% of these victims were at the moment of departure in the age category between 18-24, while this is the case for 58% of the total victim population. 19% of the victims were minor when they left their country of departure. In case of the total population the minors were only 13%.

73% of the victims lived with their family in the country of origin, while this is only the case for 57% of the total population.

67% of the victims did not acquire any job experience in the country of origin, this is only valid for 36% of the victims of the total population.

In case of 80% of the victims the recruiter was unknown to them, which is significantly more than in case of the total population (61%).

Half of the victims took themselves the initiative to contact the recruiter, while this is only the case for 22% of the population. For 40% of the dossiers the contact was made through acquaintances, which is significantly more than with the total population (23%), and in 20% of the dossiers through advertisements, which is significantly more as well than with the total population (7%).

An important motive for the Moldavian victim is a job (57%). The Moldavian victim significantly more than the total victim population the promise of a job in the hotel and catering industry (31%).

2.9.1.4. Ukraine

Almost half of these victims were traffickers of Albanian nationality.

For 40% of the victims the recruiter is completely unknown. They came into contact through an advertisement (20%) or at a place of entertainment (30%).

An important motive for these victims is fulfilling the bare necessities of life (57%), money for the family (36%), better prostitution conditions (29%).

The Russian victims got significantly more than the total victim population the promise of a job as a prostitute. (29%). Almost half of the victims obtained less money than expected.

2.9.1.5. Russia

One third of the Russian victim dossiers exist out of a group of traffickers with mixed European composition.

For 80% of the victims the recruiter was unknown, which is significantly more than in case of the total population (61%). In approximately half of the dossiers the recruiting happened through advertisements (23%) and at a place of entertainment (23%).

Half of the victims took themselves the initiative to contact the recruiter, while this is the only the case for 22% of the total population.

Most of the Russian victims (85%) had job experience in the country of origin, while this is only valid for 64% of the total population.

An important motive for the Russian victim is a job (50%), money for luxury (38%), better prostitution conditions (18%).

The Russian victims got significantly more than the total victims population the promise of a job in the hotel and catering industry (31%).

Concerning the victims' statute. Half of the victims left with an unknown destination, while this is the case for one third of the total victim population.

2.9.1.6. Romania

In case of 80% of the Romanian victims the traffickers were Albanian nationals.

The traffickers sold through largely 60% of the victims. In 71% of the dossiers the victim referred to violent crimes, committed by the traffickers.

40% of the Romanian victims were minor at the moment they left their country of origin; which was only the case for 13% of the total population.

40% of the victims came into contact with the recruiter through a friend.

An important motive for the Romanian victim is money for luxury (40%), better prostitution conditions (30%).

2.9.2. The network

A network, in which 5 or more traffickers are involved, is considered as a large network.

Large networks are mainly composed by a group of traffickers of mixed nationalities. (40% of the large networks). Approximately half of the internationally mixed group of traffickers operates through a large network.

In case of the Moldavian victims it is significant that much more large networks are active. Approximately one fifth of the victims of a large network are Moldavian nationals, and moreover, 60% of the Moldavian victims are trafficked through large networks.

In case of a large network the chance for ill treatment of the victims is larger. In 78% of the dossiers with large networks the victims were ill treated by the traffickers, while this was the case for 58% of the dossiers of the total victim population. More than half of the ill-treated victims came by the way out of a large network.

In a large network victims are sold through much more easily. In 56% of the dossiers with large networks the victim was sold through by the trafficker, while this was the case for only one third if one looks at all victim cases. Mind you that almost 70% of the victims who were sold though came out of a large network.

The victim of a large network was followed much more almost continuously as well. This was the case for almost half of the victims from a large network, while this was the case for only 38% of the dossiers of the total victim population.

In case of bigger networks there is also much more the matter of a connection with other criminal activities such as drugs and weapons. In more than one fourth (27%) of the dossiers with large networks the victim referred in her declaration to possession and/or use of weapons by the traffickers, while this is only the case for 15% of the total victim population. In approximately 80% of the dossiers were has been referred to weapons, the victim came out of a large network.

In 16% of the dossiers of large networks the victim refers to possession and /or trafficking in drugs by the traffickers, while this is only the case of 9% of the whole trafficking population. In approximately 70% of the dossiers where there is a reference to drugs, the victim came out of a large network.

In 86% of the dossiers with large networks the traffickers arranged the advanced payment of the transport expenses. In the total group of the dossiers this was 70%. Almost half of the victims whose transportation costs were delivered by the traffickers had been in a large network. 83% of the victims of the large networks they have made debts towards the traffickers, while of the total victim population this is the case for 70%.

In case of dossiers with large networks the courts pronounced more verdicts than in other files. Like this one fourth of the dossiers of large networks lead to a verdict, which is significantly more than in other case. The dossiers in which there is a matter of a large network of 5 traffickers or more represent approximately 60% of the files with a verdict.

Concerning the victim statute, it turns out that there are significantly more victims of large networks which are regularised by the Regularisation Commission (26%) and that significantly less victims of large networks left (inside Belgium) with an unknown destination.

Approximately 90% of all regularised victims come out of a large network.

2.9.3. The 'consenting' prostitute

37 victims or 21% of the total victim population came in consent to Belgium or another Western European country to work into prostitution. Approximately one fourth of them

already worked as a prostitute in the country of origin. The remaining victims were fully aware of and agreed with working over here as a prostitute.

The victims who were stepping fully aware into prostitution came significantly more out of Ukraine and Romania than other countries. 14% of the 'consenting prostitute' victims came out of Romania, while the Romanian dossiers only form 5% of all victim dossiers. By the way, half of the victims of Romanian nationality knew and were aware of the fact that they went to work into prostitution.

19% of the 'consenting prostitute' victims came out of Ukraine, while the Ukrainian dossiers only form 8% of all victim dossiers. By the way, half of the victims of Ukrainian nationality knew and were aware of the fact that they went to work into prostitution.

One third of the 'consenting prostitute' victims gave as a motive to come over here to earn money in order to buy luxury goods. Half of the victims, whose motive was money for luxury goods, were victims who came consciously over here in order to get into prostitution.

Concerning the network of traffickers. Almost half of the 'consenting prostitutes' were victims a network composed of a group of traffickers of internationally mixed nationalities.

Almost half of this group of 'conscious prostitutes' were trafficked by a group of 0 till 2 traffickers.

Concerning the victim statute in Belgium. 52% of the victims, who got consentingly into prostitution, left Belgium with an unknown destination. Approximately one third of the victims who left in Belgium with an unknown destination, were victims, who consentingly got into prostitution.

70% of these victims were non-active in the integration programs. Of these 86% returned in Belgium to prostitution.

Case P.L. and K.T. Ukrainian prostitutes.

The Ukrainian women P.L., 40 years old, and K.T., 30 years old, came in 1999 to Belgium to work under better conditions as prostitutes. Both friends went on their own by bus from Kiev through Poland and Germany to Belgium. From friends they had heard that in the area of the city of Kortrijk there were many prostitution bars. They offered their services in several bars. In one of them they were offered a job as sex workers on the condition that they had to hand over 40% of their earnings when they were only consuming drinks with clients, they had to hand over 50% of their earnings if they had sexual contacts with their clients.

3. Victims of trafficking for the purpose of economical exploitation

3.0. Introduction

69 victims dossiers of economical exploitation by trafficking in human beings were analysed. Further in this chapter we shall refer to this group as the total victim population. In 24 cases only the written dossiers was at hand. In 45 other cases the aid workers could be questioned as well, which results in a more accurate view of the victim population. That's why in case of some questions we could only refer to the victim population of this 45 cases, because for these data were available or more accurate.

3.1. Individual characteristics (personal details)

3.1.1. Age

Table 41 birthdate

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	1955	1	1,4	1,4	1,4
	1957	2	2,9	2,9	4,3
	1958	2	2,9	2,9	7,2
	1961	1	1,4	1,4	8,7
	1962	1	1,4	1,4	10,1
	1967	2	2,9	2,9	13,0
	1968	3	4,3	4,3	17,4
	1969	1	1,4	1,4	18,8
	1970	2	2,9	2,9	21,7
	1971	4	5,8	5,8	27,5
	1972	3	4,3	4,3	31,9
	1973	3	4,3	4,3	36,2
	1974	3	4,3	4,3	40,6
	1975	8	11,6	11,6	52,2
	1976	2	2,9	2,9	55,1
	1977	6	8,7	8,7	63,8
	1978	4	5,8	5,8	69,6
	1979	4	5,8	5,8	75,4
	1980	2	2,9	2,9	78,3
	1981	5	7,2	7,2	85,5
	1982	3	4,3	4,3	89,9
	1983	5	7,2	7,2	97,1
	1984	2	2,9	2,9	100,0
Total		69	100,0	100,0	

More than 40% of the victims are born before 1975. One tenth of the victims is even born before 1963.

The largest group is situated between 1975 and 1980. This age category represents 35% of the victims. Eye catching is the birth year 1975 in which 12% of the victims was born.

Approximately one fourth of the victims were born later than 1980.

3.1.2. Nationality

Table 42 nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	1	1,4	1,4	1,4
	Romani	2	2,9	2,9	4,3
	bulgari	2	2,9	2,9	7,2
	Turke	1	1,4	1,4	8,7
	Marocc	3	4,3	4,3	13,0
	kong	2	2,9	2,9	15,9
	nigeri	17	24,6	24,6	40,6
	Camerou	3	4,3	4,3	44,9
	Peru	2	2,9	2,9	47,8
	irak	1	1,4	1,4	49,3
	china	13	18,8	18,8	68,1
	polan	2	2,9	2,9	71,0
	Ukrain	1	1,4	1,4	72,5
	Moldavi	1	1,4	1,4	73,9
	Equado	10	14,5	14,5	88,4
	Brazili	1	1,4	1,4	89,9
	Tunesi	1	1,4	1,4	91,3
	Mongoli	1	1,4	1,4	92,8
	Ghan	2	2,9	2,9	95,7
	Burkina	1	1,4	1,4	97,1
	Philippine	1	1,4	1,4	98,6
	Syria	1	1,4	1,4	100,0
	Total	69	100,0	100,0	

The most important representative nationalities for victims are: Nigeria (25%), China (19%) and Ecuador (15%). Many of the Nigerian victims are football players.

3.1.3. Gender

Table 43 sex

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	male	43	62,3	62,3	62,3
	female	26	37,7	37,7	100,0
	Total	69	100,0	100,0	

Only one third or 38% of the victims are female. Approximately two third of the victim are men.

3.2. State of the dossier

3.2.1. Initial intake of the victim at the centre and start of the procedure

15% of the application dossiers date from the year 1999, 53% from 2000 and 32% from 2001.

One has to add to this that for the application year 2001 only the Payoke dossiers could be studied. For the application years 1999 and 2000 both the dossiers from Payoke as well as Pag-Asa were analysed.

The same percentages were found for the different years in which the victim's procedure was started up.

3.2.2. Referent

Table 44 referred by

	Frequenc	Percen	Valid	Cumulativ Percen
Valid police	25	36,2	36,2	36,2
justice	1	1,4	1,4	37,7
asylumcentr	2	2,9	2,9	40,6
other	4	5,8	5,8	46,4
social	16	23,2	23,2	69,6
victim	18	26,1	26,1	95,7
other	3	4,3	4,3	100,0
Total	69	100,0	100,0	

The policies with a score of 36% the authority, which refers most victims through to the victim's aid centres. It is remarkable that in more than one fourth of the cases (26%) the victims reports him/herself, this or directly or through his/her legal advisor or through a friend.

This is connected with the fact that there is a large group of Nigerian football players among the victims. We will come back to this later on.

In almost one fourth of the cases (23%) the victim has been passed on by a social organisation.

In 6% of the cases they are being send through by one of the other victim aid centres. The Ministry of Justice refers only 1% of the case through. Hardly 3% of the victims are referred by an asylum centre. In 3 dossiers the referring authority was unknown.

3.2.3. State of criminal investigation

Table 45 state dossier

	Frequenc	Percen	Valid	Cumulativ Percen
Valid running	31	44,9	44,9	44,9
verdict	9	13,0	13,0	58,0
dismissal	8	11,6	11,6	69,6
unknown	21	30,4	30,4	100,0
Total	69	100,0	100,0	

As far as criminal justice is concerned, almost half of the dossiers (45%) are still running. 13% of the dossiers lead to a verdict and a sentence was passed. In 12% of the cases the victim dossiers were dismissed. In 30% of the cases the criminal course of the dossier at the victim aid centres is unknown because the legal authorities do not inform them about this.

Concerning the dismissals, the most important reasons given were: reason of dismissal unknown (29%), suspect unknown (29%). Initially 15 cases (22%) were dismissed but 7 were re-opened. This happened among other things on basis of actions instituted by a party for damages.

In 7 out of 9 judgements a sentence of trafficking inhuman beings was pronounced. 3 dossiers were sentenced in appeal, in which the previous sentence was confirmed: two sentences and one acquittal.

3.2.4. Closed dossiers

35 dossiers or 51% of the victims were already closed. 34 dossiers or 49% of the victims are still in the procedure for a victim statute.

Within this group of closed dossiers, 13% of the victims obtained a permanent residence permit based on acquired nationality. It needs to be emphasized that the Regularisation Commission was a one time only procedure in Belgium, on which victims will no longer be able to fall back in the future.

One victim (3%) was referred through to another institution.

9% of this group of victims were voluntarily repatriated to their country of origin on their own request.

One third of the group of victims with a tied up dossier (29%) left without known reason to an unknown destination.

In case of one fifth of the group of victims with a rounded off file the procedure for obtaining a permanent residence permit in the framework of the victim's statute was stopped by the victim aid centre itself. In 71% of the cases or more concrete in case of 5 dossiers it was stopped because of lack of co-operation of the victim. In case of 2 dossiers or 29% of the victims it was stopped because of return to their previous situation or coming into contact with the criminal milieu.

In 23% of the cases of victims with a closed dossier, the Public Prosecutor dismissed their dossier.

Table 46 suspension reason

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	dismissal	8	11,6	22,9	22,9
	no sentence	1	1,4	2,9	25,7
	trafficking	7	10,1	20,0	45,7
	suspension	4	5,8	11,4	57,1
	commission	1	1,4	2,9	60,0
	regularisation	1	1,4	2,9	62,9
	obtaining nationality	3	4,3	8,6	71,4
	referred	10	14,5	28,6	100,0
	voluntary repatriation				
	departure without reason				
	Total	35	50,7	100,0	
Missin	88	33	47,8		
	99	1	1,4		
	Total	34	49,3		
Total		69	100,0		

3.3. Degree of integration

3.3.1. Degree of participation in the social integration program

Table 47 participation integration

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	not	24	34,8	35,3	35,3
	active	44	63,8	64,7	100,0
	Total	68	98,6	100,0	
Missin	99	1	1,4		
Total		69	100,0		

In case of 68 dossiers it could be defined if the did participate actively or not to the Social Integration Program, which consists among other things out of a Dutch course. 65% of the victims were considered as active, 35% as non-active.

In case of 12 dossiers half of the non-active group of victims we could ask the aid workers which were the motives of non-activity. It turned out that half of the 6 victims of this non-active group left with an unknown destination. In case of 4 victims (33%) their dossiers were dismissed. 2 victims (17%) came originally out of a smuggling route and wanted to leave as fast as they could in order to be smuggled further on to their originally planned country of destination, were they finally never arrived.

3.3.2. Work

Table 48 work in Belgium

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	20	29,0	31,7	31,7
	no	43	62,3	68,3	100,0
	Total	63	91,3	100,0	
Missin	99	6	8,7		
Total		69	100,0		

In case of 63 dossiers (91%) data were available.

Almost one third of this group (32%) found legitimately a job in Belgium. More than two third of this group (68%) does not have a job.

The group of victims with a job consists of 37% of factory workers, 21% of cleaning personnel, 10% works in the hotel and catering industry.

3.3.3. Family situation

Table 49 family life Belgium

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	cohabitatio	7	10,1	12,7	12,7
	weddingplans-	3	4,3	5,5	18,2
	boy (girl)	4	5,8	7,3	25,5
	child born	6	8,7	10,9	36,4
	alone	35	50,7	63,6	100,0
	Total	55	79,7	100,0	
Missin	99	14	20,3		
Total		69	100,0		

In case of 55 dossiers (80%) the relational status of the victim in Belgium could be determined.

11% of this group of victims had a child, which was born in Belgium.

13% lives together with a partner. 6% has wedding plans and 7% has boy/girlfriend.

64% of these victims is single.

3.4. Social background in the country of origin

3.4.1. Family situation

Table 50 family situation in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	alone	5	7,2	8,2	8,2
	partner	19	27,5	31,1	39,3
	family	33	47,8	54,1	93,4
	other	4	5,8	6,6	100,0
	Total	61	88,4	100,0	
Missin	99	8	11,6		
Total		69	100,0		

In case of 61 dossiers (88%) these data were available.

More than half of this victim group lived in the country of origin with their families (54%). Approximately one third (31%) lived together with a partner.

3.4.2. Civil status

Table 51 civil status in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	marrie	15	21,7	23,1	23,1
	living	3	4,3	4,6	27,7
	divorced (for the	5	7,2	7,7	35,4
	living	1	1,4	1,5	36,9
	widow	1	1,4	1,5	38,5
	alone	40	58,0	61,5	100,0
	Total	65	94,2	100,0	
Missin	99	4	5,8		
Total		69	100,0		

In case of 65 dossiers (94%) these data were available.

62% of these victims were single in the country of origin. 23% were married.

3.4.3. Children in the country of origin

Table 52 children in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	41	59,4	62,1	62,1
	1	13	18,8	19,7	81,8
	2	9	13,0	13,6	95,5
	3	2	2,9	3,0	98,5
	7	1	1,4	1,5	100,0
	Total	66	95,7	100,0	
Missin	99	3	4,3		
Total		69	100,0		

In case of 66 dossiers (96%) data were available.

62% of this victim group did not have any children in the country of origin during the recruitment period. One fifth of the victims had at the time of recruitment in the country of origin one child and 14% had at the time two children in the country of origin.

40% of the children are being taken care of by the parents (in law) in the country of origin. 28% of the children remained with the partner of the victim (father of mother) in the country of origin. 16% of the children came along with the victim to Belgium.

3.4.4. Standard of living

Table 53 standard of life in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	none	1	1,4	1,6	1,6
	below subsistence	22	31,9	35,5	37,1
	equal at subsistence	18	26,1	29,0	66,1
	above subsistence	21	30,4	33,9	100,0
	Total	62	89,9	100,0	
Missin	99	7	10,1		
Total		69	100,0		

In case of 62 dossiers (90%) data were available.

37% of this victim group lived in the country of origin beyond the standard of living. 63% of the group lived at the same level or above the standard of living.

3.4.5. Work

Table 54 working-experience in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	50	72,5	90,9	90,9
	no	5	7,2	9,1	100,0
	Total	55	79,7	100,0	
Missin	99	14	20,3		
Total		69	100,0		

80% of the group or in case of 55 victims the extent of working experience in the country of origin could be traced. It turned out that 91% of this group of victims acquired job experience in the country of origin.

Within the group of victims with job experience 43% had experience as a football player. 12% were shop assistants or worked at the market. 19% worked as factory worker. 6% of this victim group worked in the agricultural sector. 10% worked in the household or as cleaning staff.

3.4.6. School education

Table 55 school education

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	21	30,4	53,8	53,8
	no	18	26,1	46,2	100,0
	Total	39	56,5	100,0	
Missin	99	30	43,5		
Total		69	100,0		

In case of 39 dossiers (57%) data could be collected.

More than half of the victims (54%) acquired school experience at the country of origin. 70% of the group of victims with school experience had followed some type of secondary education.

3.4.7. Age of the victim at the time of departure

Table 56 age at time of departure

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	14	1	1,4	1,5	1,5
	15	2	2,9	3,0	4,5
	16	1	1,4	1,5	6,0
	17	5	7,2	7,5	13,4
	18	4	5,8	6,0	19,4
	19	7	10,1	10,4	29,9
	20	5	7,2	7,5	37,3
	21	4	5,8	6,0	43,3
	22	6	8,7	9,0	52,2
	23	2	2,9	3,0	55,2
	24	5	7,2	7,5	62,7
	25	2	2,9	3,0	65,7
	26	3	4,3	4,5	70,1
	27	5	7,2	7,5	77,6
	28	2	2,9	3,0	80,6
	29	4	5,8	6,0	86,6
	30	1	1,4	1,5	88,1
	33	2	2,9	3,0	91,0
	37	1	1,4	1,5	92,5
	40	1	1,4	1,5	94,0
	42	1	1,4	1,5	95,5
	43	2	2,9	3,0	98,5
	44	1	1,4	1,5	100,0
	Total	67	97,1	100,0	
Missin	99	2	2,9		
Total		69	100,0		

For 67 dossiers (97%) data were at hand.

13% of the victims were minor at the moment of departure out of the country of origin. More than half of them were to be found in the age category between 18 and 25. A little bit less than one fourth of the victims could be found in the age category between 25 till 30. Largely one tenth of the group were older than 30.

3.5. Motives of the victim to accept the recruiter's offer and type of offer made

3.5.1. Motives

What was the motivation of the victim to accept the offer of the recruiter?

Within one dossier different options could be chosen, so the end result does not equal 100%. In the following table the different options concerning the motives of the victims are combined.

Money for primary needs	35%
Money for family	42%
Money for a more luxurious life	20%
Adventure	3%

Table 57 motives

Work	51%
Better future	16%
Kidnapping/compulsion	4%
Political instability in the country of origin	3%

The most important motive for the victims has a clearly financial background. These are money for the bare necessities of life (35%), money for the family (42%), a job (51%) and a better future perspective in the West (16%). It appears that also in the same dossiers these motive categories were regularly chosen together.

3.5.2. Promises

Which kind of work has been promised to the victim? The different options concerning the promises, which the recruiter made to the victim, were merged in the following table.

Within one dossier different options could be chosen, so the end result does not equal 100%.

Table 58 promises

Horeca	22%
Au pair	9%
Kidnapping/compulsion	1%
Transport	3%

To 22% of the victims a job in the catering and hotel industry was offered, to 9% an au pair position.

The group transportation, with a score of 3% had made some deals and got the promise to be smuggled into the US or Spain.

3.6. Recruitment

3.6.1. Recruiting traffickers

How many persons organised the mediatory proposal?

Table 59 traffickers numbers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	2	2,9	3,1	3,1
	1	17	24,6	26,2	29,2
	2	17	24,6	26,2	55,4
	3	9	13,0	13,8	69,2
	4	8	11,6	12,3	81,5
	5	2	2,9	3,1	84,6
	6	2	2,9	3,1	87,7
	7	2	2,9	3,1	90,8
	8	4	5,8	6,2	96,9
	12	1	1,4	1,5	98,5
	20	1	1,4	1,5	100,0
	Total	65	94,2	100,0	
Missin	99	4	5,8		
Total		69	100,0		

In case of 65 dossiers (94%) the number of organisers of trafficking mediation could be determined.

More than half (55%) of these victims referred to 1 or 2 organisers. One fourth (26%) of the victims refer to 3 or 4 organisers of trafficking mediation. A bit less than one tenth of the victims refer to 5 or more organisers.

3.6.1.1. Recruiters in the country of origin

How many times has the victim been approached by different recruiters in the country of origin?

Table 60 traffickers numbers in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	8	11,6	12,5	12,5
	1	38	55,1	59,4	71,9
	2	17	24,6	26,6	98,4
	4	1	1,4	1,6	100,0
	Total	64	92,8	100,0	
Missin	99	5	7,2		
Total		69	100,0		

In more than half of the cases (59%) the victims declared that they were at home, in their country of origin, approached only once by the recruiters.

In one fourth of the cases (27%) the recruiters approached the victims twice.

In largely one tenth of the cases (12%) the recruiters did not approach them at all in their countries of origin and the victims left on their own. They were only approached later on.

3.6.1.2. Traffickers during the trip

How many times has the victim been approached by different traffickers during the trip?

Table 61 traffickers numbers during travel

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	28	40,6	45,9	45,9
	1	13	18,8	21,3	67,2
	2	10	14,5	16,4	83,6
	3	7	10,1	11,5	95,1
	4	2	2,9	3,3	98,4
	5	1	1,4	1,6	100,0
	Total	61	88,4	100,0	
Missin	99	8	11,6		
Total		69	100,0		

Almost half of the victims (46%) have not been approached by the traffickers during the journey. In 21% of the cases the traffickers approached the victim once during the trip. In 16% of the cases they approached them twice.

In one tenth of the cases (11%) the traffickers approached the victims three times.

3.6.1.3. Traffickers in the country of destination or arrival

Upon arrival in the country of destination, the victim was approached once by the traffickers in a bit less than half of the cases (43%).

In 22% of the dossiers the victims was approached twice in the country of destination or upon arrival.

In 16% of the dossiers the victim was approached three times in the country of destination or upon arrival.

In one tenth of the dossiers the victim was not approached at all in the country of destination or upon arrival.

Table 62 traffickers numbers in country of destination

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	6	8,7	9,5	9,5
	1	27	39,1	42,9	52,4
	2	14	20,3	22,2	74,6
	3	10	14,5	15,9	90,5
	4	2	2,9	3,2	93,7
	5	4	5,8	6,3	100,0
	Total	63	91,3	100,0	
Missin	99	6	8,7		
Total		69	100,0		

3.6.2. Nationality of the traffickers

3.6.2.1. Nationality of the ‘passeurs’

We consider ‘passeurs’ as all the traffickers who are not the recruiters.

Table 63 passeurs nationality

		Frequenc	Perce	Valid	Cumulativ Perce
Valid	Albania	1	1,4	2,6	2,6
	belgium	11	15,9	28,2	30,8
	nigeria	2	2,9	5,1	35,9
	china	4	5,8	10,3	46,2
	poland	1	1,4	2,6	48,7
	Equador	5	7,2	12,8	61,5
	Brazili	2	2,9	5,1	66,7
	mixed Europe-Africa	5	7,2	12,8	79,5
	mixed Europe	1	1,4	2,6	82,1
	mixed international	5	7,2	12,8	94,9
	Spain	2	2,9	5,1	100,0
	Total	39	56,5	100,0	
Missing	77	24	34,8		
	99	6	8,7		
	Total	30	43,5		
Total		69	100,0		

In case of 39 or 57% of the dossiers the nationality of the ‘passeur’s could be determined.

The eye catchers are the ‘passeurs’ with Belgian nationality. They score the highest with 28%, and these are only the dossiers in which the victim refereed exclusively to Belgian ‘passeurs’. We want to draw the attention to the fact that in the group of ‘passeurs’ with mixed nationalities there are also some Belgians, but we will come back to this later.

Besides this the ‘passeurs’ with exclusively Ecuadorian nationality score high as well with 13%. The Chinese ‘passeurs’ score still 10%. Remarkably low is the score of the Albanian ‘passeurs’ (3%).

In largely one fourth of the dossiers (27%), the victims refer to a group ‘passeurs’ with mixed nationalities. The mixed group of ‘passeurs’ with European and African nationalities score 13%. This mixed group is in practice mostly composed out of Nigerians and Belgians. The mixed international group of ‘passeurs’ originating out of different parts of the world scores 13%.

3.6.2.2. Correlation between the nationality of the victim and the group of 'passeurs'

Table 64 correlation nationality between victim and all passeurs

		Frequenc	Perce	Valid	Cumulativ Perce
Valid	yes	12	17,4	30,8	30,8
	no	27	39,1	69,2	100,0
	Total	39	56,5	100,0	
Missin	77	24	34,8		
	99	6	8,7		
	Total	30	43,5		
Total		69	100,0		

In 57% of the dossiers it was possible to check whether a correlation between the nationalities of the victim and the group of the 'passeurs' could be defined.

While analysing these victim dossiers of all nationalities it could be determined that in case of 69% of the dossiers the nationality of the victim did not correspond with the one of the group 'passeurs'.

In 31% of the dossiers a positive correlation could be determined between the nationalities of the victim and the group 'passeurs'.

3.6.2.3. Nationality of the recruiters

In largely half of the dossiers (52%) the nationality of the recruiter could be defined. For this victim group the following results were found.

In 25% of the dossiers the victims referred in their statements to a recruiter of Nigerian nationality.

In 19% of the dossiers they referred to one of Ecuadorian nationality.

In one tenth of the case the victims referred to a recruiter(s) of Chinese nationality.

Table 65 recruiters nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	1	1,4	2,8	2,8
	Turke	1	1,4	2,8	5,6
	belgiu	2	2,9	5,6	11,1
	kong	1	1,4	2,8	13,9
	nigeri	9	13,0	25,0	38,9
	china	4	5,8	11,1	50,0
	polan	2	2,9	5,6	55,6
	Equado	7	10,1	19,4	75,0
	Algeria	1	1,4	2,8	77,8
	mixed Europe-	2	2,9	5,6	83,3
	mixed	3	4,3	8,3	91,7
	Spai	2	2,9	5,6	97,2
	Ghan	1	1,4	2,8	100,0
	Total	36	52,2	100,0	
Missin	77	24	34,8		
	88	1	1,4		
	99	8	11,6		
	Total	33	47,8		
Total		69	100,0		

3.6.2.4. Correlation between the nationality of the victim and of the recruiter

Table 66 correlation nationality between victim and all recruiters

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	23	33,3	63,9	63,9
	no	13	18,8	36,1	100,0
	Total	36	52,2	100,0	
Missin	77	24	34,8		
	88	1	1,4		
	99	8	11,6		
	Total	33	47,8		
Total		69	100,0		

This table shows another image than the one of the 'passeurs'. It turns out that there a clear positive correlation exists between the nationality of the victim and of the recruiter. In 64% of the dossiers the victim appears to be recruited by a compatriot. This seems logical since victims are most of the time contacted and recruited at home in their country of origin.

3.6.2.5. Albanian traffickers

Table 67 Albanian traffickers involved

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	2	2,9	5,1	5,1
	no	37	53,6	94,9	100,0
	Total	39	56,5	100,0	
Missin	77	24	34,8		
	99	6	8,7		
	Total	30	43,5		
Total		69	100,0		

In 57% of the dossiers the nationality of the trafficker could be traced through the declaration of the victim.

Only in 2 dossiers (5%) there was involvement of a trafficker of Albanian nationality. It seems that in the dossiers of economical exploitation there are no active Albanian traffickers.

3.6.2.6. Belgian traffickers

Table 68 Belgian traffickers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	19	27,5	48,7	48,7
	no	20	29,0	51,3	100,0
	Total	39	56,5	100,0	
Missin	77	24	34,8		
	99	6	8,7		
	Total	30	43,5		
Total		69	100,0		

This proves that almost half (49%) of the investigated victim group referred in their declaration to Belgian traffickers. One has to add here that in 75% of the dossiers with mixed nationality of traffickers there is a matter of involvement of a Belgian trafficker. The victims of the Belgian Traffickers exist for 75% out of African football players.

3.6.3. Time between contact and departure

What was the time between the initial meeting with the trafficker and the departure abroad?

Table 69 time interval (weeks)

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid ,00	4	5,8	11,4	11,4
,50	1	1,4	2,9	14,3
1,00	1	1,4	2,9	17,1
2,00	3	4,3	8,6	25,7
3,00	3	4,3	8,6	34,3
4,00	8	11,6	22,9	57,1
6,00	3	4,3	8,6	65,7
8,00	1	1,4	2,9	68,6
10,00	2	2,9	5,7	74,3
12,00	2	2,9	5,7	80,0
15,00	4	5,8	11,4	91,4
20,00	1	1,4	2,9	94,3
156,00	1	1,4	2,9	97,1
250,00	1	1,4	2,9	100,0
Total	35	50,7	100,0	
Missing 99,00	34	49,3		
Total	69	100,0		

For 35 victim dossiers (51%) data could be collected.

Of these victims 17 % left within one week after their initial contact with the recruiter. One fourth of the victims left within two weeks after their first contact with the recruiter and 57% with one month after the initial contact with the recruiter.

3.6.4. Initiative

Who took the initiative to contact the recruiters?

Table 70 initiative taker of contact

	Frequency	Percent	Valid	Cumulative Percent
Valid victim	23	33,3	35,4	35,4
recruiter	31	44,9	47,7	83,1
family of the approached the	1	1,4	1,5	84,6
recruiter approached family of the	4	5,8	6,2	90,8
other	6	8,7	9,2	100,0
Total	65	94,2	100,0	
Missin 99	4	5,8		
Total	69	100,0		

For 65 dossiers (94%) data could be collected.

In largely one third of these cases (35%) the victim took him/herself the initiative to contact the recruiter. In almost half of the cases (48%) the initiative came from the recruiter, who contacted the victim. The scores of the contacts through the family can be neglected.

3.6.5. Contact method

How has the victim been contacted by the recruiter(s)?

Table 71 contact method

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	firm	8	11,6	12,7	12,7
	place of	3	4,3	4,8	17,5
	mouth by	13	18,8	20,6	38,1
	family	6	8,7	9,5	47,6
	acquaintance	16	23,2	25,4	73,0
	others	17	24,6	27,0	100,0
	Total	63	91,3	100,0	
Missin	99	6	8,7		
Total		69	100,0		

For 63 dossiers (91%) data could be collected.

One fourth of the victims were contacted through their circle of acquaintances contacted by the recruiter.

21% ended up at the recruiter through mouth-to mouth advertisement. 13% of the victims were recruited through a company. The recruiter through their family contacted one tenth of the victims.

More than one fourth of the victims came in another way into contact with the recruiter.

3.6.6. Relation of the victim with the recruiter

Table 72 relation recruiter

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	family	3	4,3	4,6	4,6
	friend	2	2,9	3,1	7,7
	acquaintance	22	31,9	33,8	41,5
	unknow	33	47,8	50,8	92,3
	other	5	7,2	7,7	100,0
	Total	65	94,2	100,0	
Missin	99	4	5,8		
Total		69	100,0		

For 65 dossiers (94%) data could be collected.

In half of the cases the recruiter was unknown to the victim. In one third of the dossiers the recruiter was an acquaintance of the victim.

3.6.7. Arrangements

What did the recruiter arrange for the victim?

Within one dossier different options could be chosen, so the end result does not equal 100%. In the following table the different options concerning what the recruiter arranged for the victim are combined.

Table 73 arrangements

Travel documents	64%
A loan travelling costs	39%
Debt redemption for the parents	1%

Out of the dossiers appears that the recruiter in more than half of the cases arranges the travel documents for the victims (64%). In largely one third of the dossiers the traffickers supply the victim an advanced payment for the transportation costs (39%). Besides this needs to be recorded that the recruiter hardly cares or does not care at all for the child of the victim or for the debt restructuring.

3.6.8. Confrontation victim

When did the victim suspect that the trafficker did not meet the promised agreements?

Table 74 suspicion promise not met

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid before departure	1	1,4	1,5	1,5
during the trip	6	8,7	8,8	10,3
at arrival	7	10,1	10,3	20,6
short time after arrival	29	42,0	42,6	63,2
after police action	25	36,2	36,8	100,0
Total	68	98,6	100,0	
Missing 99	1	1,4		
Total	69	100,0		

For 68 dossiers (99%) data could be collected.

Almost half of the victims (43%) suspected already a short time after arrival in Belgium that the trafficker did not meet the promised agreement.

In case of largely one third of the victims (37%) this only became clear after a police action, when their rights were explained to them.

For one tenth of the victims it became clear to them upon arrival that the trafficker did not meet the promised agreement. In case of 9% of the victim this was already clear during the trip.

3.6.9. Debts.

Table 75 has victim debts towards the trafficker

	Frequenc	Percen	Valid	Cumulativ Percen
Valid yes	21	30,4	36,8	36,8
no	36	52,2	63,2	100,0
Total	57	82,6	100,0	
Missin 99	12	17,4		
Total	69	100,0		

For 57% of the dossiers (83%) data could be collected. 37% of these victims had debts towards the trafficker.

Of the victim group with debts is furthermore known that largely 90% had to pay off their travel expenses.

6 originally smuggling victims deserve to be mentioned distinctly since they were dumped into illegal employment through a system of debt-bondage in order to pay off their smuggling debts.

3.7. Pressure, Coercion and Violence in the Process of Exploitation.

Within one dossier different types of pressure, coercion or violence could be ticked, so the end result does not equal 100%.

Table 76 type of pressure, coercion, violence in the process of exploitation

The trafficker kept the official documents from the victim	28%
No return ticket at departure	9%
He abused the victim (physically, mentally, rape)	13%
The victim got less money than agreed	30%
He gave the victim no money at all	17%
The victim was told that he owed a large amount of money, which couldn't be possibly correct	9%
A minimum amount of money a week had to be earned by the victim without mutual agreement	3%
No freedom allowed	10%
Continuously control over victim	4%
Threatening the victim	16%
Intimidating victim's family	6%

In 30% of the dossiers the victims received less money for the produced work than agreed. In 17% of the dossiers the victim did not get any money at all for the produced work. In 9% of the cases the victim was told that she still had a lot of debts to the trafficker, while this was impossible.

In largely one forth of the dossiers it appears that their residence or travel documents were not returned to the victims. In approximately one tenth of the cases the victim was not allowed to go home.

13% of the victims were ill treated by the traffickers. 16% of the victims were threatened. The freedom of one tenth of the victims was taken away from them. In 6% of the cases the family of the victims were threatened.

Case F.L.W. Exploitation in a restaurant.

The Chinese victim F.L.W. left China in 1997. He stayed in several countries before arriving in Belgium. In 1999 he worked for one year in a Chinese restaurant. The owner humiliated his personnel and considered them no better then slaves. The victim had to work 14 hours a day and received in return a monthly wage of 500 Euros. During a first police control the victim was given an order to leave the country within 5 days.

Upon this the victim left Belgium for France and worked their in another Chinese restaurant. He worked for a month but didn't receive any money.

In September 2000 the victim returned to Belgium en started working again in the very same restaurant t were he had worked before. The owner employed him again as a kitchen help in return for food and a place to sleep. The victim was not paid at all. During a new police control he was picked up and referred to a specialised centre for assistance.

In December 2001 the case was brought before the court and the restaurant owner was sentenced for trafficking.

3.8. Criminal network

3.8.1. Trafficking route

Nigeria (26%) and China (22%) are the most important countries of departure besides Ecuador (14%). The most important transit countries are Germany (11 dossiers), The Netherlands (11 dossiers), France (9 dossiers) and finally also Poland (5 dossiers) and the Czech Republic (5 dossiers). For 97% of the victims Belgium was the planned destination. Only two Chinese victims wanted still to travel to the US and Spain.

In two third of the dossiers the victim took the airplane in order to leave. As final means of transportation in the country of destination the train was used in one fourth of the cases. In one tenth of the cases the final means of transportation was the car.

3.8.1.1. The Nigerian route

The victim usually leaves by aircraft or in some cases by boat, directly to Belgium.

In some cases they travel indirectly by airplane through Germany, Austria, Italy or France to Belgium.

3.8.1.2. The Chinese route

The Chinese route runs through Russia or in some cases indirectly through Hong Kong to Russia. In this part of the route the used means of transportation are the airplane (60%), the car (20%) and the truck (10%).

Out of Russia the route continues further through Poland, the Czech Republic and Germany to Belgium. On their way one uses car, train and truck in order to reach the destination. In one case the victim walks part of the road. As final means of transportation upon arrival in Belgium, one uses in two thirds of the dossiers a car.

3.8.1.3. The Ecuadorian route

The Ecuadorian route runs through The Netherlands to Belgium.

The victims leave Ecuador with the airplane to The Netherlands. In some cases they leave Ecuador and reach The Netherlands through Colombia and/or Venezuela.

The route continues by train from The Netherlands to Belgium.

3.8.2. Criminal offences

Is there a link between the case and other criminal offences?

Table 77 link to other criminal offences

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	ja	42	60,9	60,9	60,9
	nee	27	39,1	39,1	100,0
	Total	69	100,0	100,0	

In 61% of the cases the victim referred in her declaration as well to other criminal offences, which the traffickers committed.

What kind of other criminal offences, committed by the traffickers, did the victim refer to within this group?

Within one dossier different options could be chosen, so the end result does not equal 100%.

Table 78 type of linked criminal offence

False, forged or stolen documents	57%
Money laundering	0%
Drugs	2%
Weapons	2%
Theft	7%
Violence	14%
Financial-economical	48%
Others	12%

In 57% of the dossiers the victims referred to delivery of false or stolen documents by the traffickers. In 41% of the dossiers the victim referred to assault. In almost half of the dossiers there are references to organised financial-economical fraud by the traffickers. It is remarkable though that in not one single dossier there is a link with money laundering practices by the traffickers.

Case C.F.L. Chinese triad.

This case, where the victim was exploited in a restaurant, dates from 1998 and falls out of the sample scope, but is however an interesting case of a Chinese criminal network. In this case the network maintained contacts with over one hundred restaurants and was active in Belgium, the Netherlands, France and Germany. The Chinese triad was specialised in trafficking but was also involved in two murder cases, fake marriages, fraud with credit cards, money laundering and extortion.

3.9. Profiles

3.9.1. Nationality of the victim

3.9.1.1. Nigeria

The Nigerian victims are all men. 83% of them are football players. 60% of the Nigerian victims have contacted the aid centre themselves.

Pronounced motives for the Nigerian victims are money for luxury (30%) and especially a job (88%).

Concerning the organisation of the trafficking network. In half of the dossiers there was a matter of two intermediaries. In three fourth of the dossiers there a small network of 2 till 4 traffickers is concerned.

40% of the 'passeurs' are Belgians. 15% of the 'passeurs' are sheer Nigerians. 45% of the 'passeurs' is composed out of a group of different nationalities. There are a lot of Belgians and Nigerians in the mixed group. That's why in 77% of all Nigerian victims dossiers a Belgian 'passeur' was traced.

In 88% of the cases the traffickers arranged the legal or illegal travel documents for the victims, while in case of the total victim population, this was only arranged in 63% of the case.

How did the recruitment go? In 77% of the Nigerian dossiers the recruiter took the initiative to contact, while this in only the case for 48% of the total victim population.

75% of the Nigerian victims left in a period between 2 till 6 weeks after the initial contact with the recruiter out of the country of origin, while this happens only in half of the cases for the total victim population.

3.9.1.2. China

Approximately 70% of the Chinese victims are male. This is not so much different of the average of the total group of victims of economical exploitation, 62% to be precise.

90% of the Chinese victims live single in Belgium. 42% of the Chinese victims were married in the country of origin.

The typical promises made to the Chinese victims were work in the hotel and catering industry (62%). 16% of them were originally smuggling victims.

The typical motives for the Chinese victims were: to meet the bare necessities of life (46%) and especially money for the family (70%).

Concerning the organisation of the trafficking network. In all dossiers there are 3 or more mediators. In 60% of the dossiers 5 or more traffickers are involved.

In 84% of the cases the traffickers have arranged the legal or illegal travel documents for the victims, while this is only the case for 63% of the total victim population. In more than half of the cases the traffickers have arranged an advanced payment for the costs of transportation. 92% of the Chinese victims have debts to the traffickers.

How did the recruitment go? In 73% of the dossiers the victim took the initiative to contact the recruiter, which was only the case for 35% of the total victim group. The recruitment usually runs through mouth-to-mouth advertisement (44%) and through acquaintances (33%). The recruiters themselves are almost always unknown to them.

54% of the Chinese victims were older than 25 at the moment of departure, which is only the case for 34% of the total group of victims.

In all dossiers the victims refer to other criminal facts of the traffickers such as false documents (54%) and financial-economical offences (54%) as well as violent crimes (23%).

The traffickers unrightfully put up one third of the Chinese victims with debts. The traffickers threatened a quarter of the victims and their family. A quarter of the victims was not free.

Case L.J.

The Chinese victim L.J. was promised a job in a restaurant in Portugal by his traffickers. The victim left one week after he had contacted the trafficker. The trip was arranged by a gang of four. During a control when transiting Zaventem (Belgium) the police discovered fake travel documents and the traffickers were arrested. The victim had paid 16.520 Euros to his traffickers for the trip from Beijing to Portugal. During the trip the victim was told that he had to pay another 25.000 Euros or should work 6 months for free.

3.9.1.3. Ecuador

The victims of Ecuador are for 80% women, while this is only the case for 38% of the whole victim population. 90% of the victims have been sent through by a social organisation to the aid centre.

75% of the victims live over here together with a partner and half of them got children in Belgium. 80% of the victims already had a (or the same) partner in the country of origin and 60% of them are married over there. 80% of them have children in the country of origin.

The most important motive for the victims to come over here was to be able to meet the bare necessities of life (50%).

Concerning the organisation of the trafficking network. In 78% of the dossiers there is only one mediator involved in the traffic. More than half of the 'passeurs' are compatriots out of Ecuador.

How did the recruitment go? In 56% of the dossiers the victim took the initiative to contact the recruiter, while this was only the case for 35% of the total group of the victim population. In one third of the dossiers the recruiter approached the family of the victim first, while this was only the case for 6% of the total victim group.

The contact with the recruiter happened in 60% of the cases through acquaintances. The recruiters are by the way most of the time themselves acquaintances of the victim.

55% of the victims was at the moment of their departure older than 25, while this is only the case of 34% of the total victim group.
In 60% of the case the victim obtained less money than agreed. In 30% of the cases the traffickers threatened the victims.

3.9.2. The network

3.9.2.1. Without network (0-1 trafficker)

Traffic with no or only one active trafficker is considered as traffic without network. Most of the time there has been active one recruiter in the country of departure or one exploiter in the country of arrival.

37% of the dossiers without network exist out of Ecuadorian victims, while the total victim population of economical exploitation is only composed out of 14% of Ecuadorian dossiers.

In 37% of the cases the victims were send through by a general social organisation, not connected to trafficking in human beings, to the aid centre, while this is the case for 21% of the dossiers of the whole group.

In 16% of the dossiers without network the recruiter approached the family of the victim first, while this was only the case of 6% of the total victim group.

In 16% of these dossiers the victim was recruited in a place of entertainment, while this was only the case for 5% of the total victim group.

3.9.2.2. Small network (2-4 traffickers)

Traffic with two till four active traffickers is considered as traffic with a small network. The profile of the small network consist out of 1 or 2 recruiters in the country of origin, no or 1 'passeur' during the trip and 1 or 2 exploiters in the country of arrival.

38% of the dossiers of a small network consist of Nigerian victims, while the total victim population of economical exploitation in only consists out of 27% Nigerian dossiers.

3.9.2.3. Large network (5 traffickers or more)

Traffic with five or more active traffickers is considered as traffic with a large network. The profile of the large network consist most of the time out of 1 recruiter in the country of origin, 2 or more 'passeurs' during the trip and 2 or more exploiters in the country of arrival

58% of the dossiers of a large network consist of Chinese victims, while the total victim population of economical exploitation in only consists out of 18% Chinese dossiers.

In half of the cases the police referred the victims to an aid centre, while this was only the case for 37% of the dossiers of the total group.

One third of the dossiers of large network consist of victims who are minors at the moment of their departure out of the country of origin, while in case of the total victim group this is only the case for 14% of the dossiers.

The most important motive for the victims of al large network was money for the family (67%), while in case of the total victim group this is only the case for 14% of the dossiers.

In almost half of the dossiers (42%) the victim was promised a job in the hotel and catering industry business, while this was only the case for 20% of the dossiers of the total victim group. This of course in connection with the Chinese networks.

In more than half of these dossiers (55%) the initiative to approach the recruiter came from the victim, while this is only the case of 34% of the total victim population.

In 73% of these dossiers the recruiter was unknown to the victim, while this is the case for half of the dossiers of the total victim population.

In 75% of the dossiers of large networks the traffickers arranged the travel documents as well as an advance payment for the transportation costs for the victims.

In a quarter of the dossiers the traffickers palmed an unrealistically high debt off on the victim, while this is only the case in 9% of the dossiers of the total victim group.

The traffickers of large networks threaten the victim in one third of the dossiers and in a quarter of the dossiers the family of the victim.

In 83% of the dossiers of large networks the victim refers to other criminal activities of the traffickers, while this is the case in 60% of the dossiers of the total victim group. More in concrete there is a matter of financial- economical offences, committed by the traffickers, in 60% of the dossiers of large net works.

3.9.3. Football players

21 cases are football dossiers, which represent 30% of the total victim group.

The football players originate all from Africa: Nigeria (67%), Cameroon (14%), The Ghana (10%) and Morocco (5%). 80% of the football players were in the age category between 18 and 25 at the moment of departure from their country of origin.

In 71% of the cases the victim came to present themselves at the aid centre, while this is only the case for one fourth of the victims of the total population.

86% of the football players participate actively in the integration programs, while this is the case for 64% of the total victim population.

In one quarter of the football dossiers the administrative procedure for the victim statute was stopped, while this happens in half of the case of the total population. The reasons for suspension were: regularisation through the Regularisation Commission (20%), naturalization (20%), suspension of the organisation (20%), dismissal of the dossier (20%) and left with unknown destination (20%).

Most judicial inquiries are still running. At the moment, there are still no sentences passed.

Which are the typical motives of a football player? For all victims the most important motive is their job, which means to obtain a football contract. This was what the trafficker promised them. Another motive is to acquire money for luxury (43%).

Concerning the traffic of football victims. In almost half of the football dossiers (42%) there are 2 trafficking mediators involved. The profile of the trafficking network can be depicted as follows: 1 recruiter in the country of origin, no 'passeurs' during the trip, 1 or sometimes 2 exploiters in the country of arrival.

The group of traffickers is composed of: 60% only Belgians, 27% mixed nationalities of Belgians and Nigerians and 13% of only Nigerians.

In 81% of the cases the trafficker arranged the travel documents for the victims, while this is the case for 64% of the total population.

In most cases the victim was recruited by an unknown, who to first the initiative to make contact with the victim.

In 62% of the cases the victim became shortly after the arrival aware that the trafficker did not meet the arrangements, while this is the case in 42% of the total population.

4. Victims of Smuggling

4.0. Introduction

79 dossiers of victims of smuggling were analysed. Further in this chapter we will refer to this as the total victim population. For 32 cases we could only look through the written dossier. For 47 other cases we could also interview the social assistants, so a more accurate image of the victim population could be established. Because of this we only refer for some questions to the victim population of 47 cases since here for data were available and/or more accurate.

4.1. Individual characteristics

4.1.1. Age

Of 78 victims or 99% the year of birth was known.

The smuggling victims are obviously older than the victim groups of sexual and economical exploitation.

One fifth of the smuggling victims were born before 1966. Approximately 40% of them were born before 1971. 60% was born before 1976. Almost half of the smuggling victims was born between 1970 and 1980.

Table 79 birthdate

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	1947	1	1,3	1,3	1,3
	1951	1	1,3	1,3	2,6
	1953	1	1,3	1,3	3,8
	1954	1	1,3	1,3	5,1
	1959	1	1,3	1,3	6,4
	1960	2	2,5	2,6	9,0
	1961	2	2,5	2,6	11,5
	1963	1	1,3	1,3	12,8
	1964	3	3,8	3,8	16,7
	1965	3	3,8	3,8	20,5
	1966	1	1,3	1,3	21,8
	1967	4	5,1	5,1	26,9
	1968	2	2,5	2,6	29,5
	1969	5	6,3	6,4	35,9
	1970	2	2,5	2,6	38,5
	1971	3	3,8	3,8	42,3
	1972	3	3,8	3,8	46,2
	1973	4	5,1	5,1	51,3
	1974	3	3,8	3,8	55,1
	1975	4	5,1	5,1	60,3
	1976	5	6,3	6,4	66,7
	1977	1	1,3	1,3	67,9
	1978	4	5,1	5,1	73,1
	1979	7	8,9	9,0	82,1
	1980	1	1,3	1,3	83,3
	1981	1	1,3	1,3	84,6
	1982	5	6,3	6,4	91,0
	1983	4	5,1	5,1	96,2
	1984	2	2,5	2,6	98,7
	1986	1	1,3	1,3	100,0
	Total	78	98,7	100,0	
Missin	99	1	1,3		
Total		79	100,0		

4.1.2. Nationality

The most important representative nationalities of the victims are: China (18%), Albania (14%), Ecuador (14%), Iran (10%) and Iraq (9%).

Table 80 nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	11	13,9	13,9	13,9
	Romani	3	3,8	3,8	17,7
	bulgari	3	3,8	3,8	21,5
	Serbi	3	3,8	3,8	25,3
	Turke	3	3,8	3,8	29,1
	Marocc	1	1,3	1,3	30,4
	kong	3	3,8	3,8	34,2
	nigeri	2	2,5	2,5	36,7
	Camerou	1	1,3	1,3	38,0
	pakista	1	1,3	1,3	39,2
	irak	7	8,9	8,9	48,1
	china	14	17,7	17,7	65,8
	Ukrain	1	1,3	1,3	67,1
	Uzbekhista	1	1,3	1,3	68,4
	Equado	11	13,9	13,9	82,3
	Mongoli	1	1,3	1,3	83,5
	Sierra	1	1,3	1,3	84,8
	Somali	1	1,3	1,3	86,1
	Iran	8	10,1	10,1	96,2
	Afghanista	1	1,3	1,3	97,5
	Armeni	2	2,5	2,5	100,0
	Total	79	100,0	100,0	

4.1.3. Gender

Table 81 sex

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	mal	40	50,6	50,6	50,6
	femal	39	49,4	49,4	100,0
	Total	79	100,0	100,0	

4.2. State of the dossier

4.2.1. Initial intake of the victim at the centre and start of the procedure

23% of the intake dossiers date from the year 1999, 50% of the intake dossiers from the year 2000. 27% of the intake dossiers date from the year 2001. We must add to this that for the intake year 2001 only the dossiers of Payoke could be studied. For the intake years 1999 and 2000 the dossiers of both Payoke and Pag -Asa were analysed. For the different years of starting the victim's procedure the same percentages were found.

4.2.2. Referent

Table 82 referred by

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	police	60	75,9	76,9	76,9
	justice	3	3,8	3,8	80,8
	other	3	3,8	3,8	84,6
	social	8	10,1	10,3	94,9
	victim	4	5,1	5,1	100,0
	Total	78	98,7	100,0	
Missin	99	1	1,3		
Total		79	100,0		

The police are with a score of 77% the authority that refers through most victims to the aid centres. In one tenth of the cases the victim has been sent through by a general social organisation. In one dossier the referring authority was unknown.

4.2.3. State of the criminal investigation

Table 83 state dossier

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	runnin	16	20,3	20,3	20,3
	verdict	15	19,0	19,0	39,2
	dismissa	8	10,1	10,1	49,4
	unknow	40	50,6	50,6	100,0
	Total	79	100,0	100,0	

The criminal investigation of one fifth of the dossiers or 23% is still running. 19% of the dossiers leads to a judgement and passes a sentence with prosecution. One tenth of the dossiers get dismissed. In half of the cases the criminal procedure of the dossier is not known to the victim aid centres because the judicial authorities did not inform them.

4.2.4. Closed dossiers

Table 84 suspension reason

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	dismissa	2	2,5	3,6	3,6
	suspension	5	6,3	8,9	12,5
	residence permit	5	6,3	8,9	21,4
	humanitary				
	commission	6	7,6	10,7	32,1
	regularisatio				
	obtaining	1	1,3	1,8	33,9
	referred	2	2,5	3,6	37,5
	voluntary	1	1,3	1,8	39,3
	departure without reason	33	41,8	58,9	98,2
	refusal	1	1,3	1,8	100,0
	Total	56	70,9	100,0	
Missin	88	23	29,1		
Total		79	100,0		

56 dossiers or 71% of the victims were already round off. 23 dossiers or 29% of the victims are still following the procedure in order to obtain the victim's statute.

Within this group of closed dossiers one fifth of the victims obtained a permanent residence permit on bases of the Regularisation Commission (11%) or a regularisation on humanitarian grounds (9%). One victim (2%) got a permanent residence permit on basis of naturalisation. It needs to be emphasized that the Regularisation Commission was a one time only procedure in Belgium, on which victims will no longer be able to fall back in the future.

Two victims (4%) were referred to another authority.

One victim (2%) was repatriated voluntarily and on own request to the country of origin.

59% of the group of victims with a closed file left without known reason to an unknown destination.

In case of 9% of the group of victims with a closed dossier the procedure to obtain a permanent residence permit in the framework of the victim's statute was stopped by the victim's aid centre itself because the victim refused all co-operation.

In case of two victims the administrative procedure to obtain the victim's statute was stopped on base of dismissal of their dossier by the office of the public prosecutor.

Case E.G. Return to the country of origin on own initiative.

The 30 year old Ecuadorian victim had been smuggled by an Ecuadorian family to Belgium. She travelled from Quito via Amsterdam to Brussels were she was arrested. She was referred to a specialised centre but left soon after with unknown destination. When the social workers informed themselves about her departure it came that she had returned to Ecuador.

4.3. Degree of integration

4.3.1. Degree of participation in the social integration program

Table 85 participation integration

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	not	41	51,9	52,6	52,6
	active	37	46,8	47,4	100,0
	Total	78	98,7	100,0	
Missin	99	1	1,3		
Total		79	100,0		

In case of 78 dossiers (99%) could be determined whether the victim participated actively or not in the social integration program, which consists a.o. out of a Dutch language course. 47% of the victims were considered as active, 53% as non-active.

In case of 22 dossiers or 54% of the non-**active** group of victims the social workers could be probed for their motivations of non-activity. Out of this appeared that 60% of these victims wanted to leave as quickly as possible in order to be smuggled to the country they originally planned to reach.

4.3.2. Work

Table 86 work in Belgium

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	11	13,9	16,4	16,4
	no	56	70,9	83,6	100,0
	Total	67	84,8	100,0	
Missin	99	12	15,2		
Total		79	100,0		

In case of 67 dossiers (85%) the working status of the victim in Belgium could be determined.

Only 16% of the victims seemed to have had a job in Belgium.

4 victims found a job in the hotel and catering industry.

4.3.3. Family situation

Table 87 family life Belgium

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	cohabitatio	14	17,7	28,6	28,6
	weddingplans-	2	2,5	4,1	32,7
	boy (girl)	2	2,5	4,1	36,7
	child born	10	12,7	20,4	57,1
	alone	21	26,6	42,9	100,0
	Total	49	62,0	100,0	
Missin	99	30	38,0		
Total		79	100,0		

In case of 49 dossiers (62%) the relational status of the victim in Belgium could be determined.

One fifth of this group of victims has a child, which was born in Belgium.

29% of these victims live together with a partner. 4% has marriage plans and 4% has a boyfriend. 43% of the victims are single.

4.4. Social background in the country of origin

4.4.1. Family situation

Table 88 family situation in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	alone	7	8,9	11,1	11,1
	partner	32	40,5	50,8	61,9
	family	20	25,3	31,7	93,7
	friends	1	1,3	1,6	95,2
	other	3	3,8	4,8	100,0
	Total	63	79,7	100,0	
Missin	99	16	20,3		
Total		79	100,0		

In case of 63 dossiers (80%) the family status of the victim in the country of origin could be determined.

More than half of the victims lived together with a partner. 32% of this group of lived with their family. 11% lived alone.

4.4.2. Civil status

Table 89 civil status in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	marrie	25	31,6	38,5	38,5
	living	8	10,1	12,3	50,8
	divorced (for the	2	2,5	3,1	53,8
	living	1	1,3	1,5	55,4
	widow	3	3,8	4,6	60,0
	alone	26	32,9	40,0	100,0
	Total	65	82,3	100,0	
Missin	88	1	1,3		
	99	13	16,5		
	Total	14	17,7		
Total		79	100,0		

In case of 65 dossiers (82%) the civil status of the victim in the country of origin could be determined.

40% of the victims were single, 39% were married and 12% lived together with a partner.

4.4.3. Children in the country of origin

Table 90 children in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	43	54,4	66,2	66,2
	1	11	13,9	16,9	83,1
	2	7	8,9	10,8	93,8
	3	3	3,8	4,6	98,5
	4	1	1,3	1,5	100,0
	Total	65	82,3	100,0	
Missin	99	14	17,7		
Total		79	100,0		

In case of 65 dossiers (82%) the number of children of the victim in the country of origin could be determined.

According to the available information two thirds of the victims (66%) does not have any children in the country of origin. 18% has one child and 9% of the victims have two children in the country of origin.

22% of these children came along with the victim to Belgium. Half of the children were left behind at the parents in law in the country of origin. 7% of the children were left behind in the country of origin and stay with the partner of the victim.

4.4.4. Standard of living

Table 91 standard of living in country of origin

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	none	2	2,5	3,2	3,2
	below the subsistence level	16	20,3	25,4	28,6
	equal at the subsistence level	26	32,9	41,3	69,8
	above the subsistence level	19	24,1	30,2	100,0
	Total	63	79,7	100,0	
Missing	99	16	20,3		
Total		79	100,0		

For 63 dossiers (80%) data were available.

29% of these victims lived in the country of origin below the standard of living.

71% of the group lived at the same level of the standard of living or above it.

4.4.5. Work

Table 92 working-experience in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	42	53,2	87,5	87,5
	no	6	7,6	12,5	100,0
	Total	48	60,8	100,0	
Missin	99	31	39,2		
Total		79	100,0		

In case of 61% of the group or 48 victims the extent of working-experience in the country of origin could be verified. Out of this appeared that 88% of this group of victims acquired working-experience in the country of origin.

Within the group of victims with working-experience 29% had experience as a factory worker.

21% of this victim group used to work in the agricultural sector.

4.4.6. School education

For 30 dossiers (38%) data could be collected.

Almost half of the victims (47%) did acquire school-experience in the country of origin.

70% of the group of victims with school-experience followed one of the types of secondary school.

Table 93 school education

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	14	17,7	46,7	46,7
	no	16	20,3	53,3	100,0
	Total	30	38,0	100,0	
Missin	99	49	62,0		
Total		79	100,0		

4.4.7. Age of the victim at the time of departure

Table 94 age at time of departure

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	16	1	1,3	1,4	1,4
	17	7	8,9	9,5	10,8
	18	2	2,5	2,7	13,5
	19	1	1,3	1,4	14,9
	20	7	8,9	9,5	24,3
	21	2	2,5	2,7	27,0
	22	4	5,1	5,4	32,4
	23	1	1,3	1,4	33,8
	24	7	8,9	9,5	43,2
	25	3	3,8	4,1	47,3
	26	3	3,8	4,1	51,4
	27	4	5,1	5,4	56,8
	28	2	2,5	2,7	59,5
	29	3	3,8	4,1	63,5
	30	4	5,1	5,4	68,9
	31	4	5,1	5,4	74,3
	32	2	2,5	2,7	77,0
	33	1	1,3	1,4	78,4
	34	1	1,3	1,4	79,7
	35	5	6,3	6,8	86,5
	36	2	2,5	2,7	89,2
	38	2	2,5	2,7	91,9
	39	3	3,8	4,1	95,9
	45	1	1,3	1,4	97,3
	46	1	1,3	1,4	98,6
	53	1	1,3	1,4	100,0
	Total	74	93,7	100,0	
Missin	99	5	6,3		
Total		79	100,0		

For 67 dossiers (97%) data were available. 11% of the victims were minor at the moment they left their country of origin.

One third of the victims were then in the age category from 18 till 25.

Approximately one fifth of the victims were in the age category from 25 till 30.

It is remarkable that almost one third of the group was older than 30.

4.5. Motives of the victim to accept the recruiter's offer and type of offer made

4.5.1. Motives

What was the motivation of the victim to accept the offer of the recruiter?

Within one dossier different options can be indicated, which is why the end result is not 100%. In the next table the different options about the motives of the victims are merged.

Money for primary needs	24%
Money for family	29%
Money for a more luxurious life	3%
Adventure	3%
Work	27%
Better future	23%
Political instability in the country of origin	25%

Table 95 motives

The most important motive for the victims obviously has a financial background. These motives are: money for primary needs of life (30%), money for the family (23%), work (35%) and better future perspective in the West (17%). It appears that in the same dossiers these categories of motives regularly were crossed out altogether.

A fourth group of victims also gave the political instability of the country of origin as a motive.

4.5.2. Promises

Which kind of work has been promised to the victim? In the next table the different options about the promises the recruiter made to the victims are merged. Within one dossier different options can be indicated, which is why the end result is not 100%.

Horeca	6%
Kidnapping/ compulsion	2%
Transport	53%
Trip England	26%

Table 96 promises

More than half of the victims obtained the sheer promise of transportation in the framework of smuggling. One fourth of the victim group got the explicit promise of a trip to England.

To 6% of the victims a job in the hotel and catering industry was promised. Two victims were kidnapped.

Case H.G. Smuggling to the United Kingdom.

The 37 year old Chinese victim fell into the hands of a Chinese trafficking gang that recruited their victims with the promise of work in restaurants and focused itself on the smuggling route to the United Kingdom.

The victim had to pay 20.000 Euros to his traffickers in Fujian. He left Beijing in 2000 by plane for Moscow. He was lodged in Moscow for one week and was then transported to Belgium. Upon arrival in Brussels he was picked up by a Chinese trafficker and was given lodging in one of the two transit houses the traffickers used. Another 80 victims were staying in both houses. They were locked up and were not allowed to leave the

house. The victims had to stay in these houses before leaving for the United Kingdom. Every week five transports to the United Kingdom were organised. Two Belgians brought them to a parking lot close to the highway, where the victims had to jump on trucks. Upon arrival in the United Kingdom they had to call a mobile phone number. After five months it was H.G.'s turn to leave for the United Kingdom but he was discovered in the truck and arrested.

4.6. Recruitment

4.6.1. Recruiting traffickers

In case of 65 dossiers (82%) the number of organisers of the trafficking mediation could be determined.

One third of these victims referred to two trafficking mediators. Almost one fifth of the victims group refers to three trafficking mediators. 15% of the victims refer to 4 trafficking mediators. Approximately one tenth of the victims refer to 5 trafficking mediators.

Table 97 traffickers numbers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	1	1,3	1,5	1,5
	1	3	3,8	4,6	6,2
	2	22	27,8	33,8	40,0
	3	12	15,2	18,5	58,5
	4	10	12,7	15,4	73,8
	5	7	8,9	10,8	84,6
	6	3	3,8	4,6	89,2
	7	2	2,5	3,1	92,3
	8	1	1,3	1,5	93,8
	11	3	3,8	4,6	98,5
	14	1	1,3	1,5	100,0
	Total	65	82,3	100,0	
Missin	99	14	17,7		
Total		79	100,0		

4.6.1.1. Recruiters in the country of origin

How many times has the victim been approached by different recruiters in the country of origin?

Table 98 traffickers numbers in country of origin

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	10	12,7	15,6	15,6
	1	31	39,2	48,4	64,1
	2	21	26,6	32,8	96,9
	3	2	2,5	3,1	100,0
	Total	64	81,0	100,0	
Missin	99	15	19,0		
Total		79	100,0		

In almost half of the cases (48%) the victims declared that they were approached only once by the recruiters at home in their country of origin.

In one third of the cases (33%) the recruiters approached twice the victims.

In 16% of the cases there was no matter of a recruiter in the country of origin and they left on their own. A recruiter only later on approached them.

4.6.1.2. Traffickers during the trip

Table 99 traffickers numbers during travel

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	18	22,8	29,5	29,5
	1	29	36,7	47,5	77,0
	2	7	8,9	11,5	88,5
	3	5	6,3	8,2	96,7
	5	1	1,3	1,6	98,4
	13	1	1,3	1,6	100,0
	Total	61	77,2	100,0	
Missin	99	18	22,8		
Total		79	100,0		

The traffickers did not approach 30% of the victims during the trip.

Almost half of the victims were approached once during the trip.

In 12% of the cases the traffickers approached the victim twice and in 8% of the cases the victims was approached three times.

4.6.1.3. Traffickers in the country of destination or arrival

How many times has the victim been approached by different traffickers at the place of destination or upon arrival?

Table 100 traffickers numbers in country of destination

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	0	7	8,9	10,6	10,6
	1	25	31,6	37,9	48,5
	2	13	16,5	19,7	68,2
	3	11	13,9	16,7	84,8
	4	6	7,6	9,1	93,9
	5	1	1,3	1,5	95,5
	7	1	1,3	1,5	97,0
	11	2	2,5	3,0	100,0
	Total	66	83,5	100,0	
Missin	99	13	16,5		
Total		79	100,0		

Upon arrival or in the country of destination the traffickers, in 37% of the cases, approached the victim once.

One fifth of the victims were approached twice in the country of destination or upon arrival.

In case of 17% of the dossiers the traffickers approached the victim three times in the country of destination or upon arrival.

In almost one tenth of the cases (9%) the traffickers approached the victim four times in the country of destination or upon arrival.

In approximately one tenth of the dossiers (11%) the victim was not approached at all by a trafficker in the country of destination or upon arrival.

4.6.2. Nationality of the traffickers

4.6.2.1. Nationality of the ‘passeurs’

We consider as ‘passeurs’ all the traffickers except the recruiters.

Table 101 passeurs nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	8	10,1	20,5	20,5
	Romani	1	1,3	2,6	23,1
	Turke	1	1,3	2,6	25,6
	belgiu	1	1,3	2,6	28,2
	nigeri	1	1,3	2,6	30,8
	china	2	2,5	5,1	35,9
	Equado	5	6,3	12,8	48,7
	Mongoli	1	1,3	2,6	51,3
	Mixed Euro	1	1,3	2,6	53,8
	Mixed internat	10	12,7	25,6	79,5
	SierraLeon	1	1,3	2,6	82,1
	Iran	4	5,1	10,3	92,3
	Armeni	2	2,5	5,1	97,4
	Korea	1	1,3	2,6	100,0
	Total	39	49,4	100,0	
Missin	77	32	40,5		
	99	8	10,1		
	Total	40	50,6		
Total		79	100,0		

The nationality of the 'passeurs' could be determined for half of the dossiers.

The eye-catchers are the 'passeurs' of Albanian nationality. They score the highest with 21%. We would like to draw your attention on the fact that these are only the dossiers in which the victim referred to exclusively Albanian 'passeurs'. Because also in the group of 'passeurs' with mixed nationalities Albanians can be found. We will come back to this later on.

Besides this the 'passeurs' with exclusively Ecuadorian (13%) and Iranian nationality (10%) score high as well.

In largely one fourth of the dossiers (28%) the victim refers to a group of 'passeurs' with mixed nationalities. The mixed international group of 'passeurs' out of different parts of the world score the highest with 26%.

In all dossiers with a mixed international group of 'passeurs', 'passeurs' of Albanian nationality are mentioned. In 60% of the dossiers with an international group of 'passeurs', Belgian 'passeurs' are mentioned.

4.6.2.2. Correlation between the nationality of the victim and the group of ‘passeurs’

Table 102 correlation nationality between victim and all passeurs

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	23	29,1	59,0	59,0
	no	16	20,3	41,0	100,0
	Total	39	49,4	100,0	
Missin	77	32	40,5		
	99	8	10,1		
	Total	40	50,6		
Total		79	100,0		

In half of the dossiers it could be determined whether or not there was a correlation between the nationalities of the victim and the group of ‘passeurs’.

In case of an analysis of these victim dossiers of all nationalities it can be determined that in 59% of the cases the nationality of the victim and the group of ‘passeur’s were the same. In case of the Albanian victim dossiers the positive correlation between the nationality of the victim and the Albanian ‘passeurs’ is the largest.

In order to reflect a complete and accurate image of the correlation between the nationalities of the victims and the ‘passeurs’ the dossiers have to be split up on bases of the size of the smuggling network. This results is a much more subtle and completely opposite image.

Table 103 size network * similarity nationality Crosstabulation

			similarity		Total
			yes	no	
size network	0-1	Coun	2		2
		% within size	100,0		100,0
	2-4	Coun	12	7	19
		% within size	63,2%	36,8%	100,0
	5 or more	Coun	4	9	13
		% within size	30,8%	69,2%	100,0
Total	Coun	18	16	34	
	% within size	52,9%	47,1%	100,0	

It turns out that in case of large networks there is a clearly significant negative similarity between the nationality of the victims and of the ‘passeurs’. 69% of the victims have another nationality than the one of the group of traffickers. While in case of the smaller networks it is clearly a matter of a positive similarity between the nationality of the victims and the ‘passeurs’. 63% of the victims have the same nationality as the one of the group of traffickers.

4.6.2.3. Nationality of the recruiters

What was the nationality of the different recruiters?

Table 105 recruiters nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	3	3,8	8,3	8,3
	Romani	1	1,3	2,8	11,1
	Serbi	1	1,3	2,8	13,9
	Turke	1	1,3	2,8	16,7
	belgiu	1	1,3	2,8	19,4
	nigeri	1	1,3	2,8	22,2
	pakista	2	2,5	5,6	27,8
	irak	5	6,3	13,9	41,7
	china	5	6,3	13,9	55,6
	Equado	6	7,6	16,7	72,2
	Mongoli	1	1,3	2,8	75,0
	mixed East-	1	1,3	2,8	77,8
	Sierra	1	1,3	2,8	80,6
	Iran	5	6,3	13,9	94,4
	Armeni	2	2,5	5,6	100,0
	Total	36	45,6	100,0	
Missin	77	32	40,5		
	99	11	13,9		
	Total	43	54,4		
Total		79	100,0		

In almost half of the dossiers (46%) the nationality of the recruiter could be determined. For this victim group the following results were found.

The victims referred in their declarations to a recruiter of Ecuadorian (17%), Chinese (14%), Iraqi (14%), Iranian (14%) or Albanian (8%) nationality.

4.6.2.4. Correlation between the nationality of the victim and the recruiter

Table 106 correlation nationality between victim and all recruiters

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	30	38,0	83,3	83,3
	no	6	7,6	16,7	100,0
	Total	36	45,6	100,0	
Missin	77	32	40,5		
	99	11	13,9		
	Total	43	54,4		
Total		79	100,0		

Out of this appears a clear positive correlation between the nationality of the victim and the recruiter. In 83% of the dossiers it appeared that a compatriot recruited the victim. This seems logical since the victims were most of the time contacted and recruited at home in their country of origin.

4.6.2.5. Albanian traffickers

Table 107 Albanian traffickers involved

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	18	22,8	43,9	43,9
	no	23	29,1	56,1	100,0
	Total	41	51,9	100,0	
Missin	77	32	40,5		
	99	1	1,3		
	Syste	5	6,3		
	Total	38	48,1		
Total		79	100,0		

In half of the dossiers the nationality of the trafficker could be traced through the declaration of the victim.

In more than 44% of the dossiers there was involvement of a trafficker of Albanian nationality.

The Albanian traffickers do not only focus on Albanian victims, which they monopolised.

The following table shows the nationalities of all victims of Albanian traffickers.

Table 108 nationality

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	Albani	5	27,8	27,8	27,8
	bulgari	1	5,6	5,6	33,3
	Turke	1	5,6	5,6	38,9
	irak	2	11,1	11,1	50,0
	china	1	5,6	5,6	55,6
	Equado	3	16,7	16,7	72,2
	Iran	4	22,2	22,2	94,4
	Afghanista	1	5,6	5,6	100,0
	Total	18	100,0	100,0	

It turns out that only a quarter (28%) of the victims of the Albanian traffickers are their Albanian compatriots. Their remaining victims originate a.o. out of Iran (22%) and Ecuador (17%).

4.6.2.6. Belgian traffickers

Table 109 Belgian traffickers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	yes	7	8,9	16,7	16,7
	no	35	44,3	83,3	100,0
	Total	42	53,2	100,0	
Missin	77	32	40,5		
	99	1	1,3		
	Syste	4	5,1		
	Total	37	46,8		
Total		79	100,0		

It appears that 17% of the investigated victim group referred in their declarations to Belgian traffickers. One has to add to this that in 60% of the dossiers with mixed nationalities of the traffickers there is also the matter of involvement of a Belgian trafficker.

4.6.3. Time between the first contact and the departure

For 26 victim dossiers (33%) data could be collected.

Of these victims 23% left within a week after their first contact with the recruiter. Half of the victims left within two weeks after their initial contact. 69% of the victims left within a month after their first contact with the recruiter.

Almost one fourth of the victims waited until two months after their first contact with the recruiter to leave.

Table 110 time interval (weeks)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	,50	3	3,8	11,5	11,5
	1,00	3	3,8	11,5	23,1
	1,50	1	1,3	3,8	26,9
	2,00	6	7,6	23,1	50,0
	3,00	1	1,3	3,8	53,8
	4,00	4	5,1	15,4	69,2
	6,00	1	1,3	3,8	73,1
	8,00	6	7,6	23,1	96,2
	26,00	1	1,3	3,8	100,0
	Total	26	32,9	100,0	
Missing	99,00	53	67,1		
Total		79	100,0		

4.6.4. Initiative

Table 111 initiative taker of contact

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	victim	37	46,8	55,2	55,2
	recruiter	10	12,7	14,9	70,1
	family of the approached the	6	7,6	9,0	79,1
	recruiter approached family of the	4	5,1	6,0	85,1
	other	10	12,7	14,9	100,0
	Total	67	84,8	100,0	
Missin	99	12	15,2		
Total		79	100,0		

For 67% of the dossiers (85%) data could be collected.

In more than half of the cases (55%) the victim her/himself took the initiative to contact the recruiter. In 15% of the cases the initiative came from the recruiter, who contacted the victim.

4.6.5. Contact method

For 65 dossiers (82%) data could be collected.

The recruiter, through their acquaintances, contacted one fourth of the victims.

26% ended up with the recruiter through mouth-to-mouth advertisement. One fifth of the victims were contacted through their family.

Table 112 contact method

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	advertisseme	2	2,5	3,1	3,1
	firm	3	3,8	4,6	7,7
	place of	3	3,8	4,6	12,3
	mouth by	17	21,5	26,2	38,5
	family	13	16,5	20,0	58,5
	acquaintance	16	20,3	24,6	83,1
	others	11	13,9	16,9	100,0
	Total	65	82,3	100,0	
Missin	99	14	17,7		
Total		79	100,0		

4.6.6. Relation of the victim with the recruiter

Table 113 relation recruiter

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	partner	1	1,3	1,5	1,5
	family	4	5,1	5,9	7,4
	friend	2	2,5	2,9	10,3
	acquaintance	14	17,7	20,6	30,9
	unknow	43	54,4	63,2	94,1
	other	4	5,1	5,9	100,0
	Total	68	86,1	100,0	
Missin	99	11	13,9		
Total		79	100,0		

For 68 dossiers data could be collected.

In almost two third of the cases (63%) the recruiter was unknown to the victim. In one fifth (21%) of the dossiers the recruiter was an acquaintance of the victim.

4.6.7. Arrangements

What did the recruiter arrange for the victim?

Within one dossier different options can be indicate, which is why the end result is not 100%. In the next table the different options about what the recruiter arrange for the victims are merged.

Table 114 arrangements

Travel documents	66%
A loan for travelling costs	27%

Out of the dossiers appears that in two thirds of the cases the recruiter arranged the travel documents for the victims (66%). In largely one quarter of the dossiers an advance for the transportation costs was given to the victims (27%).

4.6.8. Confrontation with the victim

For 71 dossiers (90%) data could be collected.

Largely one fourth of the victims (28%) only realised shortly after or upon arrival that the trafficker did not meet the promised arrangements. For one fifth of the victims this became already clear during the trip.

It became only clear to almost half of the victims (48%) after a police action when their rights were read to them.

Table 115 suspicion promise not met

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid before departure	2	2,5	2,8	2,8
during the trip	15	19,0	21,1	23,9
at arrival	9	11,4	12,7	36,6
short time after arrival	11	13,9	15,5	52,1
after police action	34	43,0	47,9	100,0
Total	71	89,9	100,0	
Missing 99	8	10,1		
Total	79	100,0		

4.6.9. Debts

Does the victim have debts towards the trafficker?

Table 116 has victim debts towards the trafficker

	Frequency	Percent	Valid	Cumulative Percent
Valid yes	15	19,0	26,8	26,8
no	41	51,9	73,2	100,0
Total	56	70,9	100,0	
Missing 99	23	29,1		
Total	79	100,0		

For 56 dossiers (71%) data could be collected. 27% of these victims had debts towards the trafficker.

For the victim group with debts it is furthermore known that largely 93% have to pay off their travel expenses.

4.6.10. Payments towards the trafficker

Table 117 payment traffickers

		Frequenc	Percen	Valid	Cumulativ Percen
Valid	victim payed money for	34	43,0	85,0	85,0
	cash and debt smugglin	2	2,5	5,0	90,0
	cash and debt-	4	5,1	10,0	100,0
	Total	40	50,6	100,0	
Missin	77	32	40,5		
	99	7	8,9		
	Total	39	49,4		
Total		79	100,0		

For half of the victim dossiers the way of payment could by determined by the traffickers.

85% of these victims had to pay the traffickers in cash at the moment of their departure from their country of origin.

One tenth of the victims had to pay partially at the moment of departure and pay of the remaining part in the country of destination through a system of debt-bondage, while they were dumped into illegal jobs.

5% of the victims paid partially in cash and borrowed the remaining amount.

Case A.L. Money on a frozen bank account

A Chinese victim had been made the promise to be transported to Spain where she could work in restaurant owned by her family. In Fujian she took the plane to Beijing. In the airport of Zaventem (Belgium) she would be contacted by a man who would arrange her travel route to Spain. She learned upon arrival in Zaventem that she would travel through Portugal before arriving in Spain. Another trafficker who would accompany her to Lisbon changed her Chinese passport for a fake Korean passport. During a control in Zaventem she was arrested. After a short stay in a centre for assistance for victims of trafficking she disappeared with unknown destination. She had to pay 28.000RMB to two contact persons in Beijing. The price of the plane ticket was not included. The 28.000 RMB where transferred on a frozen bank account in China. Upon arrival in Spain she was supposed to give the code of the bank account to one of the traffickers so that the organisation could collect the money.

4.7. Pressure, coercion, violence in the process of exploitation

What type of pressure, coercion or violence did the trafficker use?

Within one dossier different options can be indicated, which is why the end result is not 100%.

Table 118 type of pressure, coercion, violence in the process of exploitation

The trafficker kept the official documents from the victim	19%
He abused the victim (physically, mentally, rape)	5%
The victim was told that he owed a large amount of money, which couldn't be possibly correct	4%
No freedom allowed	11%
Continuously control over victim	3%
Threatening the victim	17%
Intimidating victim's family	20%

In one fifth of the dossiers it turns out that the victims did not get back their residence or travel documents.

5% of the victims were ill treated by the traffickers. 17% of the victims were threatened. In case of one fifth of the victims their families were threatened. One tenth of the victims were deprived of their freedom. 3% of the victims were controlled continuously.

In 4% of the cases the victim found out that she had still a lot of unpaid debts towards the trafficker, while this was impossible.

4.8. Criminal network

4.8.1. Trafficking route

Through which route did the victims travel to Belgium?

China (18%), Albania (14%) and Ecuador (14%) are the most important countries of departure besides Iran (10%) and Iraq (9%). The most important transit countries are Italy (17 dossiers) and Turkey (13 dossiers). For 60% of the victims Belgium was the planned destination. A quarter of the victims had planned the UK as their final destination. One tenth of the victims had planned the US as their final destination.

In two third of the dossiers the victim took the airplane in order to leave. In one tenth of the dossiers the truck was used as means of transportation at the departure. As final means of transportation in the country of destination the airplane (42%), the truck (26%), the train (19%) and the car (9%) were used.

4.8.1.1. The Chinese route

The Chinese route runs through Russia or in some case indirectly from Hong Kong to Russia. In this part of the route the means of transportation are the airplane (80%), car (10%) or bus (10%).

From Russia it continues further through the Czech Republic, Hungary, Austria and Germany to Belgium. An alternative route runs from Russia through Albania and Italy to Belgium.

On the airplanes, cars, trains and trucks are used. In a single case the victim travels part of the route on foot.

For only one third of the victims Belgium was the planned final destination. For 21% of the victims the UK was the planned final destination, for 21% it was the USA and for another 21% it was Southern Europe.

Case L.Q.

The Chinese victim had contacted the smugglers ring on her own initiative and paid 20.000\$ to the traffickers. He left China by bus and went to Russia. The traffickers gave him a fake passport. Upon arrival in Russia the passport was confiscated by the traffickers. They travelled from Moscow by car to the Czech Republic. They crossed the border with Germany by foot and went further by car to Antwerp. The whole route took them about 6 months. In Belgium he worked with several employers en was paid badly. The victim however didn't want to mention the names of his traffickers out of fear for reprisals towards his wife and two children in China. In this regard the victim only gave a partial declaration and requested to be returned voluntary to China.

4.8.1.2. The Albanian route

The Albanian trafficking route runs via two routes. The traditional route runs from Albania via Italy to France in order to end up eventually in Belgium. The alternative route runs from Albania via Serbia to Austria and Germany in order to pass through Belgium. Only for 36% of these victims Belgium was the planned final destination. For 27% the UK was the planned final destination, for 36% it was the USA.

4.8.1.3. The Ecuadorian route

Out of Ecuador two routes are running. The first route runs directly by airplane from Ecuador to The Netherlands/Belgium.

When using the parallel route the victims fly from Ecuador to Italy where they pass via France to Belgium by train on their way to England.

Only 18% of the victims planned to go to Belgium as final destination. In 82% of the cases the victims wanted to go to the UK.

4.8.1.4. Iran/Iraq

From Iran/Iraq victims leave for Turkey. They travel from Turkey further via Italy through France in order to arrive in Belgium as final destination. In more than 90% of the case Belgium is the planned final destination.

The truck is most often used as means of transportation.

4.8.2. Criminal offences

Is there a link between the case and other criminal offences?

Table 119 link to other criminal offences

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	ja	49	62,0	72,1	72,1
	nee	19	24,1	27,9	100,0
	Total	68	86,1	100,0	
Missing	99	11	13,9		
Total		79	100,0		

For 68 dossiers (86%) data could be collected.

In case of 72% of the dossiers the victim referred in her declaration to other criminal offences as well, which the traffickers committed.

To which kind of criminal offences, committed by the trafficker, did the victim, within this group, refer?

Within one dossier different options can be indicated, which is why the end result is not 100%.

Table 120 type of linked criminal offence

False, forged or stolen documents	72%
Drugs	9%
Weapons	16%
Cigarettes smuggling	3%
Theft	2%
Violence	7%
Financial-economical	2%
Others	10%

In 72% of the dossiers the victim referred to the delivery of false or stolen documents by the traffickers. In 16% of the dossiers there was a reference to the possession and /or use of weapons by the traffickers. In 9% of the dossiers there was a reference to the

possession of and/or trafficking in drugs by the traffickers. In 7% of the dossiers the victim referred to assaults committed by the traffickers.

Case X and Y Training in terrorist camp.

In the category "others" there is a remarkable case. Two Iranian men, victims of smuggling to the United Kingdom, reported in their declaration that had been obliged to follow a training in a terrorist camp. Through acquaintances they came in contact with a trafficking ring. The traffickers as well as their families have been threatened by the traffickers. They requested to file anonymous declarations. With their help a transit house on the Belgian territory was discovered from where transports were organised to the United Kingdom through the port of Zeebrugge.

4.9. Profiles

4.9.1. Nationality of the victim

4.9.1.1. Albania

Almost half of the Albanian victims have at least one child in the country of origin, while this is the case of only one third of the total smuggling population. All of these victims brought their children along to Belgium.

The motive was for almost two third of the victims to obtain a better future perspective, while this is only the case for one quarter of the total smuggling population. Almost half of the victims referred as well to the political instability in their country as a motive, while for the total smuggling population this was only the case in one quarter of the cases.

In almost all cases it was a matter of an exclusively Albanian network of traffickers. In 90% of the cases the traffickers arranged the travel documents for the victims, while in case of the total smuggling population this only happened in 66% of the cases. In almost half of the cases (45%) the victim was recruited through mouth-to-mouth advertisement, this is only the case for one quarter of the total smuggling population. For only 36% of these victims Belgium was the planned final destination. For 27% of these victims England was the planned final destination, for 36% it was the USA.

In case of the Albanian victims there is significantly more the matter of threatening the victim (27%) and his/her family (46%), while in case of the total smuggling population it is 17% and 20%.

The Albanian victims referred in their declaration about the traffickers and their network significantly more to other criminal offences, such as the delivery of false documents (88%), possession and/or trafficking in weapons (38%), cigarettes smuggling (25%), which the traffickers are supposed to have committed.

4.9.1.2. China

In case of 80% of the Chinese victim dossiers there is a matter of involvement of Albanian traffickers. In almost 80% of the cases the traffickers arranged the travel documents for the victims, while this is only the case in 63% of the cases of the total smuggling population. In 36% of the cases the traffickers arranged an advance payment for the travel documents for the victims, while in case of the total victim population this happens only in one quarter of the cases. Almost half of the Chinese victims had debts towards their traffickers. In 90% of the cases the trafficker was unknown to the victim, while this is the case with only 63% of the total smuggling population.

The motive was for almost half of the Chinese victims to be able to meet the bare necessities of life as well as earning money for the family, while this is only the case for a quarter of the total smuggling population.

For only one third of the victims Belgium was the planned final destination. For 21% of the victims England was the planned final destination. For 21% this was the USA and for another 21% it was Southern Europe.

In 36% of the cases the traffickers threatened the family of the victim, while this is only the case for 20% of the total smuggling population.

The victims referred in their declaration about the traffickers and their network significantly more to other criminal offences, such as the delivery of false documents (79%), which the traffickers are supposed to have committed.

4.9.1.3. Ecuador

88% of the victims participate actively to the integration programs, while this is only the case for half of the victims of the whole smuggling group.

Almost half of the victims have at least one child in the country of origin while this is the case of only one third of the total smuggling population. The children stayed in almost all cases at their grandparents or sometimes as well at their parent which stayed behind in Ecuador.

Almost all victims lived in Ecuador at the same level of or above the standard of living, while this is only the case of 70% of the total smuggling population.

The motive was for almost two third of the victims finding a job, while this was only the case for one quarter the total smuggling population.

In almost half of the cases (40%) the victims were recruited through acquaintances, while this was only the case for one quarter the total smuggling population. The recruiter himself was in 90% of the cases a stranger.

For only 18% Belgium was the planned final destination. In 82% of the cases these victims wanted to go to the UK.

In 46% of the case the traffickers threatened the victim, while this is the case for 17% of the victims of the total smuggling population.

The victims referred in their declaration about the traffickers and their network significantly more to other criminal offences, such as the delivery of false documents (80%), which the traffickers are supposed to have committed.

4.9.1.4. Iraq

The victims are mainly men (90%) while the total population of smuggling victims consists half out of men and women.

All victims take actively part in the integration programs, while this is only the case for half of the victims of the whole smuggling population.

Almost 60% of the victims lived in Iraq beneath the standard of living, while this is the case for only 30% of the total smuggling group.

Almost half of the victims referred as well to the political instability in their country as a motive for coming here, while this is the case for only one quarter of the total smuggling population.

4.9.1.5. Iran

The victims are mainly single men (90%) while the total population of smuggling victims consists half out of men and women.

Almost 90% of the victims do not take actively part in the integration programs, while this is only the case for half of the victims of the whole smuggling population. Actually they want to leave as quickly as possible in order to continue their smuggling route.

All victims lived in Iran at or above the standard of living, while this is the case for only 70% of the total smuggling group.

Almost two third of the victims referred as well to the political instability in their country as a motive for coming here, while this is the case for only one quarter of the total smuggling population.

For half of the dossiers the network of the traffickers was composed out of a mixed group of nationalities, while this is the case for only one quarter of the total smuggling population.

In almost 90% of the cases the traffickers arranged the travel documents, while this is the case for only 66% of the total smuggling population. All victims had to pay their traffickers the full amount in cash before they were smuggled.

In almost half of the victim dossiers there was involvement of Belgian traffickers.

In 88% of the dossiers the victim contacted him/herself the trafficker, while this is the case for only half of the total smuggling population.

In half of the cases the victim was recruited through acquaintances, while this is the case for only one quarter of the total smuggling population.

All victims left within two weeks after the initial contact with the recruiter, while this is the case for only half of the total smuggling population.

The victims referred in their declaration about the traffickers and their network significantly more to other criminal offences, such as trafficking in drugs (57%) and possession and/or trafficking in weapons (43%), which the traffickers are supposed to have committed.

Case Z. Smuggling and drugs

Four Iranian victims pointed out in their declarations a transit house from where people were smuggled to the United Kingdom via the port of Zeebrugge. Six traffickers were sentenced in 2002 for trafficking in human beings. The victims left Iran due to political instability and contacted in 2001 a recruiter as to be smuggled to the United Kingdom. They had to pay 4.000\$ to the criminals.

From Iran they travelled via Turkey and Italy to Belgium. In Belgium the traffickers tried to put them on trucks on a parking lot near the highway. After a failed attempt during which the victims were nearly frozen to death and after being threatened by their traffickers, they contacted the police. During a house search a gun and one kilo of opium was found which had been smuggled from Iran.

The trafficking ring was composed of at least 11 traffickers from different nationalities. The organisers were from Iranian nationality, the others were Albanian, Belgian and Moroccan.

4.9.2. The network

4.9.2.1. Small network (2-4 traffickers)

Traffic with two till four active traffickers is considered as traffic with a small network.

The dossiers of little networks consist significantly more out of Iranian victims (11%).

In 63% of the cases there is in little networks a positive correlation between the nationality of the victim and the group of 'passeurs', which is in full contrast with the results of the dossiers of the large networks.

4.9.2.2. Large network (5 traffickers or more)

Traffic with five or more active traffickers is considered as traffic with a large network.

The dossiers of a large network consist significantly more out of Iraqi victims (11%).

These dossiers consist for 54% out of networks with a group of 'passeurs' of mixed nationality. For 39% they consist out of networks with 'passeurs' of exclusively Albanian traffickers.

In 85% of the dossiers of large networks there is a negative correlation between the nationality of the victim and the group of 'passeurs', which is in full contrast with the results of the dossiers of the small networks.

In the dossiers of large networks the victims referred in their declaration about the traffickers and their network significantly more to other criminal offences, which the traffickers are supposed to have committed. Concretely they refer to the delivery of

false documents (81%), possession and/or trafficking in weapons (50%), possession and/or trafficking in drugs (25%) and cigarettes smuggling (12%).

Chapter D. Conclusions and recommendations

There are pronounced differences between the different modules, which are relevant enough to comment separately.

1. Individual characteristics

1.1. Age

The different modules of exploitation types give a different image of the victims at the moment they left their country of origin.

Table 1 age at the time of departure * sort exploitation Crosstabulation

			sort			Total
			SEXUA	ECONO ICAL	SMUGGLI	
age at time departur	below	Coun	23	9	8	40
		% within sort	13,3%	13,0%	10,1%	12,5%
	18 - 24	Coun	101	33	24	158
		% within sort	58,4%	47,8%	30,4%	49,2%
	25 - 30	Coun	33	17	19	69
		% within sort	19,1%	24,6%	24,1%	21,5%
	above	Coun	16	10	28	54
		% within sort	9,2%	14,5%	35,4%	16,8%
Total		Coun	173	69	79	321
		% within sort	100,0	100,0	100,0	100,0

In the 'smuggling module' one finds explicitly more victims out of the age category above 30 than in the modules 'sexual and economical exploitation'.

In case of the module 'sexual exploitation' almost 60% of the victims can be found in the age category of youngsters between 18 and 24.

In case of the module 'economical exploitation', almost half of the victims can be found in the age category of youngsters between 18 and 24.

1.2. Nationality of the victim

The different modules of exploitation types give a different image of the nationality of the victims.

Table 2 nationality victim * sort exploitation Crosstabulation

			sort			Tota
			SEXUA	ECONO ICA	SMUGGLI	
nationalit victim	Albani	Coun	31	1	11	43
		% within sort	17,9%	1,4%	14,1%	13,4%
	Russi	Coun	16			16
		% within sort	9,2%			5,0%
	Romani	Coun	10	2	3	15
		% within sort	5,8%	2,9%	3,8%	4,7%
	bulgari	Coun	9	2	3	14
		% within sort	5,2%	2,9%	3,8%	4,4%
	nigeri	Coun	22	17	2	41
		% within sort	12,7%	24,6%	2,6%	12,8%
	Iraq	Coun		1	7	8
		% within sort		1,4%	9,0%	2,5%
	china	Coun	4	13	14	31
		% within sort	2,3%	18,8%	17,9%	9,7%
	Ukrain	Coun	14	1	1	16
		% within sort	8,1%	1,4%	1,3%	5,0%
Moldavi	Coun	21	1			22
	% within sort	12,1%	1,4%			6,9%
Equado	Coun	1	10	11		22
	% within sort	,6%	14,5%	14,1%		6,9%
Iran	Coun			8		8
	% within sort			10,3%		2,5%
other	Coun	45	21	18		84
	% within sort	26,0%	30,4%	23,1%		26,3%
Tota		Coun	173	69	78	320
		% within sort	100,0	100,0	100,0	100,0

In case of sexual exploitation we find especially victims of the Albanian, Nigerian, Moldavian, Russian or Ukrainian nationality.

In case of the module 'economical exploitation' we find mostly victims of Nigerian, Chinese and Ecuadorians nationality. In this module one hardly finds Albanian, Moldavian or Russian victims.

In the 'smuggling module' we find mostly Chinese, Albanian, Ecuadorian, Iraqi or Iranian victims.

1.3.Gender

The prostitution victims are all women, while the smuggling victims consist half of both genders. The victims of economical exploitation consist for almost two thirds out of men.

Table 3 sex * sort exploitation Crosstabulation

			sort			Total
			SEXUA	ECONO ICAL	SMUGGLI	
sexe	mal	Coun		43	40	83
		% within sort		62,3%	50,6%	25,9%
	femal	Coun	173	26	39	238
		% within sort	100,0	37,7%	49,4%	74,1%
Total		Coun	173	69	79	321
		% within sort	100,0	100,0	100,0	100,0

2. State of the dossier

There are some striking differences between the different modules concerning sexual exploitation, economical exploitation and smuggling.

In case of 59% of the smuggling victims with a closed dossier, they disappear out of the aid centre with an unknown destination, while this fluctuates around 30% for the victims of sexual and economical exploitation. Most of the smuggling victims actually want as quickly as possible to continue their interrupted smuggling route.

21% of the victims of sexual exploitation request themselves for a voluntary repatriation to their country of origin, while the score of the economical (8%) and smuggling victims (2%) lies significantly lower.

3. Social background of the victims

There are prominent differences between the modules 'sexual exploitation', 'economical exploitation' and 'smuggling', concerning the background situation of the family of the victim in the country of origin.

What is the most eye catching is the high score of the smuggling victims with a partner. Half of the smuggling victims lived in their country of origin together with a partner, while this percentage lies much lower for victims of economical exploitation (31%) and sexual exploitation (13%). 40% of the smuggling victims are married in the country of origin. Victims of sexual exploitation lived in their country of origin predominantly with their family (57%) or were single (23%). 73% of the victims of sexual exploitation lived single in their country of origin. Only 6% of them were married in the country of origin.

The victims of economical exploitation lived in their country of origin with their family (54%) or lived together with a partner (31%). Approximately one fourth of the economical victims were married in the country of origin.

Concerning the high score for 'family' one has to take into account the unique situation of football victims, who were all very young and lived with their families.

Table 4 family situation in country of origin * sort exploitation Crosstabulation

			sort			Tota
			SEXUA	ECONO ICA	SMUGGLI	
family in country origi	alon	Coun	33	5	7	45
		% within sort	23,1	8,2%	11,1	16,9
	partne	Coun	18	19	32	69
		% within sort	12,6	31,1	50,8	25,8
	famil	Coun	82	33	20	135
		% within sort	57,3	54,1	31,7	50,6
	friends	Coun	5		1	6
		% within sort	3,5%		1,6%	2,2%
	other	Coun	5	4	3	12
		% within sort	3,5%	6,6%	4,8%	4,5%
Tota		Coun	143	61	63	267
		% within sort	100,0	100,0	100,0	100,0

4. Motives of the victim

What was the motivation of the victim to accept the offer of the recruiter?

Within one dossier different options can be indicated, which is why the end result is not 100%. In the next table the different options about the motives of the victims are merged.

Table 5 motives

	SEXUAL	ECONOMICAL	SMUGGLING
Money for primary needs	30%	35%	24%
Money for family	23%	42%	29%
Money for a more luxurious life	14%	20%	3%
Adventure	8%	3%	3%
Work	35%	51%	27%
Better future	17%	16%	23%
Kidnapping/compulsion	7%	4%	0%
Political instability in the country of origin	4%	3%	25%

The victims of economical exploitation are still more focussed on financial expectations than the other victims.

It is remarkable that one fourth of the smuggling victims refers to the political instability in the country of origin as a motive to leave, while this is to be disregarded in case of the other victims.

5. Promises

Within one dossier different options could be indicate, which is why the end result is not 100%. In the next table the different options concerning the promises the recruiter made to the victim are merged.

Table 6 promises

	SEXUAL	ECONOMICAL	SMUGGLE
Horeca	21%	22%	6%

Au pair	8%	9%	0%
Specific job	23%	49%	3%
None	28%	29%	42%

It is remarkable that one fifth of the victims of sexual exploitation was lured with the promise of the traffickers that they would get a job in the hotel and catering industry. Which is an equally high score as the one of the victims of economical exploitation. Half of the victims of economical exploitation obtained of the traffickers the promise of a specific job. For victims of sexual exploitation, this is the case for one fourth of them.

6. Network

A network from 2 till 4 trafficking mediators is considered as a small network. A network with 5 or more trafficking mediators is considered as a large network. If there is a matter of 1 or even no trafficking mediator, it is not considered as a network.

6.1. Size of the network

There are prominent differences between the different modules 'sexual exploitation', 'economical exploitation' and 'smuggling'.

It is noteworthy that 40% of the victims of sexual exploitation were to be found in a large network, which is almost as much as the ones coming out of a small network (45%).

Two thirds of the smuggling victims come out of a small network. One fourth of the smuggling victims were to be found in a large network.

In case of the victims of economical exploitation almost 30% met only 1 trafficking mediator, or did not meet any mediator at all. A bit more than half of them were the victim of a small network.

Table 7 size of network * sort exploitation Crosstabulation

			sort			Total
			SEXUAL	ECONOMICAL	SMUGGLING	
size of network	0-1	Count	25	19	4	48
		% within sort	15,7%	29,2%	6,2%	16,6%
	2-4	Count	71	34	44	149
		% within sort	44,7%	52,3%	67,7%	51,6%
	5 and more	Count	63	12	17	92
		% within sort	39,6%	18,5%	26,2%	31,8%
Total	Count	159	65	65	289	
	% within sort	100,0	100,0	100,0	100,0	

6.2. Correlation nationalities of the victim and the trafficker

Table 8 correlation nationality victim and all passeurs * sort exploitation Crosstabulation

			sort			Tota
			SEXU	ECON ICA	SMUGGLI	
corelation between victim all the passeurs	yes	Count	38	12	23	73
		% within sort	44,2	30,8	59,0	44,5
	no	Count	48	27	16	91
		% within sort	55,8	69,2	41,0	55,5
Total		Count	86	39	39	164
		% within sort	100,0	100,0	100,0	100,0

In case of the modules 'sexual and economical exploitation' more than half of the victims have a different nationality than the 'passeurs'.

In case of the smuggling victims the results is exactly the opposite. Here more than half of the victims have the same nationality as the 'passeurs'. But herein one has to make a subtle distinction. When splitting up the 'smuggling module' in largeness of the network it becomes obvious that in case of large smuggling networks there is little similarity between the nationalities of the victims and the group of 'passeurs'. In case of small networks there is a large similarity between the nationality of the victim and the group of traffickers.

6.3. Nationalities of the traffickers

In how many dossiers there is a matter of Albanian or Belgian traffickers? In how many dossiers there is a network of traffickers, which consists out of a mixed group of nationalities? Of course overlapping is possible, even evident, because in many networks of traffickers with a mixed composition one can find Albanians.

Table 9 nationalities traffickers

	SEXUAL	ECONOMICAL	SMUGGLE
Albanian trafficker(s)	38%	5%	44%
Belgian trafficker(s)	13%	49%	17%
Mixed nationalities	29%	28%	28%

Both in case of smuggling victims as in case of victims of sexual and economical exploitation, the network of traffickers consists almost for 30% out of a mixed group of nationalities.

It is remarkable that in case of the victims of economical exploitation there is almost no matter of Albanian traffickers, this on the contrary with the victims of smuggling and sexual exploitation. Almost half of the cases of the smuggling victims an Albanian trafficker is involved.

In half of the cases of economical exploitation a Belgian trafficker is involved. This is more than 10% in case of the victims of Sexual exploitation and smuggling.

7. Pressure, coercion and violence in the process of exploitation

What type of pressure, coercion or violence did the trafficker use?

Within one dossier different options can be indicate, which is why the end result is not 100%.

Table 10 type of pressure, coercion, violence in the process of exploitation

	SEX	ECON	SMUG
The trafficker kept the official documents from the victim	26%	27%	19%
No return ticket at departure	5%	9%	1%
He abused the victim (physically, mentally, rape)	56%	13%	5%
The victim got less money than agreed	16%	30%	0%
He gave the victim no money at all	38%	17%	0%
The victim was told that he owed a large amount of money, which couldn't be possibly correct	15%	9%	4%
No freedom allowed	46%	10%	11%
Continuously control over victim	35%	4%	2%
Threatening the victim	45%	16%	16%
Intimidating victim's family	23%	6%	20%

The victims of sexual exploitation is significantly more ill treated, threatened and deprived of their freedom than the victims of economical exploitation and smuggling. In concrete approximately half of the victims of sexual exploitation is assaulted, threatened and deprived of their freedom.

In case of the smuggling victims in 20% of the files, which is almost as much as in case of the victims of sexual exploitation, their families are being threatened.

8. Financial investigation of the networks

The dossier analysis of our project confirms that hardly any research has been made into money laundering practices in trafficking in human beings. In many dossiers the victims refer to connections with other criminal activities of their traffickers, which indicates the presence of organised criminal networks. But in practise no inquiry has been made into this.

Trafficking in human beings is interwoven into organised crime. Not only because of the organised character of it and the involvement of other criminal networks such as drugs, weapons, trafficking in cars... The essence of organised crime is predominantly the overthrow, the manipulation and contamination of the social life and government in order to maximise the aspect of profit in the long run. This means in concrete the economical infiltration of the business life and the corruption of government organisations by the world of organised crime. In the economical field the organised crime tries to laundry its criminal money in the legal economy as well as to obtain monopoly positions.

Because its financial sources are thanks to the criminal money inexhaustible, it is capable via unfair competition to undercut other competitors in order to finally obtain an economical monopoly position.

In order to combat the tangle of the world of organised crime effectively, it is necessary to audit these networks of trafficking in human beings financially and to fight the money laundry practices. Only in this way one can strike organised crime at the very roots. When combating trafficking in human beings is only oriented at the tracking down of go-betweens such as traffickers, there will always be many substitutes ready to fill up the empty gap and the carrousel will continue to turn, even in a more effective way. The network gets the opportunity to learn from its mistakes, to adapt itself and to reinforce. In this case combating trafficking in human beings threatens to become merely a treatment of the symptoms, in which the focus lies on the hunt for illegal.

On a hearing at the European Parliament Willy Bruggeman, the vice-director of Europol declared that within the dossiers of trafficking in human beings hardly any information concerning a financial investigation and money laundering practices is passed on.

In 2000 the parliamentary Sub Commission 'Trafficking in Human Beings and Prostitution' wrote in its conclusions: "Besides this the Commission believes that more action should be taken in the field of investigation and prosecution of financial networks

and money laundering in connection with trafficking in human beings. Only like this one can hit traffickers in human beings in an effective way.”

At the moment it appears out of different trials that because of lack of means the judicial authority as well as the cells ‘Trafficking in Human Beings’ of the police services have to orientate themselves primarily to combating trafficking in human beings. On top of this the public prosecutors want to handle the judicial investigations very quickly, which leads to a more superficial approach of the inquiry. The inquiry is because of this very often limited to the local entity and only to the persecution of obviously provable offenders with merely an executive function. In that case there is no in depth high quality analysis of the network nor an investigation the criminal organisations.

9. Differences in the management of the Offices of the Public Prosecutor

The ‘Committee P’, the control commission of the police services, states in her latest annual report that the approach of the phenomena trafficking in human beings can differentiate strongly depending the office of the public prosecutor. “Some offices of the public prosecutors give the instruction to draft a report of the offence per stowaway. In other judicial areas only the driver needs to be booked or only an administrative report needs to be drafted.” One has therefore to come to a unified way of acting in the field.

According the annual report of the Committee P there is also a problem with the definition of the terms ‘trafficking in human beings’ and ‘smuggling in human beings’, which are in practise often mixed up. That is why at the moment an adapted version of the circular letter COL 12/99 of the Board of Public Prosecutors General (College van Procureurs-Generaal) is being drafted. In this circular letter, which focuses on the problem of trafficking in human beings, specific directions concerning the combating of the phenomenon ‘smuggling of human beings’ is now being foreseen.

10. Immigration floods

There has to be a possibility to foresee legal immigration on a permanent basis in order to be able to canalise in a legal way the irreversible floods of migration.

At the moment many countries made their border controls more severe and their immigration rules more strict and therefore the possibilities for legal immigration decreased. Meanwhile there is a continuous need for cheap labour forces in most countries of destination. This tendency exists as well at the official labour market as in the informal sector.

According to the Sub Commission Trafficking in Human Beings of the Belgian Senate the combination of this double evolution lead to a fierce increase of both the illegal immigration as the trafficking in human beings. In its annual report of the year 2001 the Sub Commission made the following striking analysis:

“ There came a market into being for services which facilitate illegal immigration. Like this job mediation and travel arrangements can exist within the informal networks of acquaintances and friends of migrants, this in the countries of origin, transit or destination. On a small scale services are being given such as helping to cross the border, which happens especially in border areas by owners of trucks and boats. Besides this exist as well real, huge smuggling networks, which possess worldwide contacts and which can offer a whole variety of services: false documents, accommodation, transport.

These networks even provide training in the asylum procedure or how to by-pass the border controls.

The policy concerned is therefore contra productive. A severe immigration policy leads exactly to the fact that the criminal networks concentrate more and more on trafficking in human beings and get the possibility to become more professional as well as organised internationally.

11. Swindle in documents and trafficking in Visa

The problem of swindle of documents has been seriously underestimated by the authorities and needs to be tackled.

Swindle in document is the leitmotiv in a whole lot of forms of criminality, but in practise it actually receives little attention. The poor treatment of this phenomenon is due to different problems.

The civil servants and police people who must control the documents can impossibly have the required detailed knowledge of the original Belgian and international documents. The Belgian situation is by itself already a tangle of much too many different documents, each with their own content. On top of that has each country its 'own' supply of pieces of identification, which make the global image completely cluttered.

It is precisely of these weak spots that criminal organisations can easily abuse in order to produce false documents, which are being accepted as 'real' documents.

12. Poor capacity and image building

The data exchange is of particular importance in order to obtain an image of the phenomenon trafficking in human beings. Not even half of the Offices of the Public Prosecutor have an image of the phenomenon trafficking in human beings at their disposal because of the lack of a database.

The different services, which are involved in the combat against trafficking in human beings, complain about a lack of means. This reveals itself in different field: a lack of personnel, which hinders any pro-active investigation; a lack of material, especially computer material; a lack of interpreters, who are however indispensable for the accuracy of the interrogation.

Research based on case studies of victims of trafficking in human beings in 3 EU Member States, i.e. Belgium, Italy and The Netherlands
European Commission, DG Justice and Home Affairs
Hippokrates JAI/2001/HIP/023

Country Report

ITALY

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PANE E CORAGGIO

*Proprio sul filo della frontiera il commissario ci fa fermare,
su quella barca troppo piena non ci potrà più rimandare,
su quella barca troppo piena non ci possiamo più tornare.*

*E sì che l'Italia sembrava un sogno steso per lungo ad asciugare,
sembrava una donna fin troppo bella che stesse lì per farsi amare,
sembrava a tutti fin troppo bello che stesse lì a farsi toccare.*

*E noi cambiavamo molto in fretta il nostro sogno in illusione,
incoraggiati dalla bellezza vista per televisione,
disorientati dalla miseria e da un po' di televisione.*

*Pane e coraggio ci vogliono ancora,
che questo mondo non è cambiato;
pane e coraggio ci vogliono ancora,
sembra che il tempo non sia passato.*

*Pane e coraggio, commissario, che c'ha il cappello per comandare,
pane e fortuna, moglie mia, che reggi l'ombrello per riparare,
per riparare questi figli dalle ondate del buio mare
e le figlie dagli sguardi che dovranno sopportare,
e le figlie dagli oltraggi che dovranno sopportare.*

*Nina, ci vogliono scarpe buone,
e gambe belle, Lucia,
Nina, ci vogliono scarpe buone,
pane e fortuna e così sia,
ma soprattutto ci vuole coraggio a trascinare le nostre suole
da una terra che ci odia ad un'altra che non ci vuole.*

*Proprio sul filo della frontiera, commissario ci fai fermare,
ma su quella barca troppo piena non ci potrai più rimandare,
su quella barca troppo piena non ci potremmo mai più ritornare.*

(Ivano Fossati, 2003)

BREAD AND COURAGE

Just on the line of the frontier the officer makes us stop,
on that boat too full he could not send us anymore,
on that boat too full we cannot return.

And yes, Italy seemed a dream hung to dry,
it seemed a woman too beautiful, there to be loved,
it seemed to us all so beautiful that it was there, allowing itself to be
touched.

And we rapidly changed our dream for illusion,
encouraged by the beauty seen on television,
disorientated by the poverty and by a little television.

Bread and courage are still needed,
since this world has not changed;
bread and courage are still needed,
it seems that time has not passed.

Bread and courage, officer, who wears a commander's hat,
bread and fortune, my wife, who holds the umbrella to protect,
to protect these sons from the waves of the dark sea,
and the daughters from the gazes that they will have to bear,
and the daughters from the outrages that they will have to bear.

Nina, good shoes are needed,
and beautiful legs, Lucia,
Nina, good shoes are needed,
bread and fortune and whatnot,
but, above all, it takes courage to drag our soles
from a land that hates us to another that does not want us.

Right on the frontier, officer, you make us stop,
on that boat too full you could no longer send us,
on that boat too full we could not return.

Introduction

Trafficking in human beings is a global reality that affects almost all countries of the world. It is not a recent phenomenon but a practice that has been functioning for centuries that has acquired, during the last decade, new traits and articulations.

The modern form of human traffic draws routes that underline the existing strong economic and social inequalities between wealthy and poor countries. Trafficking, in fact, mainly takes place between the so-called developed countries ("countries of destination and transit") and the developing countries of East Europe, former Soviet Union, Africa, Latin America and Asian Southeast ("sending countries"). It is important to highlight however that such distinction - commonly adopted in the scientific analyses and in the international documents - often contributes to conceal the existence of local or sub-regional routes that transform sending countries also into countries of destination and transit.

Italy is a constitutive part of this global exploitative system both as country of destination and as one of transit. Its particular geographical position, in fact, has contributed to assign it the role of one of the main centres of arrival and sorting out of human trafficking and smuggling of Western Europe. A considerable number of persons daily reach the Italian territory, after having crossed different countries, through the many illegal points of entry situated along the national borders.

The main reason that drives people to often face difficult trips and to suffer exploitative living and working conditions is the impelling necessity to improve their individual conditions and those of their families. The major identified push-factors of trafficking are: poverty, unemployment, lack of perspectives, war, discrimination on grounds of gender, ethnic origin, class, religion. To run away from situations of serious uneasiness, thousand of people submit their fate to traffickers and/or smugglers often investing their savings (or their family's) or incurring in serious debt bondage. What will really happen during and at the end of the trip does not often correspond to the individual aims of the planned migratory project. This is especially the case of those who found themselves at the mercy of traffickers and exploiters whose only objective is to maximize "their investments".

In the last few years, Italy has developed legislative tools and social policies, on the one hand, to support victims of trafficking and, on the other one, to fight such a hideous crime.

This report offers a general overview of the efforts till now activated to set up and implement means and services aimed at combating human traffic. It is important to underline, though, that even if the report is specifically focused on trafficking (particularly for the purpose of sexual exploitation), some parts of it also deal with smuggling, given that in some aspects trafficking and smuggling become contiguous, parallel and, at times, even coincident phenomena.

In Chapter A, the main legislative provisions to punish whoever is implicated in trafficking, smuggling and exploitation of human beings within the Italian soil will be explored. Then, the Program of Assistance and Social Integration of victims of trafficking, set-up by the legislative decree no. 286/98 and currently operating in Italy, will be illustrated and discussed. Furthermore, the so-called "*azioni di sistema*" ("systematic actions") implemented within the aforementioned programme and the

measures carried out by the law enforcement agencies to combat the phenomenon will also be briefly described.

In Chapter B, the main aspects of human traffic in Italy will be outlined. Then, the phenomenon of trafficking for the purpose of sexual exploitation, particularly in the sector of street prostitution, will be specifically explored. The principal features of the persons involved in the trafficking process will be examined, with particular reference to the victims, their countries of origin, the criminal networks and semi-legal and illegal actors involved, the methods employed, and the geographical routes followed to reach Italy.

Chapter C is entirely devoted to the analysis of the results of the research conducted in a specific Italian geographical area comprising Marche, Abruzzo and Molise (Central Adriatic zone), the regions where the Associazione *On the Road* - the Italian partner of the present Hyppokrates project - has been working in the last twelve years. It was unavoidable to restrict the study to such territorial boundaries because of the lack of a national monitoring and data collection and processing system on the phenomenon of human traffic. The research is exclusively based on the analysis of files of 80 victims of trafficking for the purpose of sexual exploitation in prostitution, who entered – between 2000 and 2002 - in the programme of assistance and social integration run by the Association. Of these 80 files, 10 women were interviewed as well as several professionals working for *On the Road*. We will then present quantitative and qualitative data that will give some important information as regards the social, economic and scholastic background of the victims, of the routes they crossed, of the traffickers and exploiters they met, and of the living and working conditions they suffered.

In conclusion, the report also contains a list of recommendations addressed to Italian policy makers and private and public agencies engaged in the field of trafficking in favour of victims, such as law enforcers, social services providers, ngo's' representatives. Nevertheless, we believe that the recommendations may be useful also to other actors working at European and extra-European level. Such recommendations are intended as constructive suggestions to implement short, medium and long term solutions for preventing and combating trafficking in human beings.

Chapter A: Legal framework

1. National definitions and legal framework for supporting victims and combating trafficking in human beings

The Italian legal system does not provide a specific offence of “trafficking in human beings” (THB) as envisaged in the **UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime**, signed by over one hundred nations, Italy included.

According to Art. 3 of such Protocol, trafficking in human beings is “the recruitment, transportation, transfer, harbouring or receipt of a person, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” None of the existing Italian legal provisions specifically include the abovementioned definition of trafficking in human beings.

Nevertheless, on 21 November 2001, the Chamber of Deputies approved **bill no. 1255** entitled “**Misure contro il traffico di persone**” (**Measures against trafficking in persons**), which includes Article 602-bis in the Criminal Code under the rubric “Trafficking in persons”. The implementation of this bill – awaiting final approval in the Parliament – would represent a milestone in the criminal law responses to trafficking: Italy would finally have its first law to specifically punish the offence of human traffic.

According to the bill approved by the Chamber, “Any person who, by means of violence, or threat or deception, forces or induces one or more persons to enter or reside within or leave the territory of the State, or to transfer into the State, with the aim of coercing him/her into forced labour or service, mendicancy, or sexual exploitation, or anyway into a condition of slavery or practices similar to slavery, shall be punished with imprisonment for 8 to 20 years.” Moreover, in order to better coordinate the investigative and the judicial work, the bill assigns jurisdiction on the issue to the *Direzione Nazionale Antimafia* (Anti-Mafia Investigation Department) or to the *Procura Nazionale Antimafia* (Anti-Mafia National Public Prosecutor’s Office).

The implementation of bill no. 1255 would greatly contribute to make clear distinctions among different phenomena (trafficking, human and goods smuggling, illegal migration, prostitution, exploitation of prostitution and labour) that currently tend to be confused, especially by the public opinion and the media but also among professionals of the field.

Therefore, the current situation concerning the law responses to human trafficking is quite inhomogeneous since different law enforcement officials and public prosecutors use different legal provisions to punish traffickers and actors involved in the phenomenon. In fact, laws made to target different criminal offences are often used in a “combined form” to punish traffickers, smugglers, exploiters, and this also contribute to confound the public opinion in regard to distinct – even though sometimes overlapping – phenomena.

1.1. Penal instruments

Given the lack of a distinct and comprehensive law that clearly defines and punishes trafficking in human beings, other legal provisions are used in order to investigate and prosecute such a crime. These are:

- a. **Article 600 Criminal Code - “Reduction to slavery”**
Any person who reduces another to slavery or a condition similar to slavery shall be punished with imprisonment for 5 to 15 years;
- b. **Article 600-bis Criminal Code - “Child prostitution”**
The provision sanctions with imprisonment from six to twelve years and a fine from thirty to three hundred million lire anyone inducing a person under 18 years of age to prostitute him/herself, namely anyone abetting or procuring prostitution involving a minor.
- c. **Article 600-ter Criminal Code - “Child pornography”**
“Whoever exploits a person under 18 years of age with the purpose to perform pornographic exhibitions or to produce and/or sell pornographic material shall be punished with imprisonment for 6 to 12 years and a fine from fifty to five hundred million lire. The provision also sanctions with imprisonment for 1 to 5 years and a fine from five to five hundred million lire anyone distributing, spreading or advertising pornographic material by any means, including Internet, in order to solicit or sexually exploit minors. It also punishes with imprisonment up to 3 years and a fine from three to ten million lire anyone deliberately providing free pornographic material, produced through the sexual exploitation of minors.”
- d. **Article 600-quater Criminal Code - “Possession of pornographic material”**
“Notwithstanding the provision above of Article 600-ter, whoever knowingly obtains or possesses pornographic material produced as a result of the sexual exploitation of persons under the age of 18 is liable to imprisonment for a term up to 3 years or to a minimum fine of three million lire.”
- e. **Article 600-quinquies Criminal Code - “Tourist initiatives aimed at the exploitation of child prostitution”**
“Anyone who organizes or promotes foreign travels which promotes child prostitution or encourages such activity is liable to imprisonment for a term of 6 to 12 years and a fine of thirty to three hundred million lire.”
- f. **Article 600-sexies Criminal Code - “Aggravating and attenuating circumstances”**
“In the cases provided for in Article 600-bis, para. 1 and 600-ter, para. 1, and 600-quinquies, the penalty is increased by a third to a half if the act is committed on a minor of under 14 years of age. The penalty is increased by a half to two-thirds if the act is committed by an elder relative, a stepparent, or by their spouse or conjugal partner, or a similar person up to the second degree, by a relative up to fourth degree, or by the guardian or a person to whom the minor has been for the purposes of health, care, education, supervision, custody, employment, or in other words, any public official or social worker who is responsible for the minor in the course of their functions or responsibilities. The penalty is increased from a half two-thirds if the offence has been committed against a minor who is physically or psychologically handicapped. In the cases foreseen in Article 600-bis, para. 1 and 600-ter above, the penalty is increased if the offence is committed by the use of violence or threats. In the cases foreseen in Art. 600-bis and 600-ter above, the penalty is reduced by a third to a half if the person has taken concrete measures to ensure that the minor is enabled to become self-reliant and independent.”
- g. **Article 600-septies Criminal Code - “Accessory penalties”**
In the case of conviction for any of the offences provided in Articles 600-bis, 600-ter, 600-quater and 600-quinquies, there is mandatory confiscation of the goods provided for in Article 240, and closure of the business which gave rise to the offences, together with the revocation of the business permit or the concession or authorisation to broadcast.”

- h. **Article 601 Criminal code** - “Slave trading”
Any person who trades in or in any manner sells slaves or persons in conditions similar to slavery shall be punished with imprisonment for 5 to 20 years;
- i. **Article 602 Criminal code** - “Transferring the ownership (of property) to another and purchase of slaves”
“Whoever, except for the cases mentioned in the preceding article, alienates or yields a person who is in a state of slavery or in a condition similar to slavery or takes possession of him/her or purchases him/her or maintains him/her in slavery conditions, or in the aforesaid condition, shall be punished with imprisonment for 3 to 12 years.
- j. **Article 604 Criminal code** - “Offence committed abroad”
The dispositions of this section, as well as those foreseen by the articles 609-*bis*, 609-*ter*, 609-*quater* and 609-*quinquies*, are sustained also when the envisaged cases are committed also abroad by an Italian citizen, or against an Italian citizen, or by a foreigner concurrently with an Italian citizen.
- k. **Article 605 Criminal code** - “Kidnapping”
Anyone who deprives a person of his/her freedom shall be punished with imprisonment for six months to eight years, and with imprisonment for one to ten years if the act is committed in detriment of an ancestor, a descendant, or a spouse, or by a public official taking advantage of his/her duties.
- l. **Article 416 Criminal code** - “Criminal association”
When three or more persons associate together in order to commit more than one crime, the persons who promote, direct or organise the association shall be punished, for this sole offence, with imprisonment for 3 to 7 years. For the sole fact of participating in the association, punishment shall be imprisonment for 1 to 5 years.
- m. **Article 416-bis Criminal code** “Mafia-type association”
Any person participating in a Mafia-type unlawful association including three or more persons shall be liable to imprisonment for 3 to 6 years. Those persons promoting, directing or organising the said association shall be liable, for this sole offence, to imprisonment for 4 to 9 years. These provisions also apply to the *Camorra* and to any other associations, whatever their local titles, seeking to achieve objectives that correspond to those of Mafia-type unlawful association by taking advantage of the intimidatory power of the association.
- n. Offences contained in **Law no. 75/1958** “Cancellation of regulations on prostitution and fight against exploitation of prostitution” (known as “Legge Merlin”, after the senator who proposed it).
Article 3 comprises a series of crimes aiming at sanctioning all activities which in any way would facilitate, abet and procure prostitution. All offences, even though differing in terms of gravity, are punished with imprisonment from 2 to 6 years and a fine ranging from five hundred thousand to twenty million lire. Para. 2, no. 6 envisages the offence of “inducement to move to a given location or place to carry out prostitution” providing for penalties for those who induce another person to move from one place to another, within the same country or to another country, in order to engage in prostitution; while no. 7 punishes the activity of national or foreign “associations and organisations dedicated to the recruitment and exploitation of prostitutes, and the aiding and abetting by said organisations or associations.

o. **Legislative decree no. 286/98**

Article 12 “Aiding and abetting illegal immigration” punishes any person who commits the abovementioned offence with a view to recruiting persons for prostitution or for the exploitation of prostitution (para. 3). This offence shall be punished with imprisonment from 5 to 15 years and a fine of fifty million lire for each smuggled/trafficked person.

Article 18 “Stay permit for social protection” establishes that a stay permit (“for humanitarian reasons”) shall be issued to provide protection and assistance to victims of trafficking and exploitation who are asked to participate in the Programme of Social assistance and integration (see Annex 1). The release of the special permit of stay does not necessarily imply direct judicial cooperation by the victim. In fact two paths have been foreseen:

- The “judicial path”, which implies that the victim will cooperate with the police and prosecutor. She/he will be instrumental in bringing charges against the perpetrator;
- The “social path”, by which the trafficked person is not obliged to press charges against the trafficker, but is expected to give extensive information to the police. Nevertheless it is possible that the victim will later be called to testify in the process.

p. **Law no. 45/2001**

“Change of the discipline of the protection and the sanction treatment of those people that collaborate with the justice as well as provisions for witnesses.

q. **Law no. 189/2002** “Change of the discipline concerning immigration and asylum” (known as “Bossi-Fini”, after the politicians who proposed it).

Art. 11 “Provisions against clandestine immigrations”.

The punishments are up to 12 years of imprisonment and a 15.000 € fine for each undocumented person smuggled, which can be further increased (up to 15 years and 25.000 € fine) if the smuggled migrants have suffered an “inhuman or degrading treatment”, and if the deeds were accomplished “to recruit people to destine to prostitution or however to sexual exploitation or they concern the entry of underage persons to be employed in illicit activities with the purpose to favour their exploitation.” The punishments can be decreased “if the offender concretely collaborates with the police or the judicial authority to collect important evidences to reconstruct the facts, and to identify and arrest one or more persons responsible for the crimes.” Furthermore, the law has provided for more severe measures of border control policies and expulsion of illegal migrants found on the Italian soil.

In the last three years, Art. 18 of the Legislative Decree no. 286/98 has proven to be a very effective tool to fight human traffic and support victims of such a crime. But, most of all, it has acknowledged the status of victims of trafficking to hundreds of migrant people – sexually exploited women in particular – and has provided them special assistance and protection. The results of the application of such provision will be discussed in the forthcoming paragraph “Victim protection and assistance”.

1.2. Statistics of victims, processes and convictions

In Italy, there are not official databases on victims of human trafficking. This is the result of a series of shortcomings of the Italian legislative, investigative and judicial system. Since no specific law on trafficking in human beings exists, - as already pointed out – other legal provisions have been used in order to investigate and convict the offenders (esp. Article 601, comma 2, of the Criminal code, and Article 12, comma 3, of the Legislative Decree no. 286/98).

Moreover, no comprehensive data collection system has been employed so far and, therefore, no national detailed information are available on the phenomenon of trafficking and the main actors involved – namely, victims, traffickers, exploiters, and all those people partially involved at different stages of the process of trafficking and exploitation.

Nevertheless, a newly published research has gathered available official and confidential secondary sources in order to collect reliable data and delineate the state of play as regards persons reported, arrested and convicted for the offences related to trafficking in human beings. Implemented within the Stop Programme, the research *MON-EU-TRAF: A pilot study on three European Union immigration points for monitoring the international trafficking of human beings for the purpose of sexual exploitation across the European Union* has been carried out by the Research Centre on Transnational Crime of the University of Trento (Italy), the Research Centre on Criminology of the University of Castilla-La Mancha (Spain) and the National Research Institute of Legal Policy of Helsinki (Finland).

The Italian national report represents with no doubt the first attempt of elaboration of information stored in the most important national databases: the CED (Centro Elaborazione Dati – Data Processing Centre) of the Ministry of Interior, the database of the National Institute for Statistics (ISTAT), and the data contained in the *Guidelines no. 8516/G/98* collected through a statistical survey conducted by the Procura Nazionale Antimafia (PNA). Such sources are of particular interest especially because there are either partially accessible (CED) or confidential and unpublished (PNA).

Even though the databases are not fully comparable and the criminal offences collected do not distinguish the different kinds of trafficking in human beings, they are valuable sources. Below we report the data processed by the CED accordingly to the type of offence registered by the police and the criminal courts. The time periods considered are 1997-2000 and 1998-2000.

**Table 1 - Reduction to slavery
(Art. 600 Criminal code)
Persons reported, arrested and convicted – Total and non-citizens
(1997-2000)**

Year	Reported persons		Arrested persons		Convicted persons	
	Total	Non-citizens	Total	Non-citizens	Total	Non-citizens
1997	0	0	0	0	0	0
1998	0	0	0	0	0	0
1999	0	0	0	0	0	0
2000	18	17	18	17	0	0

Source: CED, Ministry of Interior, cited in Transcrime - University of Trento, *Italy. National Report*, 2002

**Table 2 – Slave trading and trafficking in minors for the purpose of sexual exploitation
(Art. 601 Criminal code)
Persons reported, arrested and convicted – Total and non-citizens
(1997-2000)**

Year	Reported persons		Arrested persons		Convicted persons	
	Total	Non-citizens	Total	Non-citizens	Total	Non-citizens
1997	25	22	1	0	13	13
1998	37	31	7	6	1	1
1999	33	25	15	13	5	5
2000	46	42	19	18	2	2

Source: CED, Ministry of Interior, cited in Transcrime - University of Trento, *Italy. National Report*, 2002

**Table 3 - Aiding and abetting illegal immigration and aggravating circumstances
(Art. 12 Legislative Decree no. 286/98)**

**Persons reported, arrested and convicted – Total and non-citizens
(1998-2000)**

Year	Reported persons		Arrested persons		Convicted persons	
	Total	Non-citizens	Total	Non-citizens	Total	Non-citizens
1998	1031	785	727	437	352	246
1999	1070	767	1064	874	397	330
2000	1310	937	1187	990	310	262

Source: CED, Ministry of Interior, cited in Transcrime - University of Trento, *Italy. National Report*, 2002

**Table 4 - Offences related to prostitution
(Law no. 75/1958)**

**Persons reported, arrested and convicted – Total and non-citizens
(1997-2000)**

Year	Reported persons		Arrested persons		Convicted persons	
	Total	Non-citizens	Total	Non-citizens	Total	Non-citizens
1997	2056	1142	847	501	537	257
1998	2126	1142	791	485	534	306
1999	2388	1256	998	631	479	291
2000	2434	1331	943	570	339	211

Source: CED, Ministry of Interior, cited in Transcrime - University of Trento, *Italy. National Report*, 2002

The number of persons reported, arrested and convicted for having committed a human traffic-related crime has greatly increased during the time period analysed. The involvement of both foreign and national offenders is clearly underlined by the collected data. The large application of the Merlin Law (law no. 75/1958) to pursue and punish “whosoever undertakes an activity in national or foreign organisations and associations involved in the recruitment of persons for the purpose of prostitution or the exploitation of prostitution (...)” highlights the ample scope of human traffic for the exploitation in the Italian sex market.

A newly published research – carried out by the Universities of Bologna and Turin, and managed by the Emilia-Romagna Region and *On the Road* within the framework of the Stop Programme of the European Commission – evaluated the results achieved through the social and legal provisions set by Article 18 of the legislative decree no. 286/98. In particular, the investigation monitored the implementation of this norm during its first year of application in different local contexts, assessing the outcomes achieved in terms of social and professional integration of the victims of trafficking and evaluating the impact of Art. 18 on the fight against organised crime. This study, through the analysis of judicial activities aimed at combating crimes against migrants¹ underlined as well that traffic-related offences are often linked to recruitment, induction and exploitation of prostitution, punishable under the Merlin Law (the so-called “prostitution law” mainly intended for the elimination of the exploitation of prostitution of others). The extensive use of such a law has been much debated in the last few years. Enforced to state the principle of non-discrimination and equality among both sexes, the Merlin Law was intended to eliminate “the incrimination and/or regulation of a matter that is considered to be private, such as prostitution”². Nevertheless, some punishable offences included in

¹ Regione Emilia-Romagna – Associazione *On the Road*, *Articolo 18: Tutela delle vittime di traffico di persone e lotta alla criminalità (l'Italia e gli scenari europei). Rapporto di ricerca*, On the Road Edizioni, Martinsicuro, 2002. A shorter version of this research report has also been translated in English: *Article 18: Protection of victims of trafficking and fight against crime (Italy and the European scenario. Research report*.

² M. Virgilio, “Article 18 within the framework of criminal legislation aimed at combating crime against migrants”, in Regione Emilia-Romagna – Associazione *On the Road*, *Article 18: Protection of Victims of*

this law conflict with the respect of the principle stated by the Legislator and tend to criminalize both prostitutes and clients. The need to amend the Merlin Law has already produced several law proposals that are awaiting to be discussed. The Berlusconi government has recently appointed a commission³ to draft a bill to regulate prostitution. This will probably significantly effect the current organisation of the Italian sex market and especially the living and working conditions of migrant sex workers and trafficked prostitutes.

In the first part of the year 2003, the first research based on the national monitoring of the judicial activity, covering five-year period (June 1996-June 2002), in regard to trafficking and smuggling in human beings will be published. Financed within the framework of the “systematic actions” of the Programme Art. 18 by the Italian Ministry of Justice in collaboration with the Department for Equal Opportunities, the research – entitled *Trafficking and smuggling in persons for the purpose of exploitation* – has been carried out by the Research Centre on Transnational Crime of the University of Trento. The investigation – based on the monitoring of the judicial activities of the Italian Public Prosecutors’ Offices - will be the first study founded on standardised and uniform data collection and collation system. It will give detailed information on the criminal activities concerning human traffic and smuggling performed mainly within the Italian territory; social, cultural and judicial profiles of defendants and convicts; social, cultural and economic background of victims; different types of illegal entries. The study will also provide important indications on the role played by the appointed private and public agencies running social assistance and integration schemes for victims of trafficking, both as services providers and as crucial contributors to the fight of such criminal businesses (thanks to the victims’ collaboration with the judicial authorities through both the “judicial” and “social path” as provided for by Art. 18 of the legislative decree no. 286/98). The research findings will contribute, on the one hand, to assess the state of play as regards judicial and, partially, social responses to human traffic and smuggling in Italy and, on the other, to propose measures to ameliorate the system implemented so far.

2. Victim protection and assistance: structure of the reception and support system

In Italy, the Non-Governmental Organisations (Ngo’s)⁴ have always been at the forefront of action against social exclusion. Especially in the case of strategies to combat trafficking of human beings, Ngo’s have played, and still play, a central and exemplary pioneering role. They, in fact, have always preceded - and often taken the place of - governmental bodies in planning activities and providing services in favour of weaker members of society at risk of social exclusion. The strong and consolidated actions of associations, groups, and other organisations - often operating within the framework of Catholic and non-confessional volunteer groups - have represented the most effective tool to answer to the needs of, among others, smuggled and trafficked people.

Public bodies generally follow suit after a certain delay. Such situations changed thoroughly with the implementation of Article 18 of the abovementioned Legislative

Trafficking and Fight against Crime (Italy and the European Scenarios), On the Road Edizioni, Martinsicuro, 2002, p. 76.

³ The appointed commission is composed of vice prime minister, minister of Interior and minister of Equal Opportunities.

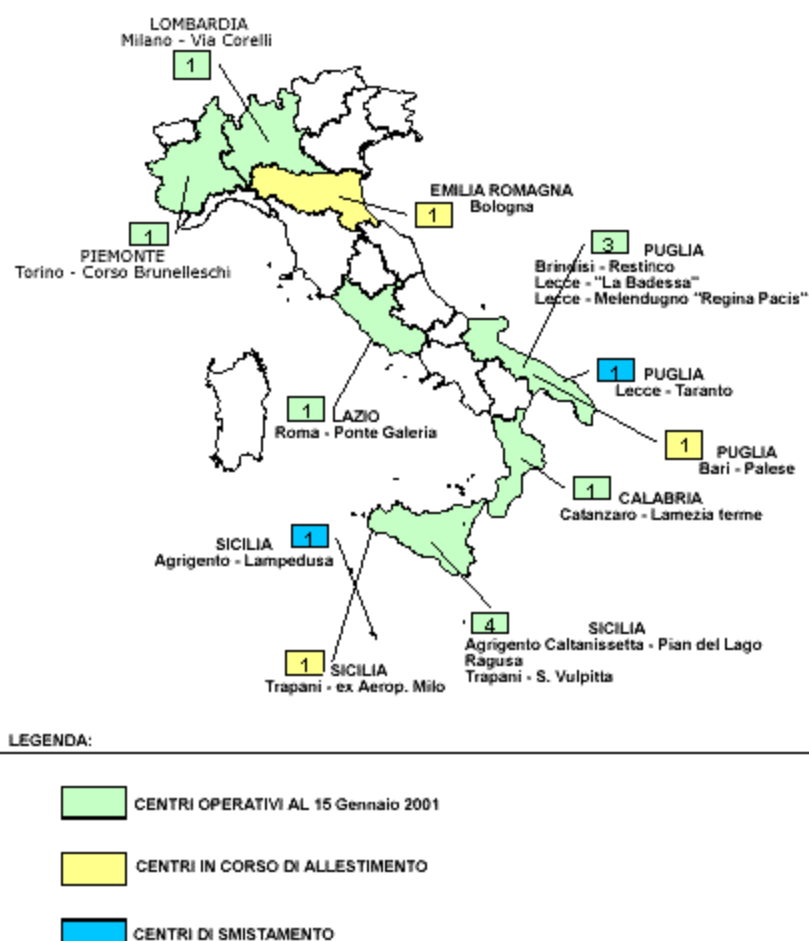
⁴ We use the word “Non Governmental Organisation” as conventionally employed at the international level, but it is important to highlight that in Italy such a term (“*organizzazione non governativa*”) specifically refers to the agencies accredited by the Ministry of Foreign Affairs to carry out projects of international cooperation. In this report, “ngo’s” will then be used to refer to no profit social agencies such as: voluntary associations, associations of social promotion, social cooperatives, ecclesiastic institutions, foundations.

Decree 286/98, which established new regulations regarding the status of “victim of trafficking” and set up the Programme of Social assistance and integration to finance the so-called “Art. 18 projects” specifically targeting the victims of trafficking. Such legislative measures have further strengthened the already existing initiatives carried out by a few public bodies and, in particular, by several Ngo’s active in the field of anti-trafficking, social interventions in prostitution and rights advocacy for prostitutes

2.1. Centri di permanenza temporanea e assistenza per cittadini stranieri

Before the enactment of the Legislative Decree, the institutional response to problems engendered by the growth of trafficking was weak and inconsistent. Immediate forced repatriation and/or temporary shelter was provided to those people who illegally entered Italy and were caught by the police. These measures still function for those who are not proven to be victims of trafficking. They are forcibly sheltered in a so-called “*Centro di permanenza temporanea e assistenza per cittadini stranieri*” (Centre for temporary residence and assistance for foreign citizens) for a maximum of 30 days⁵; during which time the police must identify the person and, according to the information collected, decide whether to expel him/her or allow him/her to stay in the country. On the other hand, if a person is suspected to be a victim of trafficking, she/he is supposed to be informed regarding the possibility of accessing a social protection programme. This does not always happen though, and people are sent back to their home countries (this is often the case of Albanian and Nigerian women).

The shelters belong to the Ministry of Interior are located in 7 different regions of Italy, as shown in Figure 1:



Source:
Ministry of
Interior,
2002

⁵ This term c
receiving the identification documents of the illegal migrant person.

difficulties in

[Centri Operativi al 15 gennaio 2001 = Active Centres at the 15 January 2001; Centri in corso di allestimento = Centres under construction; Centri di smistamento = Sorting Centres]

The “Centres” are positioned either in the “arrival areas” (Puglia, Calabria, Sicilia) or in the “destination areas” - namely the regions where illegal migrants go once they reach Italy and want to find a job or join their acquaintances/family members or are forced to work.

In the “pre-Art. 18 period”, very few public projects were able to respond to the specific needs of trafficked people. The only significant experiences were those carried out by the Emilia-Romagna Region and the Municipalities of Venice-Mestre and Rome and the Province of Turin; while other public authorities co-financed pilot-projects implemented by ngo’s active in this field of social intervention. Some other local administrations (Regions, Provinces, Municipalities) and local health agencies set up a “Bureau for Foreign Citizens” or “Immigration Offices” to offer social and legal counselling to foreign citizens. Unfortunately, these initiatives were not successful in terms of reaching the specific target of trafficked people. Due to their illegal status and poor knowledge of the territorial social services offered, they rarely took advantage of the provided services. In order to overcome this problem, the ngo’s started to respond to explicit and implicit needs by directly contacting the targeted population and offering flexible services including legal and psychological counselling, health prevention and accompaniment, shelter, social insertion, vocational guidance and training, job placement, repatriation (on request).

The vast majority of these actors have mainly been addressing victims of THB for sexual exploitation in prostitution.

2.2. Agencies active in the field of anti-trafficking

Since the early 1990s (in some areas even earlier), different kinds of agencies have been active in the field of social inclusion of trafficked people. All these subjects have been the pioneers of different methodologies and practices and, moreover, they have been fundamental points of reference during the elaboration of Art. 18 and the implementation of the Programme of Social Protection and Assistance.

Given the high number of private and public organisations engaged in this field in Italy, it is not feasible to provide a detailed list in this report, nevertheless it is possible to group them into four main typologies:

Type 1: Religious institutions

Through its Caritas local branches, parish communities, nuns of various orders, and associations, the Catholic Church has developed a set of actions aimed at raising awareness regarding the phenomenon of trafficking (and therefore influencing the communities) and providing services to the victims. By appealing to Christian values and “individual conscience”, Catholic communities also attempt to reduce the “demand” side (clients). The main activities carried out by the Catholic groups are: social and legal counselling, housing, foster care, training of operators, seminars, contacts with countries of origin through local churches. The main representatives of this group are: Caritas Italiana (Rome) and the local Caritas offices (Bologna, Pordenone, Terni, Ancona, Naples, to name but a few), Servizio Migranti (Turin), Associazione Papa Giovanni XXIII (Rimini and other Italian cities), Fondazione Regina Pacis (S. Foca di Melendugno, Lecce), Associazione Buon Pastore (Palermo).

Other Christian institutions also provide services to victims mainly through the (co)funding of projects (i.e. Waldensian Church).

Type 2: Women's groups

Women's groups have implemented relevant initiatives and models of actions aimed at supporting distressed, battered or exploited women. Even if they differ greatly from one another, all operate under the banner of female solidarity. The services provided are: housing, legal counselling, psychological support, vocational training, info points, help hotlines, women's study centres, etc. These include: the network of Anti-Violence Centres, in particular the Women's Shelters of Modena and Bologna, Associazione Differenza Donna (Rome), G.i.r.a.f.f.a.h. (Bari).

Type 3: Non governmental organisations, voluntary organisations and social co-operatives

These comprise social co-operatives, first-emergency shelters, and volunteers' associations. They operate in different areas of the country and, in some cases, target different groups affected by old and new forms of social exclusion (drug users, handicapped people, minors at risk, homeless). In the field of trafficking the main areas of intervention are: outreach work, legal counselling, psychological support, housing and social insertion, vocational training and job insertion, training for social workers, awareness campaigns, interventions in the countries of origin. The main organisations that can be listed under this category are: Associazione *On the Road* (Martinsicuro), Gruppo Abele (Turin), Associazione Lule (Milan), Associazione Arcobaleno (Florence), Parsec (Rome), Cooperativa Dedalus (Naples), Cooperativa Compagni di strada (Bari). About 30 organizations belonging to the *Coordinamento Nazionale Comunità di Accoglienza* – CNCA (National Coordination of Care Communities) promoted in 1998 an “ad hoc group for prostitution and trafficking”.

Type 4: Advocacy groups

Advocacy associations have played a crucial role in supporting initiatives in favour of trafficked people, in particular of foreign women for the purpose of sexual exploitation, who belong to the targeted group. Two of the most significant examples of this group are: *Comitato per i Diritti Civili delle Prostitute* (“Committee for the Civil Rights of Prostitutes”, based in Pordenone) and *MIT - Movimento di Identità Transessuale* (“Movement of Transsexual Identity”, based in Bologna). The *Comitato* was the first in Italy to apply the Tampep (Transnational Aids/std Prevention Among Migrant Prostitutes in Europe Project) methodology and to introduce the principles of harm reduction in its work with prostitutes.

Type 5: Public institutions

Municipalities, Provinces, Regions and Local Health Districts (ASL) represent key-players in the implementation of policies both against human traffic and harm reduction in prostitution. Their involvement has been mainly fostered by the enactment of the Art. 18. The public institutions are active both by providing financial support and services to victims of trafficking. The main public institutions involved in the field, to name but a few, are: Regione Emilia-Romagna, Regione Piemonte, Regione Lazio, Regione Marche; Municipalities of Venice, Turin, Milan, Perugia, Rome, Genova, Naples; Provinces of Genova, Pisa, Lecce, Ascoli Piceno, Teramo, Turin; ASL of Rimini, Trieste.

2.3. Social Assistance and Integration Programme (Art. 18): how it works

The enactment of the Legislative Decree no. 286/98 (in particular of Article 18) has represented a milestone both in the fields of social policies and fight against trafficking of human beings. Through financial support provided by the new law, the Italian government has started to promote, on the one hand, the social inclusion of trafficked people, and on the other one, the fight against trafficking.

One of the major innovative aspects of this decree is the involvement of local authorities and Ngo's as key-actors of the national system of reception and assistance of trafficked persons, thus setting up a fruitful co-operation between local and national authorities on the one hand and social agencies and law enforcement bodies on the other. In fact, the projects can be run by local bodies (Municipalities, Provinces and Regions) and/or ngo's, which in most cases strictly work together.

According to this law, in fact, "Whenever police operations, investigations or court proceedings involving any of the offences set out in Art. 3 of Law no. 75 (1958)⁶, or in Art. 380 of the Code of Criminal Procedure⁷, or whenever the social services of a local administration⁸, in the performance of their social assistance work, identify situations of abuse or severe exploitation of a foreign citizen, and whenever the safety of the said foreign citizen has seen to be endangered as a consequence of attempts to escape from the conditioning of a criminal organisation which engages in one of the afore-cited offences, or as a consequence of statements made during preliminary investigations or in the course of court proceedings, then the chief of police, also acting on the proposal of the Public Prosecutor, or with the favourable opinion of the same Public Prosecutor, may grant a special residence permit enabling the foreign citizen to escape from the situation of abuse and conditioning perpetrated by the criminal organisation and to participate in a social assistance and integration program⁹".

Under these terms, the local authority signs the agreement, after having checked the registration of the association on a special register¹⁰, the compliance of its aid and social integration programmes within the law tenets, and the presence of professional, operational and organisational requisites for the programme implementation.

Private bodies and agencies ought to:

1. Inform the mayor of the place and time of the programme;
2. Carry out all administrative procedures;
3. Send the local authority every six months a report on the progress of programme implementation and interim outcome;
4. Comply with norms concerning privacy and protection of personal data;
5. Duly inform the mayor and *questore* (Chief of Police) issuing the residence permit in case the foreigner has discontinued his/her participation in the programme.

Ever since the implementation of the Programme of Social Protection and Assistance, the Interministerial Committee for the Implementation of Art. 18¹¹ (the managing body of the Programme) has funded 222 projects throughout the country¹². The call for the submission of project proposals is launched yearly by the Department for Equal Opportunities, which technically and financially runs the Programme¹³.

Currently, a system of "welfare mix" guarantees the services to victims of trafficking in most Italian provinces, as the following map clearly shows. The map is based on the list of Article 18 projects funded in the last call for proposal. The map illustrates the

⁶ The law on exploitation of prostitution of others.

⁷ Cases in which the police must arrest the offender.

⁸ City Councils, Provinces or Regions.

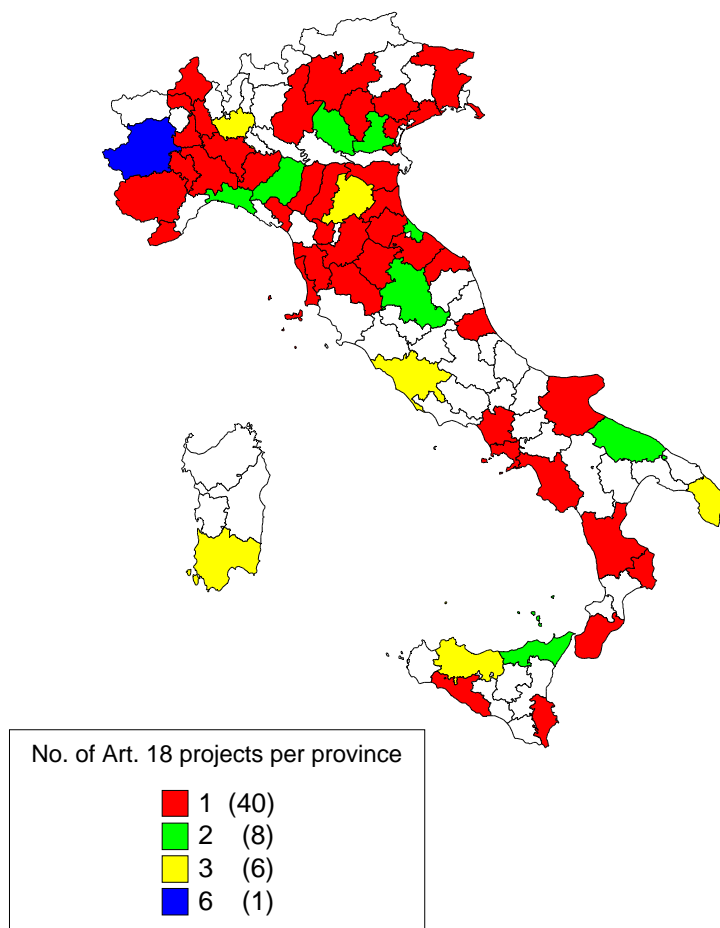
⁹ Art. 18 of the Legislative Decree no. 286/98.

¹⁰ The register of ngo's and bodies carrying out assistance to migrants set up by the Executory Regulation of the Legislative Decree no. 286/98 at the Presidency of the Council of Ministers.

¹¹ The Committee is composed of representatives of the Department for Equal Opportunities, the Ministry of Justice, the Ministry of Welfare, and the Ministry of Interior. Its assignment is to propose policies, evaluate, fund and supervise the projects of social assistance and integration targeting victims of trafficking especially for the purpose of sexual exploitation.

¹² It is important to underline that most projects have been funded in all four calls.

¹³ The grant of each project – by law – is co-financed by the Department for the Equal Opportunities (70% of the eligible costs) and by a local authority (30%).



provinces where the funded projects are located but it is important to highlight that their geographical areas of intervention are much wider.

N.B. The total sum of the projects is higher than that of those effectively funded because we indicated each province involved in the Art. 18 project run by the Emilia-Romagna Region, which yearly submits the application on the behalf of different local and territorial bodies that implement such a project throughout the regional territory, namely: Municipalities of Bologna, Ferrara, Parma, Fidenza, Piacenza, Reggio Emilia, Zola Predosa, and the Local Health Units of Rimini and Cesena, the Social Services of Imola and Ravenna, Cervia, Russi.







Victims of trafficking can directly access a programme of social assistance and integration or they can be referred to an agency running an Art. 18 project through several channels and/or the support of different actors such as: law enforcers, social services providers, voluntary organisations, acquaintances, friends, clients, partners, *Numero Verde Nazionale contro la Tratta*, and so on.

Not every project necessarily provides all types of services directly; in several cases, in fact, the wide range of activities and services is assured by the projects' network. The projects function as reception centres and assistance providers that offer a so-called "individualised programme of social protection" tailored to the needs of the person sheltered and in compliance with the law.

Within each individual programme various activities and services are provided to the victim:

- co-elaboration of the “individualised scheme”;
- shelter and protection;
- board and lodging;
- support for possible crime reporting;
- legal assistance;
- stay permit procedures;
- health and social services;
- psychological assistance;
- social activities;
- educational and training activities;
- Italian language classes;
- vocational guidance;
- job insertion.

The person taken care of can be housed in different types of shelters depending on how the receiving organisation is structured. The main typologies of shelters offered in Italy within the Art. 18 projects are:

-  *Flight and emergency shelters* (for a short first stay period in which the motivations are verified and a first draft of the personal programme is worked out);
-  *First care shelters* (for stays of 2 or 3 months in which the programme is carried out and all steps for the regularization are undertaken);
-  *Second care shelters* (for stays from 2 to 6 months in which the programme is developed in an advanced phase);
-  *Autonomy houses* (houses where the women are hosted while beginning a job and waiting to find an own house);
-  Minors are often inserted in *families*;
-  *Non residential programme* (in which the person is supported at different levels – legally, psychologically etc. – but enjoys an autonomous accommodation usually shared with “significant others”, such as partners, family members or friends)¹⁴.

In some cases a person can be hosted in all these types of shelters following the order listed (from the flight house to the autonomy house) or only in one or two shelter typologies; furthermore, due to special protection provisions or to practical reasons (i.e.: job insertion, family reunion), a person can be hosted in different phases of her/his individual programme by distinct projects throughout Italy.

In four calls 222 projects have been funded: 48 in the first call (2000-2001); 47 in the second call (2001-2002); 58 in the third call (2002-2003); and 69 in the fourth call (2003-2004). It is important to underscore that the budget allocated for this programme has slightly changed after each call; therefore, even if in the last call a higher number of projects has been funded, many of them were granted an undersized fund.

Between March 2000 and February 2001¹⁵, the Art. 18 projects took care of 5.577 people, of which 1.755 (31.5%) applied for an individual programme of social protection. This can be explained as followed:

¹⁴ This is an alternative solution offered to those people who have “significant relationships” and an autonomous accommodation. This form of “shelter” is permitted within the Programme of Social Assistance and Integration on the basis that it is fundamental to value a woman’s personal network in order to support her social inclusion in Italy.

¹⁵ These are the only data available on the Programme published by the Interministerial Committee for the Implementation of Article 18.

- A significant percentage of women decided not to definitively enter the programme because they were scared of possible reprisals by their exploiters and/or traffickers, not only against them but also their families of origin;
- A percentage of women needed more time to decide to interrupt their exploitative conditions, probably because they hoped to reach more profitable agreements with their exploiters;
- Some women did not meet the minimum eligible requirements for entering the programme;
- Another percentage of women did not want to break with their coerced exploitative conditions because they had agreed upon specific forms of contracts with their exploiters and, once they had fulfilled the requirements of the agreement, they would have been set free (i.e.: Nigerian women under the debt bondage system, or the Albanian women who planned to marry their boyfriend/exploiters once they had saved a certain amount of money);
- Finally, there were some women who “instrumentally” contacted the projects in order to access specific territorial services and benefit from certain forms of support¹⁶.

Within the first 2 calls for proposals, the Interministerial Committee for the implementation of Art. 18 funded 95 projects (2000-2001; 2001-2002), which offered several services in most Italian regions (14 out of 20) as indicated in the following table:

Table 5 – Activities of social assistance and integration implemented by Art. 18 projects broken down by regions (2000-2002)

Regions	Street work	Social & legal counselling	Territorial networking	Social integration programme	Family placement	Shelters	Vocational guidance & training	Job insertion & study grants	Other	Total
Piedmont	1	4	2	3	0	2	5	3	2	22
Liguria	1	1	1	0	3	2	1	1	1	10
Lombardy	3	4	2	2	0	8	6	2	2	29
Veneto	4	4	2	4	1	3	7	5	0	30
Friuli Venezia Giulia	1	1	0	2	0	1	1	1	1	9
Emilia-Romagna	1	1	1	1	2	1	1	1	2	11
Tuscany	2	3	2	2	0	2	4	1		18
Marche	1	1	2	1	0	2	1	1	21	10
Umbria	2	2	2	0	0	2	0	2	1	11
Lazio	1	4	2	3	2	1	3	3	1	20
Abruzzo	1	1	1	1	1	1	1	0	1	6
Campania	2	3	0	1	0	2	5	2	1	16
Apulia	2	3	2	5	0	3	2	3	2	22
Sicily	1	1	1	1	0	1	3	2	1	11
Multiregional	1	2	1	0	0	1	1	0	1	7
Total	24	35	21	26	9	32	41	27	19	234

Source: F. Carchedi on data provided by the Department for Equal Opportunities, 2002

Different actions were implemented in all regions, thus creating a system of a rather homogeneous territorial intervention. In several regions, some organisations activated

¹⁶ F. Carchedi, “I progetti di protezione sociale: alcune considerazioni sui servizi offerti nel periodo 2000-2001” (tr.: Projects of social protection: some considerations on the services provided in 2000-2001), in Associazione *On the Road* (ed.), *Prostituzione e tratta. Manuale di intervento sociale* (tr.: Prostitution and trafficking. A social intervention handbook), FrancoAngeli, Milan, 2002.

articulated interventions, while in others the organisations offered only specialised types of services. The most provided services were the ones of vocational guidance and vocational training (41 out of 234), followed by social and legal counselling (35) and housing/shelters (32). Quite significant are the activities of job insertion (27), street work (24) and social integration programmes for leaving prostitution and exploitative conditions (26). Finally, a lower percentage is represented by those aimed at establishing and strengthening the territorial network of resources (social and health services, local authorities, etc.), and by using family placement as an alternative sheltering model.

The Programme of Social Assistance and Integration allows the victims of trafficking to stay on Italian soil and - once the permit is obtained- to work and transform the “permit for social protection” into a regular “work permit”.

In order to support the social and professional inclusion of those hosted into the Italian context, vocational training classes can be provided either directly by the organisations or by local agencies. Several models of job insertion of this specific target have been tried out in the last few years. One of the most effective has proven to be the “Formazione Pratica in Impresa – FPI” (Practical Training within Enterprises)¹⁷ developed by the Associazione *On the Road* and currently implemented by other organisations in different regional areas of the countries. There is also a segment of the target group that prefers to directly access the job market without attending vocational training classes or programmes such as FPI. In these cases, the persons are supported in their job hunting and in their process of job insertion.

In this framework, it is important to underscore the significant role played by two other services/activities provided by many Art. 18 projects (or by other kind of projects often run by the same organisations): the outreach units and the drop-in centres. These activities have proven to be very useful in contacting and identifying trafficked persons within the reached target group. They are innovative models of intervention since they do not use the traditional approach of social services, which address client issues in their headquarters, but work directly on the streets of the areas visited by the target. This kind of approach is of great importance to people who are in the difficult position of being irregular immigrants in a foreign country and victims of exploitation and, therefore, “invisible” persons by definition. Furthermore, these activities can be definitively maintained as special observatories on the phenomenon of social exclusion and trafficking; they can give important indications to plan innovative models of intervention to combat human traffic for the purpose of sexual and labour exploitation.

The underlying objective of the Art. 18 system is to help trafficked people to become independent, and to empower them without putting psychological pressure on them and supposedly without imposing “Western” thinking.

New, effective practices are springing up. Certain services are adapting in order to meet new demands, anticipating institutional responses or putting them into regular practice once they have been successfully tested. However, the various forms of aid are not sufficient to influence the local social representations of the phenomenon, which is an important task due to high correlation between exploitation and demand for sexual services or cheap labour.

This is why Ngo’s are also committed to shape opinion by engaging public debates, seminars and meetings where project workers, administrators, support groups and citizens face the issue in all its complexity. There are schemes to provide families, groups, volunteer associations, trade unions and training institutes with information on the issue in order to target prevention and to open minds.

¹⁷ This model will be further explained in the Chapter C of the report.

There is also a socio-political commitment to making an even greater impact on the institutions in order to promote and implement the necessary laws, to safeguard trafficked people from both exploitation and forced repatriation and to enable them to obtain residence and work permits. Regular meetings between advisory bodies and think-tanks, promoted by private sector welfare bodies and/or the public sector, are held both at local and at a national level. This political role – acknowledged by the former government through the establishment of the “*Comitato di coordinamento delle azioni di governo contro la tratta di donne e minori a fini di sfruttamento sessuale*”¹⁸ - has yielded tangible results: the insertion of Article 18 (specifically concerning the problem of trafficking in human beings) in the Immigration Act (Legislative Decree no. 286/98).

Private sector welfare bodies also have another specific feature, which stems from their position with regard to victims on the one hand and authorities and the public on the other. This is their “watchdog” role, which enables them to size up a situation and serve as a “bridge” between victims and institutions, between the various services (the aim being to establish a network), and between the services and other cultural, social and economic forces engaged in different aspects of the fight against social exclusion. This phenomenon, long concealed, is gradually becoming more recognised due to the human implications and the profound impact it has on victims’ lives.

3. Other relevant THB policy measures

3.1. Numero Verde Nazionale contro la Tratta 800-290.290

Another important tool must be mentioned in this framework of governmental and non-governmental actions to combat trafficking in human beings: the *Numero Verde Nazionale contro la Tratta* 800-290.290 (Toll Free Number against Trafficking). This is a national hotline directed to victims of trafficking, clients, social and law enforcement agencies and the population at large. Financed by the Interministerial Committee for the Implementation of Art. 18, the *Numero Verde* is composed of a single central headquarter that functions as a filter for the calls and 14 territorial branches located in 14 different regional or interregional areas throughout Italy, namely:

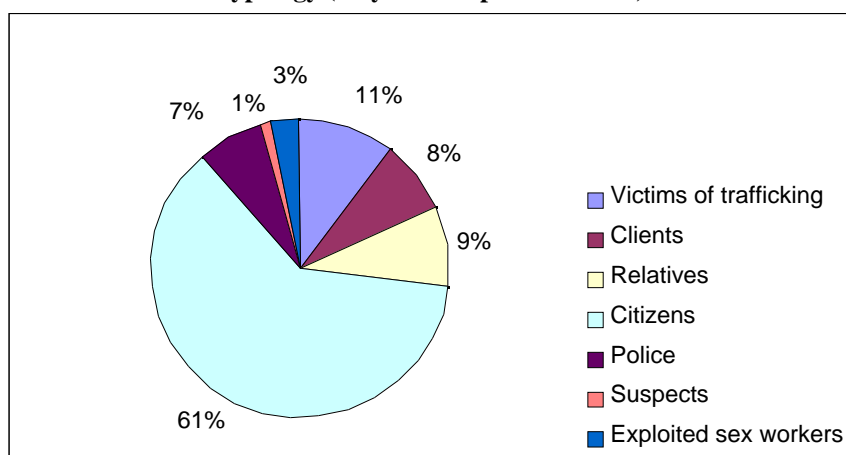
1. Piedmont-Valle d’Aosta;
2. Liguria;
3. Lombardy;
4. Triveneto (Veneto, Friuli Venezia-Giulia, Trentino Alto-Adige);
5. Emilia-Romagna;
6. Tuscany;
7. Marche-Abruzzo-Molise;
8. Umbria;
9. Lazio;
10. Campania;
11. Calabria-Basilicata;
12. Puglia;
13. Sicily;
14. Sardinia.

¹⁸ The *Comitato di coordinamento delle azioni di governo contro la tratta di donne e minori a fini di sfruttamento sessuale* (Coordinating Committee for the Government Actions against Trafficking of Women and Children for the Purpose of Sexual Exploitation) - held at the Presidency of the Council of the Ministers - functioned as an important “exchange body” to discuss and propose actions and legislation issue among different actors engaged in the field of fight against human traffic. Unfortunately, this Committee has stopped working in the last two years and, therefore, a more structured dialogue between Government and public and private social agencies is highly lacking.

In most cases, the territorial branches of the *Numero Verde* are managed by the same Ngo's and public institutions responsible for the implementation of projects funded within the Art. 18 Programme.

From July 2000 to September 2002, the *Numero Verde* received 446.026 calls: 155.745 (34.92%) were "good calls", the rest were: "calls external to the target group", "interrupted calls", and "wrong numbers". As the next chart shows, the majority of calls were those of citizens (61%), followed by those of victims of trafficking (11%), relatives (9%), clients (8%), police (7%), exploited sex workers (3%) and suspected persons (1%). These figures need to be interpreted because it is not always easy to clearly distinguish the given categories. For instance, the distinction between a citizen and a client is sometimes problematic since a person usually prefers to present himself as "a citizen" rather than "a client".

Graph 1 - Total distribution of calls of *Numero Verde contro la Tratta* broken down by caller typology (July 2000-September 2002)



Source: Department for Equal Opportunities, 2002

The types of information asked for concerned: *Numero Verde*, Programme of Social Protection and Assistance, legal advice, socio-sanitary services and addresses. Information is provided in the various languages spoken by the target group, including: English, Albanian, Russian, French, Spanish, Rumanian, Bulgarian.

3.2. Azioni di sistema ("Systematic actions")

In the three years of implementation of the Social Assistance and Integration Programme, the Interministerial Commission also funded other initiative, the so-called "*azioni di sistema*":

- Printing and distribution of stickers advertising the toll free number in the main languages spoken by the target (included several Nigerian dialects);
- Public awareness campaign to publicize the *Numero Verde* through radio and TV commercials;
- National seminar aimed at social operators working in agencies running Art. 18 projects;
- The already mentioned research *Trafficking and smuggling in persons for the purpose of exploitation* carried out by the Research Centre on Transnational Crime of the University of Trento in collaboration with Ministry of Justice;
- The "Voluntary Repatriation Programme" run by the Italian branch office of the International Organisation for Migration (IOM) in collaboration with the Ministry of Interior.

3.3. Law enforcement's practical tools

As far as practical instruments implemented by law enforcement agencies are concerned, the police forces have recently been equipped with special and highly technological devices (i.e.: mobile x-rays and γ -rays to check the containers; “bio sounds” to check train carriages; new fixed and mobile radars to detect small boats) with which to carry out investigations in human trafficking cases. The police forces have also increased the number of raids and expulsions of illegal migrants suspected to be involved in the trafficking chains. Sometimes, however, such measures also involve victims of trafficking who are not always informed by the law enforcers about their right to access to a programme of social protection and, therefore, they are immediately repatriated.

International police cooperation has also been enhanced. Italy has signed 62 agreements with 40 countries in order to exchange know-how and information to counteract illegal immigration. Particularly relevant it seems to be the agreement signed in Tirana in 1997 with the Albanian Government, according to which all the Albanian citizens, who are found to illegally stay in Italy, can be immediately expelled. Furthermore, an Italian Interforce Police Mission has been established in Albania to supply counselling and operative cooperation in the reorganisation of Albania's police forces, and to reinforce measures to control the Albanian territory¹⁹.

The Italian Ministry of Interior has also reorganised and specifically trained the liaison officers and the police officers stationed in the Italian consulates and embassies of the main countries of origin of trafficking in order to provide assistance on the subject of visa applications and collect information regarding illegal immigration and the organisations behind it²⁰.

Finally, within each *Questura* (usually within the Immigration Office), the Ministry of Interior has appointed a “unique referent” officer who is responsible for the “Art. 18 cases of human trafficking”. Unfortunately, not all *Questure* have assigned this task to an officer that, when existing, has proved to play a significant role of interface amongst all relevant actors involved: law enforcement agencies, Ngo's, local authorities, national authorities, *Numero Verde contro la Tratta* and, of course, victims.

¹⁹ University of Trento - Transcrime, *MON-EU-TRAF: A pilot study on three European Union immigration points for monitoring the international trafficking of human beings for the purpose of sexual exploitation across the European Union*, Trento, p. 160.

²⁰ Idem; and see Comitato parlamentare di controllo sull'attuazione e il funzionamento della Convenzione di applicazione dell'accordo di Shengen e di vigilanza sull'attività dell'unità nazionale europea, *Final document of the enquiry on trafficking in human beings*, Rome, 7 February 2001.

Chapter B. Facts and figures of the phenomenon of human trafficking

1. The phenomenon of trafficking: general introduction

The relationship between Italy and the phenomenon of human traffic is old and dour and tightly intertwined with the history of the country. Before becoming one of the main illegal port of entry for thousands and thousands of desperate people looking for a better future in the wealthy Western Europe, Italy was one of the major source country of poor individuals migrating – legally or illegally – to other European countries, to North or South America and Australia. Between 1876 and 1976, 27 millions of Italians moved abroad to ameliorate their living conditions and many of them reached the foreign countries through the circuits of smuggling and trafficking of those days.

In the first decades of the twentieth century, the human traffic also involved Italian women and girls, who were recruited in the poor Italian areas, transported from the main Italian cities and ports (Genoa, Trieste, Naples, Brindisi, Catania, Messina, etc.) to Algiers, Tripoli, Porto Said Benghazi, Malta, Montevideo, Buenos Aires, San Francisco, etc., to be exploited in the field of prostitution or - in the case of young boys - in the one of child labour, especially as chimney-sweepers, glass workers, beggars, street vendors in France, Great Britain, United States and so on²¹. Nevertheless, this is a part of the Italian history that in current years is barely recalled while the main attention is constantly focussed on the “mass of desperate undocumented persons rescued near the Mediterranean shores”, the “the nth travel of the sea old crocks”, the “hordes of foreign prostitutes invaded the Italian sidewalks”, as the news headlines label the illegal migrants trying to (voluntarily or forcibly) enter or live in Italy by any possible means.

Today Italy is facing a challenging situation: on the one hand, to “defend” its national borders and, consequently, the ones of “fortress Europe” from the constant flows of clandestine migrants and, on the other one, to protect the rights of the aliens trafficked into its territory to be exploited. It is not an easy task to achieve, especially because illegal migration and human traffic are often “hot” issues that juxtapose different ideological and political parties that strongly debate within the public arena.

The measures recently taken for regulating the migration flow and the relevant restrictions of legal entries have created a strong imbalance between demand and offer of applications for entry into the national territory. The policy of quotas on the migration flow has brought about the closure of the ‘classic’ channels of regularisation used for many years by thousands of illegal immigrants (i.e. amnesties cyclically granted by the government) and has increased, on the one hand, the illegal circuits within which many people are forced to stay and, on the other, the use of illegal forms of entry into Italy.

1.2. Italy: from a source country to a country of transit and destination

The transformation of Italy from a country of origin of migrants to one of transit or destination started in the 70s and reached its peak in the 90s. The fall of the Berlin wall has knocked down the boundaries that till then had been believed to be very strong, and the Italian peninsula started to become the landing and crossing point for thousands of

²¹ G.A. Stella, E. Franzina, “Brutta gente. Il razzismo italiano”, in *Storia dell’emigrazione italiana. Arrivi*, Donzelli Editore, Roma, 2002, pp. 293-294; see also G.A. Stella, *L’Orda, quando gli albanesi eravamo noi* (tr.: “The horde, when we were the Albanians”), Rizzoli, Milano, 2002, pp. 81-106. This book is a remarkable account of the various xenophobic actions and stereotypes suffered by Italian migrants abroad and of the intolerant manifestations and deeds performed by Italians in detriment of migrants entering or living nowadays in Italy: in most cases, the racist behaviours and actions are similar and sometimes they even overlap!

immigrants coming from the countries of the earlier Soviet bloc, of the Middle and the Far East, heading for Italy as well as for other European areas and overseas (USA and Canada). Indeed, the fall of the Berlin wall has simply given a stronger thrust to a process which had already been triggered some time ago, caused by a range of factors, among which: the development of the so-called informal economy in Europe, the collapse of the economies in the countries of origin, the settling down of foreign communities, the tightening of the control policies on European borders. To overcome these hurdles and accomplish their own migration plan, a higher and higher number of illegal people has started to turn to illegal ways which might ensure their arrival in Italy.

Starting from the first half of the 90s the phenomena of human trafficking and smuggling became a fully-fledged “industry” that over time has specialised in and created segments of services managed and offered by the networks that rule these particular sectors of the widely celebrated informal modern economy, albeit an illegal one. Once arrived in Italy, the migrants either continue their travel to reach another European country - mainly Germany, France, Belgium, The Netherlands and Great Britain -, and sometimes an American one (United States and Canada), or stay on the Italian soil.

Regardless of where they will finally reside, the illegal migrants are likely to be exposed to exploitation by the same organisation that favoured their illegal entry or by local individuals and/or groups. The main sectors of the Italian job market involved in this exploitative mechanism are: agriculture, construction, garment, catering, trucking, entertainment, retail commerce, services, domestic help, aged assistance, baby sitting and sex industry. Likewise other countries, Italy is experiencing a sort of “ethnic specialisation” of certain segments of the job market, thus, for instance, the Chinese usually work in the clothing firms or in restaurants, the Filipinos or Ukrainians in domestic work, the Senegalese in street vending or seasonal work, Albanians in street prostitution.

According to a recent report²² issued by the *Ispettorato del lavoro dei Carabinieri* (“Work Inspectorate of *Carabinieri*”) 55% of Italian companies make use of the so-called “black labour force”, part of which is composed of illegal migrants. Such “pervading, flooding and rooted phenomenon” – as the report underscores – exploits especially [Italian] students, unemployed and self-employed individuals and clandestine migrants. Furthermore, the *Carabinieri* also detected a quite recent trend: the high growth of “black co-operatives” almost always managed by foreigners – especially Northern-Africans - that offer very cheap labour costs and elude controls because they survive only for few months.

A certain percentage of trafficked people are also employed in illicit activities linked mainly to the markets of drugs, street vending, screen cleaning, prostitution, entertainment, pornography, begging. The main victims exploited in the latter sectors are in particular women and children, who sometimes are forced to simultaneously perform several activities (i.e.: some children work as screen cleaners or flowers sellers during the day and as prostitutes during the night; or some women work contemporaneously as dancers and occasionally as drug dealers).

As several investigations have pointed out, interconnections between migration-strict entry policies-illegal entry-crime are quite tight. As a consequence, the rates of illegal entries and of illicit activities managed by criminal groups specialised in smuggling and trafficking are directly linked to the type of national border control and entry policies implemented in a given European country. If a country strictly strengthens its migration policies in front of a high workforce demand, it will probably have to face counteracting actions from the offer side, sometimes at quite high social costs: “the outcome is that

²² Cited in the Italian newspaper *La Repubblica*, 12/03/2002. Such report is based on a sample of 21.431 Italian firms.

more demand produces more illegal trafficking, and this in turn produces more exploitation and more crime at the local level”²³.

In the following section of the chapter, we will analyse one specific form of human traffic, that of foreign women exploited in prostitution in the Italian sex market, mainly in street prostitution.

2. Forms of exploitation: forced prostitution

Prostitution is the main sector of exploitation in which trafficked women are inserted once they arrive in Italy.

Such phenomenon, which began in the early 90s, currently presents the dimensions of a real industry divided up in departments and managed by different criminal groups. In the last ten years, this form of exploitation has gone through several structural and logistical changes, hence becoming a highly articulated and operative machinery that involves a series of national and foreign actors in the different stages of trafficking and exploitation, in the countries of origin as well as in those of transit and destination.

One of the main transformations registered in the last decade in the Italian sex industry is the monopoly of Albanian criminal groups. In fact, at the beginning of the 90s, the role of the Albanians was limited to recruitment and transport to the Adriatic coasts and, occasionally, to the Italian-Slovenian border, or entailed women’s exploitation in limited areas of Italy, usually nearby the main landing areas (mainly, in Apulia, Abruzzo, and Marche). At present, the sex market is dominated by Albanian exploiters who, in most cases, work out agreements with local Italian criminal organisations for the control of the territory. They may also make arrangements with Italian citizens who provide “specialised” services (transport from the place of landing to the railway station, transport from the residence to the place of work, control on women, management of clubs, etc.).

The growth of the sex industry and of migration flows have contributed to establishing strong links between organised crime from the women’s countries of origin and criminal groups active in the country of destination. Today, foreign Mafias control this extremely profitable market in Italy, both with the “approval” of the Italian criminals and often with the support or even vested interests of authorities in their country of origin. An example of the strong connections established amongst distinct foreign criminal groups is given by the large number of women coming from a wide variety of different countries and the numerous actors at play in managing the different stages of international trafficking.

²³ E.U. Savona, *Illicit Trafficking in Arms, Nuclear Material, People and Motor Vehicles. The Most Important Things We have Learnt and Priorities for Future Study and Research*, paper prepared for the: “Meeting of leading academic experts within the framework of multidisciplinary group on organised crime”, Brussels, 18th - 19th May 1998.

2.1. The places of prostitution

In Italy, prostitution takes place on the street, in apartments, hotels, private clubs, saunas. Until a few years ago, the prostitutes who worked in “indoor places” were those with a higher degree of independence with respect to their counterparts working on the street. Now this is no longer true, and such a clear-cut distinction cannot be made. Recent scientific studies²⁴, social operators and police investigations underscore the emergence of a new trend that is rapidly spreading: the transfer of the exercise of prostitution in indoor places, especially in connection with nights clubs and in private apartments. Several women, in fact, have declared to have worked as prostitutes both on the street and in “hidden” places, in Italy and, in some cases, also in the countries of transit and destination. A “mixed” form of prostitution is taking place: the women are no longer forced to prostitute themselves only in one setting but in several ones during the same time period. The tendency to move the women to indoor spaces seems to be, on the one hand, the answer of the criminal organisations to the actions of repression implemented by the law enforcement agencies (mainly through the increase of raids and street patrolling) and, on the other hand, an answer to the clients’ request to enjoy a greater level of privacy and less social pressure while purchasing a sexual service.

2.2. Main prostitutes’ profiles

There are three identified main typologies of prostitutes: call girls, “hidden” prostitutes, and street prostitutes²⁵; however, different combinations of such typologies can be found.

Type 1: Call girls

They are mainly women from Poland, Russia, Colombia and Argentina and, to a lesser extent, from Brazil, Hungary, Romania, and the Philippines²⁶. In recent times, also women from other East and Central European countries as well as ex-USSR republics have started to work as call girls. They usually work in their own apartments or in a shared apartment with other sex workers, and post more or less explicit ads to attract clients on the local and/or national paper; they enjoy a quite high degree of autonomy and their “protectors” are less exploitative. Until a couple of years ago, only voluntary sex workers were classified under this typology of prostittutive practice; today, due to the changes that have occurred in the prostitution scene, several trafficked women might be listed under this category.

Type 2: “Hidden” prostitutes

This category of women are recruited to work in clubs as entreneuses, strip-teasers, dancers; in beauty centers as masseuses, beauticians; for specialised agencies as escorts; or in TV and movie settings as actresses and entertainers, and are asked to perform sexual services as well. In several cases, they already carried out similar activities in their country of origin and, most of the time, were fully aware of what they would be doing in Italy. Once again, these women are partially deceived by recruiters and exploiters regarding their working and living conditions. Many of them, in fact, experience abusive behaviours and are often hosted in secluded environments that limit their contact with the outside world. Generally, the “hidden” foreign prostitutes are from

²⁴ *On the Road* is part of a team (managed by the Province of Pisa) that is carrying out in four different Italian geographical areas, within the framework of the Equal Programme of the European Commission, a research-action on the so-called “hidden prostitution”. Another research on the different forms of hidden prostitution will be conducted in the coming months, within an INTERREG Project managed by the Emilia-Romagna Region, in several Italian regions.

²⁵ These categories have been coined by F. Carchedi, in F. Carchedi, A. Picciolini, G. Mottura., G. Campani (eds.) *I colori della notte. Migrazioni, sfruttamento sessuale, esperienze di intervento sociale*, FrancoAngeli, Milan, 2000.

²⁶ Idem, p. 138 and following.

Central and Eastern Europe, and Brazil, Colombia and Philippines. As already mentioned, there is a new trend in this sector, which underscores the tendency to move women from the streets to “indoor places” as a result of a series of changes in the prostitution scenario. This can be quite dangerous for those women who are coerced and constantly controlled by their exploiters because they have little chance to ask for help to social workers or acquaintances, or even to the law enforcement officers.

Type 3: Street prostitutes

The street is undoubtedly the place where the phenomenon of trafficking for the purpose of sexual exploitation is most visible. It is estimated that between 75 and 80% of foreign women trafficked in Italy end up in this form of prostitution. Trafficked street prostitutes are usually deprived of their official documents and forced to gain a minimum amount of money per day. Psychological and physical violence is often part of their daily living and working conditions. As we will see, different patterns of exploitation have been registered according to the country of origin. Street prostitutes are the most exposed to the public and, therefore, to the activities of law enforcers (raids, expulsion orders, forced repatriation, etc.). Soliciting on the street, aside from the well-known dangers, does leave room for women to establish a network of contacts, including those with the outreach units which might be of help in various cases (i.e. health issues, legal or social counselling, etc.) or when trying to move away from the trade, sometimes with the support of the clients.

Among all the above-described categories, kidnapped, sold, deceived foreign women for the purpose of sexual exploitation can be found as well as exploited migrant sex workers.

2.3. Estimates: migrant prostitutes and trafficked prostitutes

The estimates of the phenomenon are difficult to quantify. Many figures have been proposed in these years by various agencies that work in the field of social intervention in favour of victims of trafficking for sexual exploitation.

According to *Caritas Nazionale Italiana*, trafficked women who are forced to prostitute themselves on the Italian streets are 50.000, while according to the *Papa Giovanni XXIII Association* they equal between 80.000 and 100.000. Parsec - a research agency of Rome - has conducted in collaboration with the University of Florence an empirical study to estimate the number of foreign prostitutes in Italy. According to this research, the migrant prostitutes range from 14.757 (min.) to 19.289 (max.), so distributed on the Italian territory: from 7.700 (min.) to 10.130 (max.) in the North; from 5.587 (min.) to 6.989 (max.) in the Central-northern region; and from 1.470 (min.) to 2.170 (max.) in the South.

Table 6 – Estimates of migrant prostitutes in Italy broken down by regions

Regions	Estimates 1998	
	Min.	Max.
Veneto	600	800
Emilia-Romagna	1.200	1.600
Lombardy	3.500	4.500
Piedmont	1.200	1.600
Other Northern regions	1.200	1.630
Sub-total	7.700	10.130
Lazio	4.000	5.000
Other Central regions	387	489
Umbria	300	400
Tuscany	900	1.100
Sub-total	5.587	6.989
Abruzzo	210	300
Campania	1.000	1.500
Other Southern regions	-	-
Basilicata	30	50
Apulia	80	100
Calabria	30	50
Sicily	90	120
Sardinia	30	50
Sub-total	1.470	2.170
General total	14.757	19.289

Source: Adapted from F. Carchedi et al. (2000)

To the total sum of people registered in the street - that range from 14.757 to 19.289 -, it is necessary to add the number of women (progressively on the rise) who prostitute themselves in less visible places such as hotels, apartments, night clubs, saunas, massage parlours, etc. The research estimates was that according to key-informants, the ratio between hidden prostitution and street prostitution could be considered 1:3; consequently 6.500 c. are those people who prostitute themselves in “hidden places”: 3.380 in the North, 2.340 in the Central Northern regions, 780 in the South. Nevertheless, it is important to specify that it is difficult to quantify the phenomenon due to its continuous changes; the high mobility of women periodically moved from one part of Italy to another or between EU countries, creating difficulties in measuring this particular target.

How many of these women are victims of trafficking?

The answer to this question is rather controversial because it depends on the definition of “victim of trafficking”. Even though several international documents give a precise and detailed definition of “victim of trafficking”, both in the public discourse and

among the professionals working in the field, very often the terms “trafficking” and “prostitution” are associated and confused, this favours misinterpretation and mystification and does not help to set clear-cut aims in the activities of study and intervention in such areas.

According to some social operators, all trafficked people should be considered victims of such a crime, while for others, it is necessary to operate with some distinctions, keeping in mind that forms of negotiation exist between women and their traffickers/exploiters. This does not exclude however that - also in case of a certain level of independence - the women are subject to heavy conditions of exploitation by their protectors. According to the above-mentioned study, the victims of trafficking for sexual exploitation range from 1.103 (min.) to 1.446 (max.). These data refer to four years ago, therefore, it would be necessary to update them in the light of the changes concerning the phenomenon and the preventative steps carried out by public and private Italian agencies.

2.4. Countries of origin

Around 90% of street prostitutes working in Italy come from non-EU countries. The majority of women, minors and transsexuals touched one way or the other by trafficking come from the Balkan area, specifically from Albania (25-30%) and countries of former Yugoslavia (10%); from Africa (25-30%), in particular Nigeria, and to a lesser extent Ghana, Liberia, Sierra Leone, Morocco, Tunisia; from Eastern Europe, in particular from countries of the former Soviet Union bloc such as Russia, Moldova, Ukraine, Romania, Hungary, Bulgaria (15-20%), and a small percentage from Latin America²⁷.

The following paragraphs will give a short description of the main characteristics of the foreign trafficked women for the purpose of sexual exploitation in prostitution as regards their: country of origin, motivation to leave, recruitment, transportation, trafficker and exploiter, and exploitative conditions.

2.4.1. Nigeria

Women from Nigeria usually come from Akwa Ibom, Cross River, Edo e Delta States. The recruitment takes place directly in the area where the women live and is managed by a stranger or an acquaintance who promises a well-paid job in Western Europe. According to a Nigerian study, the main push factors of female trafficking in Nigeria are: poverty, unemployment, the urge to make quick money, high social regard for material wealth, anxiety to follow friends/others and ignorance, low level of education²⁸. Women are not always aware of the situation they are going to find in the country of destination. Many are in fact deceived with lies and false promises of legal work or, even if they are aware of the work they are expected to carry out, they cannot imagine the conditions in which they will find themselves and the heavy burden of indebtedness which their inadequate earnings cannot lighten.

Since the woman or her family does not have enough money to undertake the travel, they generally incur a debt with the organisation responsible for their journey and placement in the territory. The initial debt may range from between 30.000 and 40.000

²⁷ F. Carchedi et al., *op. cit.*

²⁸ Girls' Power. Newsletter of Girls' Power Initiative (GPI) Nigeria, *Trafficking in girls. Victims blame poverty*, Volume 8, No. 2, April-June 2002. The research was carried out by GIP between October and December 2001 in some selected communities known for their high rate of internal and external trafficking. The results of the investigation are based on 16 focus groups and 139 interviews with youths, parents, victims of trafficking policy-makers, community and religious leaders, government officials, ngo's representatives.

€, but it may exceed 50.000 €; so, even if the woman knew her future activity in Europe, she is forced to work as a prostitute for a longer period of time than she had envisaged at the beginning, and often in much worse conditions than the ones she had “negotiated”. The obligation to repay the debt is often produced by a mix of respect/fear for a ritual oath associated with religious beliefs (“voo-doo”) and fear of possible retaliation measures against relatives left behind. Moreover, the initial debt raises considerably due to new “costs” imposed by the “maman” for: room, food, bills, clothes, “spot” where they work, fines for “wrong doings” and so on.

The “maman” is the key-figure in the Nigerian hierarchical system of exploitation of women in the sex industry. The *maman* is a Nigerian woman in charge of the business who controls her assigned/bought victims until the complete restitution of the debt bondage. Until a couple of years ago, the network was mainly based on a *maman* operating in Italy directly in contact with a “maman boss” living in Nigeria where the proceeds were sent via money orders. A group of other people were part of the organisation as recruiters, escorts, supervisors, etc. Due to the changes occurred in the business, conflicts emerged among different criminal groups, the implementation of a set of new Italian provisions to combat trafficking, in the last few years, the Nigerian *maman* system has gone through several structural changes and, thus, it has become an even more sophisticated machinery. In fact, currently, next to the *maman* (“grand *maman*”) who was used to manage groups of 15-20 women, a new *maman* (“petite *maman*” or “mini-maman”) can be found²⁹. The latter controls smaller groups of victims (3-4), who often have to pay both the “grand *maman*” and the “petite *maman*”. Sometimes, the latter are former prostitutes who, after having paid back their debt, decide to be part of the organisation by supervising other women, thus investing their own money and collecting payments from the country fellow victims. Therefore, the *maman* pyramidal scheme is presently composed of: a “maman boss” who collects the profits in Nigeria; a “grand *maman*” who lives in Italy and coordinates several “petite *mamans*”; a number of “petite *mamans*” who supervise and gather the profits of the Nigerian prostitutes. This new *modus operandi* system has worsened the level of exploitation of the victims, who are now subject to more severe forms of violence and coercion. This change occurred in the Nigerian pyramidal system could also explain the rise of Nigerians within the persons inserted in the Social assistance and integration programme and, also, the fact that their more willing than in the past to press charges against their exploiters and traffickers.

Even though Nigerian trafficking chains are mainly directed by women, some Nigerian males can also be found. They usually work as drivers, escorts, bodyguards, intimidators and, some time, as major managers of trafficking at the international level.

Nigerians usually arrive to Italy through a route composed of different steps and via several means of transportation, such as car, bus, train, boat, plane and, in some tracts, even on foot. They can directly reach Italy by air, usually through other European cities (Madrid, Paris, Amsterdam, London) or the aeroplane can be just one of the means used after a journey that crosses several Western African countries: Benin, Togo, Ghana, Ivory Coast, Liberia, Sierra Leone, Guinea, Guinea Bissau, Senegal, Mauritania, Morocco. Once in Morocco, they can either reach Spain through the Strait of Gibraltar and then Italy via train, car or plane; or go on and pass Algeria and Tunisia from where they get to the Sicilian Western coasts by boat.

It is interesting to note that Turin seems to be an important post of reference for Nigerians coming to our country. Such a city, in fact, hosts the largest Nigerian

²⁹ F. Carchedi, “La prostituzione straniera e la prostituzione derivante dal traffico di donne. Un quadro complessivo” (tr. Foreign prostitution and prostitution deriving from trafficking of women. A general overview), in Fondazione Internazionale L. Basso – Parsec (eds.), *Traffico di esseri umani, criminalità organizzata e forme di schiavitù* (tr.: Trafficking in human beings, organised crime and forms of slavery), research report, 2002, mimeo, p. 32-33.

community of prostitutes in Italy and, as a matter of fact, it is a main transit point for those arriving to Italy. This is quite an interesting datum since the Nigerian citizens do not represent the most numerous foreign ethnic group residing in Turin, in fact, the largest foreign communities – that represent the 53% of the migrant population - are those of Moroccans, Romanians, Peruvians, Albanians and Chinese³⁰. Such a distinct situation could be partially explained as the result of the “presence, in the Italian embassy in Lagos, of a civil servant (now in jail) who sold visas, assigning as destination Turin, where she was in contact with a network of ‘madams’ and Italian exploiters”³¹.

Most of Nigerian prostitutes work on the streets, while only a smaller percentage are employed in night clubs. They can be found in large metropolitan cities such as Turin, Milan, Genoa, Florence, Bologna, Rome, Palermo, as well as in suburban and rural areas of the peninsula.

2.4.2. Albania

It is one of the main countries of origin of girls and women exploited in the commercial sex sector in Italy. The first contingent of Albanian prostitutes was registered in the early 90s, short after the first migratory wave (1991-1992) that drove abroad about 300.000 people³², following the collapse of the Communist regime and the failure of the subsequent government. The young Albanian women destined to be sexually exploited were and still are among those Albanians who illegally enter Italy especially via Apulian coasts and more rarely through the Slovenian-Italian border; sometimes they also legally reach Italy by ferry.

At the outset of this criminal activity, Albanian victims were usually recruited in the main coastal cities of the Country of the Eagles, while in recent times, they are recruited in rural areas, where the communities are less aware and informed on the phenomenon of trafficking and of its mechanisms.

The recruiters are often young males who generally get engaged with the victim and, through false promises of marriage and/or job placement, bring her to Italy. There are also cases of kidnappings of young women, although this is a practice occasionally implemented nowadays. In the last few years, also acquaintances, friends or relatives play the role of recruiters encouraging young women to expatriate to meet a potential husband or to work.

Once reached the Italian soil, the fiancé or the kidnapper either persuades or forces the girl/woman to work as prostitute generally on the street but, in some cases, in hotels, private flats, bars or clubs. From now on, the victim is entrapped in a system of exploitation that is characterised by a high level of coercion that extends from the lack of, or inadequate control, of their condition (passport seizure, no control over the money, being moved from one area to the other at will, etc.) to extreme situations where she is threatened or abused for insufficient earnings, in which instance she may be induced to adopt behaviours risky to her health (e.g., not using condoms, thus complying with clients’ requests and her need to earn more money).

The migration of young women to Italy or other countries is driven by the wish to marry and ameliorate their living conditions and, quite often, by the strong desire to achieve independence from their families and live accordingly the Western standards. In order

³⁰ Istat, 2000.

³¹ Cles (ed.), *Barcellona, Parigi, Torino. Interventi sulla prostituzione extracomunitaria* (tr.: Barcelona, Paris, Turin. Interventions on foreign prostitution), Otto Editore, Torino, 2002, p. 196.

³² See F. Piperno, *From Albania to Italy. Formation and basic features of a binational migration system*, background paper for the CEME-CeSPI research mission in Italy and Albania (5-9 June 2002).

to better understand the peculiar relationship between the Albanian victim and the exploiter, often based on vexation, blackmailing, humiliation and violence of all sorts, it is necessary to analyse it within the framework of the patriarchal, “macho” Albanian society. The role of women in the Albanian society is highly determined by obsolete and sexist cultural rules that leave almost no room to the female self-determination. Therefore, the peculiar characteristics of trafficking of Albanian women for the purpose of sexual exploitation might be interpreted in terms of gender as well as in terms of misery and poverty. Even though this phenomenon requires such approach for any ethnic group involved in it, this is particularly relevant for the Albanian group.

After 10 years, the Albanian system of sexual exploitation in the field of prostitution has experienced several changes. The phenomenon is currently quite well-known in Albania, thanks to several awareness campaigns run by local and international organisations, the efforts of the local and national governments and the stories directly told by the victims. As a result, women are more aware of the final aims of the job and/or marriage offers they receive; they then can more often “decide” if they want to include prostitution as a temporary aspect of their migratory project. Today there are instances of violent recruitment together with a certain degree of autonomy by women involved, although this autonomy is often the result of many years of work as a prostitute, a progressive enfranchising from the initial condition of complete submission to organised crime or procurers. Many Albanian women still live a situation where they have a “relationship” with their procurer - who also “protects” them – or they often work for a fiancé or a relative. In actual fact, even if the recruitment and the work conditions are based on agreements between the parties, Albanian prostitutes are still subject to several forms of physical and psychological abuse and submission.

In the late 90s, in Italy, the brutality performed by Albanian exploiters on their – often young – victims contributed to raise a large public debate on forced prostitution and on the difference between prostitution and trafficking. Moreover, the wide media coverage – frequently prudish and simplistic – and the pressure of local communities exasperated by the “Albanian street invasion” drew also the attention of public and private institutions and agencies engaged in the fight against social exclusion to the tragedy of women and minors submitted to trafficking for the purpose of sexual exploitation³³.

In the last few years, the percentage of Albanian prostitutes working on the street has noticeably decreased. This new scenario could be the result of several changes occurred: the implementation of the bilateral agreement of readmission signed by the Italian and Albanian governments (1997); a higher level of public awareness on the risks of trafficking in Albania; the shift of Albanian prostitutes from the street to indoor places (hotels, private apartments, clubs, etc.); the entry of other foreign women in the Italian sex market.

2.4.3. Ex-Soviet Union and Eastern Europe

Girls and women trafficked from the countries of ex-Soviet Union and Eastern Europe arrived in Italy few years after the Nigerian and the Albanian groups (1996-1998). The profile of the Eastern European and ex-Soviet woman is quite distinct from their foreign counterparts. In fact, they usually include also older women, more educated and with a clear-cut migratory project they plan to accomplish. They usually tend to be women who decide to leave their home for a definite period of time in order to economic support themselves and their family. Their countries are in fact facing very difficult financial and economic crises that drive many people abroad to look for alternative sources of income. Women from Ukraine, Belarus, Russia, Romania, Hungary, Bulgaria

³³ V. Castelli, “Preface”, in Regione Emilia-Romagna, Associazione *On the Road* (eds.), *Article 18... op. cit.*

and Moldova are then “willing” to move in a foreign country, taking risks and suffering difficult life and work conditions, to send remittances back home.

The recruitment is often organised by travel or employment agencies (especially through advertisements on local papers and flyers), acquaintances or friends who offer a well-paid job in Italy as bar tender, waitress, baby-sitter, maid, dancer, entertainer or prostitute. According to a recent police investigation, out of 1,346 Moldavian travel agencies only 340 were legal³⁴. The phenomenon of the travel and/or employment agencies has in fact exploded in the last 3-5 years and seems to be an area in constant expansion. It is interesting to remark that in many cases women are informed that they will work as sex workers. The travel is completely organised by the agency and, once in Italy, the woman will get in contact with a “local protector” who will “guard” her in exchange of money.

While at the beginning, these women (especially those from ex-Soviet Union) stayed in Italy for a short period of time (from 20 to 30 days, often with a tourist visa), often reaching the country by the so-called ‘love charter flights’ landing in Forlì, Rimini and Ancona, in the last few years they have built up strong ties within the Italian territory and partially replaced Albanian prostitutes³⁵.

They arrive in Italy through different routes, crossing several countries and with the help of distinct criminal or semi-criminal organisations accordingly to the type of recruiter encountered. Eastern European or ex-Soviet women can directly reach Italy via air (more rarely), more often via land by bus, car or on foot through the Slovenian-Italian or Austrian-Italian borders, via sea through the Channel of Otranto by motorboats. The latter route is mainly used by the Moldavian women, especially because they are controlled and “managed” by Albanian exploiters. As a result, Moldavians seem to be more subject to severe forms of violence and coercion, likewise their Albanian counterparts.

In Italy, Eastern European and ex-Soviet women work as prostitutes on the street but also – increasingly – in clubs, apartments, bars, massage parlours.

It would be very important to analyse each ethnic group separately in order to better understand the specific features of the phenomenon of trafficking and its correlations with prostitution within the historical and cultural framework of the different Eastern European and ex-Soviet Union countries. Frequently, in fact, Bulgaria, Czech Republic, Poland, Romania, Moldavia, Ukraine, Russia, Belarus, and so on, are looked at as a monolithic geographical area, but such an approach dangerously “hides the specific ethnic dimension and makes it increasingly difficult to carry out an accurate contextual analysis (as to the countries of origin) which would contribute to understand the phenomenon also in the countries of destination”³⁶.

2.4.4. Central and South American countries

In this scenario, also a small percentage of women from South American countries play a role, very few of them are subject to human traffic. They are usually migrants who reach Italy with the help of “specialised agencies” that organise the travel promising a job and lending money. They mainly come from Colombia and Peru and, once in Italy, decide to work part-time or full-time as sexual workers in order to support themselves, to rapidly pay back the debt, and/or to support their family in the country of origin.

³⁴ From the speech given by Dr. Pierluigi Vigna, Antimafia National Agency – Direzione Nazionale Antimafia, on the occasion of the International Congress *Child Trafficking: Young Slaves without Borders*, Rome, 11-12 July 2002.

³⁵ V. Castelli, *op. cit.*

³⁶ Idem.

Sometimes also the Southern American prostitutes have to pay a protector with whom they have an explicit agreement. Significant communities of South Americans, mainly Colombians, can be found in cities such as Catania, Trieste and Rome. As some researchers have underlined, parts of these ethnic contingents should be studied also in relation to other forms of illicit activities performed by their same national groups in order to better understand the dynamics of different but intertwined illegal markets (i.e.: the cocaine trafficking from Colombia – the Italian places of destination – the Italian areas where the Colombian women live).

2.5. Underage migrant prostitutes

In this framework, also the phenomenon of trafficking for the purpose of sexual exploitation of young girls and boys plays a significant role. Due to the fact that they are highly requested by the clients, minors are considered particularly “profitable goods” by traffickers and exploiters.

This business entails higher risks for the criminals. In fact, the presence of minors on the street can more easily draw the attention of the law enforcement officers, besides, the legislative penalties for the sexual exploitation of underage persons are more severe. To avoid this danger, the procurers tend to frequently move the minor from one place to another, both within the same geographical area or in several ones, accordingly to the plans and needs of the criminal network. Furthermore, the minors tend to be sexually exploited in private apartments and in hotels. It is clear that the criminal groups run this specific sector of the prostitution market by using different forms of management and organisation aiming at, on one hand, maximising their profits and, on the other one, minimising the potential risks entailed in the exploitation of minors. The high mobility of the target and the strict control over the girls by “specialised procurers” are the most common techniques implemented to prevent the risk of being intercepted by the police³⁷. However, the system of recruitment, transportation, transfer, harbouring and exploitation is the one experienced by adult women of the same ethnic origin.

The minors exploited in the field of prostitution are in most cases girls, from Albania, Romania, Moldavia and Nigeria. The data on child prostitution provided by the Italian Department for Equal Opportunities and the Ministry of Interior³⁸ point out that the percentage of underage prostitutes ranges from 4 to 6%. Such percentage can be slightly different in distinct geographical territories, however such estimate is also confirmed by those professionals working in the field of social assistance and inclusion of victims of sexual trafficking.

The boys working in the prostitution market generally seem to perform their activity autonomously. Three are the main categories of boy prostitution recently identified³⁹. The first is composed of minors who, due to the lack of job opportunities, consider prostitution as a necessary means to economically support themselves and their family. In some cases, prostitution is also a way to supplement the income deriving from other street activities such as screen cleaning, begging, paper tissues or lighters vending. In

³⁷ F. Carchedi, “Alcune caratteristiche di base dei meccanismi di sfruttamento delle donne e dei bambini. Aspetti quantitativi e qualitativi” (tr.: Some essential characteristics of the mechanism of exploitation of women and children. Quantitative and qualitative aspects), in L. Basso, Terre des hommes-Italia, Save the Children-Italia, Associazione Parsec (eds.), *Il traffico internazionale di minori. Piccoli schiavi senza frontiere. Il caso dell’Albania e della Romania. Prime considerazioni* (International child trafficking. Young slaves without borders. The cases of Albania and Romania. First considerations), rapporto di ricerca, mimeo, 2002.

³⁸ The data of the Department for Equal Opportunities are based on the information provided by the Social Assistance and Integration Programme, while the figures of the Ministry of Interior are based on the statistics on crimes of recruitment, induction and exploitation of prostitution.

³⁹ F. Carchedi, “Alcune caratteristiche di base dei meccanismi di sfruttamento...”, *op. cit.*, p. 84-85.

Rome, this form of prostitution has been detected among young Kurds, while in Milan and in Turin it has been noticed among Romanians and Moroccans. The areas nearby the main train stations are the places where boys meet their potential clients. The second type of boy prostitution is performed by young “hustlers” who do not perceive themselves and do not want to be considered as such. Finally, there is the so-called “transitory prostitution” carried out by some very young individuals during their personal process of coming out as homosexuals. In this case, the practise of prostitution plays a sort of “self-assuring function” when confronting one’s own sexual identity. Once the youngster has come to terms with his own sexual choices, prostitution is then stopped. Studies on this specific form of male young prostitution are lacking in Italy, therefore, it is not easy to assess the level of exploitation and of involvement of criminal groups in it. According to the social operators and the law enforcement officials who get in touch with the young male prostitutes, only rarely the evidence of the involvement of exploiters and procurers has been found.

2.6. Transsexual migrant prostitutes

Also a high percentage of transsexuals and transgender persons work as sex workers in Italy. They usually come from Central and Southern American countries, mainly from Ecuador, Brazil, Venezuela. The push factors that drive them, first, to Italy and, then, to work in the sex industry are generally quite different from the ones of their female counterparts. Gender and civil discrimination, economic difficulties, need to quickly collect the money to cover the expenses to adapt their body to the gender identity, wish to turn a leaf in their personal life in the Western countries are usually the main reasons for their departure from their home countries. Their living and working conditions in the sex business are generally conditioned by people of their group (i.e.: older transsexual sex workers), and only in few cases by the circuits of human traffic.

2.7. Male migrant prostitutes

Male adult prostitution is a traditional sector of the sex industry that occurs in distinct forms and separate areas than those of female prostitution. It mainly targets men and, in the last few years, it has increasingly involved foreign male migrants from Maghreb, South-America and South-East Asia.

According to recent data, based on the field work of outreach units, social and assistance services, also trafficked young men have been introduced in this specific market. The victims often come from Eastern Europe (especially from Romania) and are exploited by foreign criminal groups. This is certainly a trend that must be investigated and deeply analysed, especially in view of developing appropriate methods to reach a target that seems not willing to define itself as victim of trafficking and exploitation. In fact, many aspects come to play when meeting these young males (their cultural definition of gender roles, masculinity, power relations, economic aims, criminal collusion, and so on) that cannot be tackled with the traditional tools implemented to reach female prostitutes.

The scenario of the prostitution business and its connections with the phenomenon of human trafficking depicted so far is extremely complex and subject to constant changes. As we have seen, the structure and the functioning both of the prostitution market and of traffic of women and children for the purpose of sexual exploitation have gone through several modifications since the early 90s, when the Italian civil society and the public and private institutions started to analyse and then meet the needs of the victims of such a criminal business.

Currently the phenomenon of trafficking is characterised by the features described in the previous pages but it is important to highlight that the descriptions given by the

different ethnic groups portray the average living and working conditions of each national group. Therefore, within the same ethnic contingent many different situations can be found.

3. Criminal methods and organisations

In Italy, until a decade ago, the phenomenon of transporting and harbouring undocumented migrants was much more limited to *smuggling* and involved mainly the northern borders: the Italian-Slovenian, the Italian-Austrian, the Italian-Swiss and the Italian-French ones. Currently the phenomena of trafficking and smuggling involved the main Italian ports of entry and quite recently the Sicilian, Apulian and Calabrian areas have become illegal landing zones, turning quickly into the main illegal gate to Europe.

In the new illicit landing areas this particular type of industry has experienced an extraordinary boom also thanks to the use of the *know-how* of local (Italian) traffickers, who for many years had used “safe” means and routes for other kinds of traffic: cigarette smuggling first and then drugs and arms smuggling. According to the *Direzione Investigativa Antimafia* (Anti-Mafia Investigation Department)⁴⁰, though, the Italian criminal networks are not directly implicated in human trafficking, even if cases of involvement of Italian individuals can be found. The industry of smuggling and trafficking in illegal migrants, therefore, has become one of the main contemporary businesses managed at the local and international level by a complex organisation that involves different types of players in the various countries participating in the system: the countries of origin, those of transit and destination.

⁴⁰ Direzione Investigativa Antimafia (DIA), *Attività svolta e risultati conseguiti, 1° semestre 2002*, in www.interno.it/dip_ps/dia/semestrali.htm (tr.: Activities carried out and results achieved, 1th semestre 2002).

3.1. Types of criminal organisations and services provided

In one of the main Italian investigations on the phenomenon of trafficking and smuggling⁴¹ - published in 1999 – the researchers have identified four different models of organisations operating in the smuggling and trafficking industry. The models and categories proposed by such research allow us to go beyond the organisation types formulated by the International Organisation for Migration (IOM) according to which traffickers are divided into: “*amateur smugglers*”, “*well-organised criminals*” and “*international trafficking networks*”⁴², which correspond to as many systems of management of the traffic.

The organisational models proposed by the Italian research are more articulated and are based on the analysis and the crossing of two main categories which seem to distinguish the various forms of trafficking: operating in one or more journeys and offering a standard or customised service. The following are the four models identified and their characteristics:

- a. *“single-journey organisations offering standard services*
It is a set of organisations and professionals offering the migrants a specific service – or a combination of services aiming at a specific entry after payment, generally advanced, of a pre-set price for a standard service systematically offered to all those concerned, such as for instance the transport across a certain border – on basically similar terms;
- b. *single-journey organisations offering customised services*
It is a set of organisations and professionals operating on a specific journey offering a range of services – complementary or alternative – whose combination and price are arranged each time on the basis of individual or collective bargaining with the service supplier;
- c. *multiple-journey organisations offering standard services*
It is a set of organisations and professionals operating all the way from the country of origin to the country of arrival, including all the intermediate passages that may be necessary, taking charge of what is needed. They are organisations that tend to supply standard services – to the extent to which that is possible in an illegal market – after payment of a price arranged in advance and applying to all participants on the same terms;
- d. *multiple-journey organisations offering a customised service*
It is a set of organisations and professionals operating all the way from the country of origin to the country of arrival, including all the intermediate passages, in a customised way, on the basis of the needs of specific migrant groups. These organisations can operate directly and from the start, or can act when during a migration journey, independently planned, the migrant may find her/himself in such conditions as to force a change of plans”⁴³.

This different types of services are supplied by different organisations, both legal and illegal. To the first type belong, for example, the travel agencies established (often illicitly) over the last years that organise fake trips to Western European countries -

⁴¹ F. Pastore, P. Romani, G. Sciortino (eds.) (1999), *L'Italia nel sistema internazionale del traffico di persone. Risultanze investigative, ipotesi interpretative, strategie di risposta* (Italy within the international system of trafficking. Investigative outcomes, interpretative hypotheses, response strategies), Commission for Integration, Working Paper n. 5, Rome, p.14.

⁴² International Organization for Migration (1994), *Trafficking in Migrants: Characteristics and trends in Different Regions of the World*, discussion paper, 11th IOM Seminar on migration, October 1994, Geneva.

⁴³ F. Pastore, P. Romani, G. Sciortino (eds.) (1999), *op. cit.*, p. 16.

usually by bus – providing regular “visas for tourism”; while to the second type belong the organisations that smuggle and traffic people via sea, air or land trying to avoid border checks. It is important to highlight that sometimes a person who pays an organisation to be smuggled into a given country can eventually found himself/herself trafficked into the same or a different country and be subject to severe forms of exploitation, regardless to the arrangements made with the smugglers before leaving the home or the transit country.

Even if the phenomena of smuggling and trafficking are very clearly defined as separate crimes, characterised by specific features, it is essential to acknowledge that in some cases they may concern the same individual. Since “consent” is still a very much debated issue in the inter/national fora when assessing the profile of a “real victim” of human traffic “deserving” protection schemes (even if it is considered “irrelevant” by the international documents⁴⁴), it is fundamental to keep in mind that trafficking is a multi-faceted phenomenon.

Numerous interrelationships and continuous collaboration both horizontally and vertically seem to exist among the various players managing the different forms of traffic. As it has been proven by studies and criminal investigations in the field, the main criminal groups that have monopoly over the human trafficking and sexual exploitation business in Italy are the Albanian and the Nigerian ones, even though also the ex-USSR, and Eastern European groups play a remarkable role in the Italian scene.

⁴⁴ See the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* annexed to the *United Nations Convention against Transnational Organized Crime* (2000).

3.2. Criminal networks

In the following paragraphs, a brief description of the main characteristics of the criminal foreign groups that manage trafficking in human beings and their exploitation in the Italian sex market is given. As it will be pointed out, most of organised crime groups are also involved in other criminal activities. We in fact chose to mention the different illicit businesses run by distinct criminal groups in order to highlight that trafficking for sexual exploitation is often just a part of the criminal activities carried out. The main sources of the gathered information are official documents of the Anti-mafia Investigation Department.

3.2.1. Albanian organised crime

Since their arrival and settling down throughout Italy, Albanian criminal groups have taken a leading role in the Italian and international criminal scenario establishing good connections both with local and foreign groups. In certain areas of Italy, the Albanians have had to find an agreement with the Italian local mafia to be able to carry out their criminal activities. For instance, in the Apulian area, the so-called “Sacred United Crown” (the local mafia) has granted the trafficking and the smuggling monopoly to the Albanians in exchange for collaboration in the smuggling of cigarettes, drugs and weapons. On the international level, the main Albanian criminal organisations have established direct relations, on the one hand, with other major foreign criminal organisations (mainly Eastern European, Turkish⁴⁵ and Chinese) profiting from human smuggling and trafficking in Italy and in other European countries and, on the other, with the Colombian cartels, that are particularly interested in shifting “the cocaine flows from the Northern Europe ports, especially Dutch ports, to the more ‘secure’ Albany.”⁴⁶

Albanians run the largest percentage of the illicit markets of begging (mainly of Albanian and Eastern European minors and adults) and of sexual exploitation (especially of Albanian and Moldavian women and children) in the entire Italian territory. According to the police sources, these two sectors are usually managed by Albanian smaller groups while the illicit traffic in arms and weapons is governed by the larger Albanian criminal organisations operating at a transnational level.

Albanian criminal groups are characterised by a mafia-like set-up based on a family structure tightly connected with the other members living and working in the home country. Albanian mafia is a horizontal organisation “composed of groups functioning in a parallel and reliable way on the grounds of a very strong ethnic and/or family bond”⁴⁷, all practising the rule of *omertà*⁴⁸, that is the total submission to the group code, especially about keeping silent on the “family businesses”. Each Albanian clan has a stable structure in each country made of both legal and illegal residents, whose prominent representatives employ a sort of “criminal nomadism”⁴⁹ by often changing place within the Italian territory (and sometimes going back home for long periods) in order to avoid police controls and raids. The chiefs of the clan usually reside in Albania from where they direct their criminal businesses. The home country is also the place where the criminal proceeds are invested mainly in the construction and tourism industries.

⁴⁵ The business activities run in collaboration with the Turkish mafia also involve the heroin traffic.

⁴⁶ Direzione Investigativa Antimafia, *Attività svolta e risultati conseguiti, 1° semestre 2001*, in www.interno.it/dip_ps/dia/semestrali.htm

⁴⁷ DIA, *Attività svolta e risultati conseguiti, 1° semestre 2002, op. cit.*

⁴⁸ *Omertà*: it is traditionally referred to the Sicilian mafia policy of “keeping silent about crimes and refusing to cooperate with the police” (Webster’s New World Dictionary, 1989).

⁴⁹ DIA, *Attività svolta e risultati conseguiti, 1° semestre 2002, op. cit.*

Finally, this ethnic criminal group is also known for its brutality and ferocity both with their enemies and victims, who are often kept in slavery-like conditions while their families are severely threatened and subject to different forms of retaliations in Albania.

3.2.2. Nigerian organised crime

Nigerian criminal groups manage all the phases both of smuggling and trafficking from the country of origin to that of destination through a capillary organisation based on a wide extended family or clan network. Such organisation operates at a national and international level accordingly to a very well-structured *modus operandi* that is a mix of modern managerial skills, cultural values and religious beliefs.

In Italy, Nigerian groups are especially active in the market of exploitation of prostitution and drug trafficking in Triveneto, Liguria, Piedmont, Lombardy, Emilia-Romagna, Lazio and Campania. Like their Albanian counterparts, they also have had to find an agreement with the Italian local mafia to carry out their criminal businesses. For instance, in the Neapolitan area, they have to pay “the rental fee” to the “Camorra” for the use of the “territory” for street prostitution. In recent years the degree of articulation of the Nigerian criminal network has widely increased involving as major transit and destination countries of their traffic not only the main Western European ones (Germany, France, Great Britain, The Netherlands, Austria, Spain, Italy) but also the United States of America.

Nigerian groups tend to employ a low profile strategy when managing their criminal activities both at internal and external level in order to carry out their trades in an invisible but profitable way. For instance, to traffic drugs in a “safer” manner they prefer to make use of several people carrying small drug quantities through different routes to avoid a large loss in case of police interception. A similar mechanism is put into action when trafficking women for the purpose of sexual exploitation: they are in fact trafficked in very small groups throughout the African countries and individually within the European ones. As a result of this “cautious approach”, they prefer not to use violence and to avoid worthless conflicts while dealing with other criminal groups, or to utilize religious and traditional customs (especially *voodoo* or *juju* rites) to threaten their victims -- sexually exploited women from Nigeria, Ghana, Cameroon and Ivory Coast.

A specific characteristic of this ethnic criminal group is the high percentage of women involved as recruiters, controllers, managers and leaders of networks in the human traffic for the purpose of sexual exploitation in the field of prostitution. No other national group in fact presents this distinctive feature in terms of high percentage of female actors involved in such a criminal business. In the last few 3-4 years, the increase of participation of women into the Nigerian network engaged in the exploitation of prostitution has produced a further sophistication of the hierarchical pyramid of the criminal organisation, as we will see in the section “Forms of exploitation: forced prostitution”.

Due to their extended connections within Italy, like their Albanian counterparts, the Nigerian criminals easily move to different cities whenever they fear in danger of being controlled or arrested by the Italian law enforcement agencies. It is interesting to underline that Nigerian criminal groups are particularly skilled in the money laundering activities and reinvestment of illicit proceeds. The latter are in fact either reinvested in drug trafficking (cocaine in particular) or in entrepreneurial activities in the business and tertiary sectors. For instance, in several cities – especially in the Northern and Central regions – Nigerian groups have established and run grocery stores, hair dressing salons, international call centres, leisure clubs that are supposed to function as money transfer agencies to reinvest illicit earnings both in Western countries and in Nigeria.

3.2.3. Ex-Soviet Union organised crime

In Italy the organised criminal groups of the former USSR are mainly involved in the field of arm trafficking, money laundering and financial offences and only partially in the one of human beings. In fact, the criminal collectives engaged in the human traffic business generally operate from their home countries as responsible of the first part of the criminal process. They in fact perform the role of recruiters and travel organisers through the management of (often fake) travel and/or employment agencies that offer convenient tours or well-paid jobs in Western European countries. The phases of travel and exploitation in the transit and/or destination countries are actually referred – through consolidated agreements – to other ethnic criminal groups of East Europe and – in the last stage – of Albania. This is especially the case of Ukrainian, Moldavian, Russian women who, once in Italy, are inserted in the markets of sexual or job exploitation run by Albanians.

The “Russian mafia” has thus established on the Italian territory several licit and illicit activities also through mutual links with local individuals and/or groups who play a key-role as partners of apparently legal trades that in reality hide huge – often illegal – financial and business interests. According to recent police investigations, the Russian mafia, in collaboration with Ukrainian criminal groups, is particularly well-rooted in the social and economic texture of the some Italian regions such as: Marche, Sardinia, Emilia-Romagna, Lombardy and Piedmont. The holding-type structure of the former Soviet criminal group is widespread all over Western Europe where its members operate through “constant mobility, a great availability of money, a deep knowledge of corporate and financial markets”⁵⁰. Due to its strategic geographical position, Italy is used as logistic post to traffic weapons to arm the opponent factions of the several regional conflicts, especially in Africa and Asia, but also to supply the local and foreign criminal groups operating in Italy.

3.2.4. Eastern European organised crime

Eastern European criminal groups operating in the field of trafficking mainly work in their home country from where they manage distinct stages of the trafficking routes to Italy or other Western countries. They in fact recruit young women in bars, discos or through classified ads on local papers promising profitable job opportunities in Italian restaurants, factories, stores, clubs and families. They then arrange the travel for those women who decide to seek a better life abroad, aware or not of their real final destination: the market of sexual exploitation. Eastern European groups are also important key-players – as drivers, passeurs, hosts – in the smuggling and trafficking business since they “subcontract” parts of the routes originating from other countries.

In Italy, the police has reported the presence of small Rumanian criminal groups that are especially active as robbers, drug smugglers, and partly as exploiters of trafficked women forced to prostitute themselves. There are no indications of stable connections with our criminal organisations⁵¹.

3.2.5. Chinese organised crime

Chinese criminal groups mostly operate in the Italian areas of Central and Northern Italy and recently also in some cities of the South, such as Naples and Bari and their hinterlands. As to smuggling of aliens, the Chinese only take advantage of individuals of the same nationality who are smuggled or trafficked to Italy to be exploited as low

⁵⁰ Ibidem.

⁵¹ Commissione Parlamentare d’inchiesta sul fenomeno della mafia e delle altre associazioni criminali similari, *Relazione conclusiva* (tr.: Final report), 03/06/2001.

cost labour force kept in slavery-like conditions. Both the criminals and the victims come from the same Chinese regions (Zhejiang and Fujuan) and reach the Italian territory through the Otranto Channel with the necessary support of the Albanian criminal groups, or through the Balkan route with the help of Slavic “passeur” organisations. This has favoured the strengthening of significant connections among the Chinese and other criminal groups from Albania, Slovenia, Croatia, Serbia and Montenegro.

Chinese organised criminals profit from counterfeiting famous fashion trademarks, kidnappings of fellow country people for extortion purposes (usually smuggled persons whose families are asked to pay extra money to allow their relatives to finally enter Italy), extortions (in detriment of Chinese owners of restaurants, goods factories, shops), illegal gambling, and sexual exploitation of female Chinese in the field of prostitution. Traditionally considered an activity to be provided merely to Chinese men, prostitution of Chinese girls and women has only recently started to be available also to clients from other ethnic groups (usually through massage parlours).

Chinese criminals differentiate themselves from the other ethnic criminal groups for operating within the boundaries of their own communities and in selected sectors of both legal and illegal businesses, that allow them to earn considerable proceeds through a definitely low price working process based on the labour exploitation of mostly smuggled individuals of the same nationality.

3.2.6. Other foreign organised crime

In Italy other criminal organised groups operate throughout the territory, sometimes independently but most often in connection with the above-mentioned foreign criminal networks or with local criminal groups.

The Northern African criminals usually come from Morocco Tunisia, Algeria and are mainly involved in the smuggling of drugs, stolen cars and, partially – as we will see later on – in the circuit of smuggling and trafficking of migrants. The criminal groups from Maghreb are specialised in particular as drug carriers and pushers.

In the last few years, some Turkish criminal networks have been detected by the Italian law enforcement agencies. Nevertheless, the Turks tend to manage their criminal business – mainly heroin trafficking and smuggling of migrants - from Turkey or from its bordering countries. As a matter of fact, as the Italian Anti-mafia Commission underlines⁵² – only a small number of Turkish citizens have been arrested and hosted in the Italian prisons.



3.3. Human resources: the criminal organisation chart

As we have seen in the previous pages, trafficking in human beings is thus a multi-billion industry that involve organised criminal groups of different countries that profit from a highly lucrative business that minimises the risks of losses and maximises the proceeds. As skilled international entrepreneurs, in fact, the organised criminals take advantage of, on the one hand, the needs of poor individuals desperate to turn over a new leaf in their personal and family's life, and on the other, the legislative and operational loopholes of certain countries. And likewise international companies, the criminal groups are structured along the lines of well-defined "organisation charts" that may slightly vary in size and composition according to the different ethnic requirements but that are usually constituted by a series of actors involved in specific phases of the trafficking process or in more than one.









The chain of trafficking is highly planned and controlled, albeit it is quite flexible in order to quickly respond to possible and sudden changes that may occur along the way to the final destination of the "human cargo". As we have previously seen, the various ethnic organised criminal groups operate in distinct but often interconnected manners that require the involvement of different actors in numerous countries in the separate stages of traffic. A fundamental role in this structured system is played by the corrupted administrative bureaucrats, police officers and border control agents who directly (as representatives of the criminal groups) or indirectly (accepting bribes for not stopping the suspected traffickers and victims) take part in the profitable transnational business.

To emphasize the level of sophistication of the "human resources" employed by the criminal organisations, it is interesting to quote the classification of the figures involved in the process of trafficking and exploitation elaborated by the *Kvinnoforum* of Stockholm on that realised by Europol (1999) on the subdivision of the internal structure of criminal groups working in Europe in the field of human trafficking:

Table 7 – Classification of figures involved in the process of human trafficking

 Leaders of the networks (who have no contact with the women)
 Recruiters in the countries of origin

⁵² Idem.

	Owners of the establishment
	Managers or business representatives
	Receivers, chauffeurs (dealing with transfer from entering the country to place of work)
	Administrators or accountants
	Caretakers, cooks, body guards (for issuing or carrying out threats)
	Attendants, minders, keepers (who live with the victims and monitor closely their movements)
	Cashiers in the country of origin
	Forgers of documents

Source: Kvinnoforum, *A Resource Book for Working against Trafficking in Women and Girls. Baltic Sea Region*, Stockholm, 2002, p. 13.

Once arrived in Italy, the trafficking professionals are also supported by local individuals responsible for: transport from the place of arrival to that of destination, rent or management of the “sorting out” places nearby the areas of arrival, transport from the place of lodging to that of exploitation, figure-heads for the flat rental and control over the victims. Basically, conniving relationships of economic nature link foreign criminals to Italians who either are directly involved in the business as taxi drivers, real estate agents, club owners, etc. or pretend not to “see” the victims of trafficking when they are staying at their hotels, apartments, and so on.

As a result of the participation of different and specialised individuals to the criminal networks, it is possible to state that the offences perpetrated and the illicit behaviours carried out are all linked through a “vertical interdependence”⁵³ to achieve the final aim: maximise the proceeds and minimise the risks while committing a serious crime: “a vertical interdependence among crimes arises when organised criminals or other criminal subjects, with the aim of committing a final offence, go through a series of intermediate or instrumental crimes: in order to finalise a crime of particular importance (in terms of effects or gains), a chain of offences is used”⁵⁴.

4. Traffic routes

⁵³ A. Di Nicola, *Trafficking in Immigrants: A European Perspective*, Transcrime – University of Trento, paper presented at the Colloquium on Cross-border Crime in Europe, Prague, 27-28 September 1999, now in P.C. van Duyne, V. Ruggero, M. Scheinost, W. Valkenburg, *Cross-border Crime in a Changing Europe*, Tilburg University - Institute of Criminology and Social Prevention - Prague, 2000.

⁵⁴ Idem, p. 9.

The routes of trafficking that transport people to Italy are numerous and illustrate, on the one hand, the map of the differential between wealthy and poor countries and, on the other, the structures of criminal networks operating at transnational level profiting from the needs and desperate conditions of thousands of individuals. Sometimes the routes of trafficking and smuggling overlap while, at times, they are strictly separated; likewise, also the itineraries of human traffic and goods smuggling occasionally coincide.

A description of both main trafficking and smuggling routes will be given in order to underline the existing interconnections between the two different criminal businesses and their managing organisations.

The main geographical areas crossed by the trafficked and smuggled people who reach Italy are: the Balkans, the Baltic region, the Central European countries and the Strait of Gibraltar, as map below shows. It is important to underline that Italy can be not only the place of destination but also of transit for those migrants heading to other Western European countries or Northern American ones (USA and Canada).

The trafficked and the smuggled persons cross the above-mentioned geographical areas through various paths that end in Italy via different national borders that correspond – as illustrated in a newly published study⁵⁵ – to distinct land and sea routes and, consequently, to illicit ports of entry, that are:

- Southern-Eastern route: Albania – Apulia coasts
- Southern-Central route: Turkey – Calabrian coasts;
- Southern-Western route: Africa – Sicilian coasts;
- Northern-Eastern route: Slovenia – Friuli-Venezia Giulia border;
- Northern-Central route 1: Switzerland – Lombardy/Piedmont border;
- Northern-Central route 2: Austria – Trentino-Alto Adige border;
- Northern-Western route: France – Piedmont/Liguria border.

⁵⁵ E. Ciconte, P. Romani, *Le nuove schiavitù. Il traffico di esseri umani nell'Italia del XXI secolo* (tr.: The new forms of slavery. Trafficking in human beings in the Italy of the 21th century”), Editori Riuniti, Roma, 2002, pp. 56-83.



4.1. Southern-Eastern route: Albania – Apulia coasts

This is the most well-known route⁵⁶ that mainly concerns the migrants of the Balkan peninsula but also individuals from Middle-East and Far East countries who reach Italy through the Apulian coasts landing nearby the shores of the Otranto Channel. Only 44 sea miles separates Albania and Italy in this specific area, such a distance can be covered in one hour and a half by motor-boat from the main Albanian ports of departure (Vlora, Durazzo, Scutari and Velipoje) by paying at least 500€.

The smuggled or trafficked persons arrive to the Albanian ports after having crossed several other countries according to the place of origin of the illegal migrant and the trafficking or smuggling network employed. According to Spartak Poci⁵⁷, Albanian minister of Interior, several are the routes that lead to the Country of the Eagles: via Sofia and Istanbul by plane, or via Montenegro, Kosovo, Macedonia and Greece by land. Undocumented people who use these paths mainly come from Serbia, Bulgaria, Romania, Ukraine, Moldavia, Russia, Turkey, China. Albanian traffickers and smugglers employ two means of transportations to achieve their goals: the “scafi” (motor-boats) or the lorries heading for Italy by ferries reaching the ports of Brindisi, Bari and, sometimes, also those of other regions, such as Ancona, Ravenna, Venice, Trieste.

Due to the strengthening of border control activities performed by the Italian law enforcement agencies, the traffickers have developed counter-strategies to carry out their profitable business. For instance, they transport young children or babies whom, in case of police interception, they threat to throw overboard, or they discard the migrants in quite distant places from the beach (this is quite risky because those migrants who cannot swim can easily drown), or, in the worst cases, they directly attack the Italian police patrol boats by shooting at them⁵⁸.

Once the illegal migrants arrived nearby the Apulian coasts, they find Italian or foreign taxi drivers who bring them to the near train station to depart for other Italian destinations, or to hidden sorting places where they will stay for a short time. At this stage, the future of the smuggled person and the one of the trafficked will diverge: while the first is likely to continue the travel by her/himself accordingly to their migratory project (i.e.: joining a family member, a country fellow, the place of work, etc. in Italy or in other European country), the latter will be in the hands of the traffickers as a movable personal property to be exploited in an illicit activity (usually in the markets of sexual or labour exploitation).

4.2. Southern-Central route: Turkey – Calabrian coasts

This route mainly starts from the ports of Turkey (Smirne, Izmir, Kas, Kousadasi) and reach the Calabrian shores via Greece. The journey can be direct or consists of several stops in different ports of Greece (Patras, Igoumenitsa) and, sometimes, of Lebanon (which can also function as a place of departure). Migrants smuggled or trafficked through this route usually come from Kurdistan, Pakistan, Sri Lanka, Iran, Iraq, Afghanistan and, therefore, before reaching the final destination (mainly other European countries, especially Germany, and the United States) travel for several weeks. In some cases the undocumented migrants are brought in the international waters by boat and

⁵⁶ This is also confirmed by the fact that in this geographical area there is a high number of reception shelters of illegal migrants funded by the Italian Ministry of Interior (see paragraph “Victim protection and assistance: structure of the reception and support system”).

⁵⁷ S. Poci, in Ministero dell’Interno (ed.), *Traffico di esseri umani. Alla ricerca di nuove strategie di intervento. Atti del Convegno* (tr.: “Trafficking in human beings. Looking for new strategies of intervention. Conference Proceedings), Roma, pp. 213-217.

⁵⁸ E. Ciconte, P. Romani, *Le nuove schiavitù, op. cit.*, p. 58.

then transhipped into an old vessel while the traffickers rapidly go back to their places of destination.

Smuggling and trafficking are very well-structured businesses in Turkey with “branch offices” in other countries (Greece, Pakistan, ex-Soviet Union, Albania)⁵⁹ that, according to a major Turkish trafficker, serve 200-300.000 people per year⁶⁰. The travel cost varies according to the places of departure and destination.

In the last few months, the Calabrian shores have witnessed a rise in the number of illegal landings, this is probably the result of the increased control along the Apulian coasts that has diverged the flows to other Southern coasts of Italy. Furthermore, a new trend has been recorded: the presence of Africans amongst the migrants trafficked or smuggled through this route. This is also confirmed by the above-mentioned Turkish trafficker, who underscores the decrease of arrivals from the South-Eastern countries and the phenomenon of cyclical flows of Africans, due to the fact that they are easily granted visas to enter Turkey, from where they can reach the Western European countries⁶¹.

4.3. Southern-Western route: Africa – Sicilian coasts

Sicily is the final destination of smuggled and trafficked migrants mainly coming from African countries (especially: Tunisia, Morocco, Algeria, Ghana, Senegal, Sudan, Nigeria, Liberia) and from the South-East area (Sri Lanka, Pakistan, India, Kurdistan). African illegal migrants usually depart from the numerous embarkation places spread throughout the 1.200 kilometres of the Tunisian coasts and land on the western shores of Sicily from Marsala to Porto Empedocle, from Licata to Capo Passero, or on the nearby islands (Lampedusa and Pantelleria). The “ticket” to Italy by a fishing-boat can cost up to 1.500 €⁶². This is a particular expanding economic area of interest for the African traffickers: 1.550 undocumented foreigners landed between the 15th of August to the 15th of September 2002... and these are just the official data of the Ministry of Interior.

The eastern coasts of Sicily, from Siracusa to Capo Passero - usually on a sea old crock -, are reached by the migrants of the South-East countries and Kurdistan transported by the Turkish smuggling networks. Alike in the Southern-Central route (Turkey – Calabrian coasts), in some cases, the journey can consist of several stops in other arrival or embarkment places such as, for instance, Rhodes, Cyprus, Malta.

4.4. Northern-Eastern route: Slovenia – Friuli Venezia-Giulia border

The border between Italy and Slovenia is one of the historical passages used by illegal migrants to reach the Italian territory. The main foreign groups, who generally come from Eastern European countries, China, Bangladesh, illicitly pass this frontier in small groups led by a local “*passseur*”. The latter is a key-actor of the trafficking and smuggling networks operating in this part of Italy. In fact, the *passseur* is usually a local former taxi driver who knows all the different paths to reach the Italian territory without being caught by the border officials.

⁵⁹ Idem, p. 61.

⁶⁰ P. Rumiz, “Io mercante di nuovi schiavi do un futuro ai clandestini” (tr.: I, trader of new slaves, give a future to the clandestine migrants), in *La Repubblica*, 12/3/02.

⁶¹ Idem.

⁶² For a very interesting insight on the functioning of the trafficking and smuggling businesses in Tunisia, see the reportage by A. Bolzoni and F. Viviano, “I mercanti dei ‘nuovi schiavi’, chi sono e come si organizzano” (tr.: The traders of the ‘new slaves’, who they are and how they organise themselves), in *La Repubblica*, 09/25/02.

This strategic area of entry represents the meeting point of several routes that cross different countries before reaching the different sorting and departure posts of Slovenia. The Public Prosecutor's Office of Trieste – one of the main Italian court offices engaged in the investigative and judicial activities to fight the criminal offences of trafficking and smuggling⁶³ – have detected numerous distinct routes that originate in different countries before coming together and then separate again along the Italian-Slovenian border.

The first route⁶⁴ concerns the Bangladesh migrants who usually fly from Dacca to Moscow (Russian Federation) and then reach Kiev (Ukraine) by car or van. After few days, they are brought to Budapest (Hungary), from where they are conducted to Slovenia by car, bus or truck and, finally, smuggled to Italy.

The second route starts off in Kosovo, Montenegro and Macedonia and pass Ljubjana (Slovenia) or Zagreb (Croatia) before arriving in Italy, generally via Trieste and Nova Gorica/Gorizia with the help of passeurs or hidden in a double-bottomed space of a lorry or a van.

The third route originates in Romania and goes across Croatia and Slovenia, from where the migrants are smuggled or trafficked in the above-mentioned ways.

The fourth route is particularly used by traffickers of girls and women for the purpose of sexual exploitation. In fact, such a route initiates in the main countries of origin of those subjects who will be sexually exploited in Italy and in other Western European countries such as: Estonia, Latvia, Lithuania, Belarus, Ukraine. Women are transported to Budapest (Hungary) – the major sorting place for this criminal activity – where, in many cases, “human auctions” take place and, consequently, the final destination of each trafficked person is decided. From here the journey continues to Ljubjana and then to Italy.

The fifth route mainly involves Chinese migrants who reach the Italian-Slovenian border after a quite long travel through Russia (by plane), Ukraine, Romania, Hungary. There also cases of Chinese coming directly to Italy by plane via Egypt. Often Chinese continue their journey to other European or Northern American places of destination.

Finally, there also cases of people being trafficked or smuggled directly from Croatia to the nearby Venetian coasts.

4.5. Northern-Central route 1: Switzerland – Lombardy/Piedmont border & the Northern-Central route 2: Austria – Trentino-Alto Adige border

Accordingly to official sources of the law enforcement agencies, these two routes are generally run through one distinct direction: from Italy to other European countries (Austria, Germany, France, Belgium, The Netherlands). The migrants try to cross the Italian-Swiss border or the Italian-Austrian one hidden in carriages of goods trains or in double-bottomed articulated vehicles.

As a matter of fact, Italy is also a crucial transit point of human traffic in Western Europe for those who, once reached the Italian territory, continue their journey

⁶³ The Public Prosecutor's Office (*Procura*) of Trieste set up a system of investigation based on the studies developed by the Department of Economics of the University of Chicago. As Nicola M. Pace, the chief of the *Procura*, explains, such studies “analyse the origin of illegal markets and establish the constant correlation between the setting up of the market and the entry of the organised crime. It is a theory that doesn't derive from criminology, but from economics. It is not by chance that the economists are the ones who give the best indications in the field of organised crime”, in F. Gon, “Trieste, mercato di schiavi, droga e organi (tr.: Trieste, market of slaves, drugs and organs), *Il Piccolo*, 02/05/02.

⁶⁴ The description of the different routes can be found in E. Ciconte, P. Romani, *op. cit.*, pp. 63-66.

elsewhere or, after having worked for few months or years in Italy, are smuggled or trafficked into a different country.

Within this geographical area, the main identified directions of trafficking for the purpose of sexual exploitation are⁶⁵:

- North-East Alpine axis that through the Brenner Pass reaches Berlin (a major transit post for human traffic) via Munich and Leipzig. Along this route, some women are sent eastwards (Warsaw, Prague) or, once in Berlin, are moved to Hamburg and, yet again, to The Netherlands or to the Baltic countries;
- North-West Alpine axis towards Switzerland (Zurich and Geneva) and France (Lion, Paris). From Paris – another crucial sorting post of trafficking -, women are moved to United Kingdom (mainly London) and Belgium (especially, Brussels). Due to their strong ties with their communities living in these geographical areas, such a route is employed in particular by traffickers from Ukraine, Albania, Romania and Nigeria.

4.6. Northern-Western route: France – Piedmont/Liguria border

This is the so-called “African route” that carries to Italy migrants mainly from Algeria, Tunisia, Morocco, Nigeria, Ivory Coast, Senegal, Egypt through quite long trips that can require transit through several countries and the use of different means of transportation: car, bus, on foot, boat, plane, train. In this case the Strait of Gibraltar is the gateway to Europe. Nigerian girls and women represent the major foreign group trafficked to Italy through this route that sometimes can be shortened by using the plane from a European city (London, Amsterdam, Madrid) to Turin, the “Nigerian capital city of Italy”.

Such a route is also crossed by those who are trafficked from Italy to other Western European countries. In particular, the Alpine Ligurian- Provençal axis is a major route for persons directed mainly to France (Marseille, Nice) and, in some cases, Great Britain and Switzerland. From the Provençal cities, thus, the routes run towards other French cities (Bordeaux, Paris, etc.) and Spain (Costa Brava, Andalusia, the Basque Country). This axis is particularly relevant as transit area for trafficked people coming from Africa (Morocco, Algeria, Nigeria, Ghana, Ivory Coast, etc.) and South America (Argentina, Colombia and Dominican Republic)⁶⁶.

4.7. Air route

Some trafficked or smuggled persons reach Italy via airplane. These are usually people who come from far away countries with forged documents or a forged visa. A small percentage of women who come to Italy to voluntarily or forcibly work in the sex industry arrive directly by plane, usually landing in Milan or Rome. Generally, they are from far countries, such those of Central and South America, Africa and, occasionally, from the ex-Soviet bloc. Once at the airport, they either meet a representative of the criminal group that will escort them to the final place of destination or continue their travel on their own accordingly to instructions previously received.

4.8. Internal traffic routes

Trafficking takes also place internally. In fact, several local routes are being employed by traffickers in order to move “their women” within the Italian borders. Trafficked women are more likely to be subject to a higher degree of mobility within the territory than those who are not trafficked or enjoy a higher level of independence, or have

⁶⁵ F. Carchedi, “Alcune caratteristiche di base dei meccanismi di sfruttamento...”, *op. cit.*, pp. 75-77.

⁶⁶ Idem.

regular papers. On the average, 60-70% of street prostitutes tend to work in the same area for long periods of time, while the rest are often moved around. The cyclical rotation women - known as “carousel system”⁶⁷ – respond, on the one hand, to the exploiters’ economic needs and, the other one, to the clients’ longing for new “offers”. The highest percentage of mobility has been recorded in the Venetian area (75-85%), followed by the Perugia district (60-70%)⁶⁸, however, generally speaking, the cities situated nearby the national borders tend to function as sorting posts and transit areas and, therefore, the level of turnover among trafficked women is significantly higher than the one registered in the inner territories. The analysis of internal mobility of trafficked women gives remarkable indications on the ever-changing features of the structure of trafficking, of its organisers, and of its victims.

⁶⁷ P. Monzini, *Il mercato delle donne. Prostituzione, tratta e sfruttamento* (tr.: *The market of women. Prostitution, trafficking and exploitation*) , Donzelli Editore, Rome, p. 59.

⁶⁸ Idem.

Chapter C: Research

1. Method of research

In Italy, no national body responsible for the central administration of information on victims of trafficking in human beings exists. Consequently, no comprehensive report based on national data can be found.

The Interministerial Commission for the Implementation of Article 18 of the legislative decree no. 286/98 issued a brief report⁶⁹ on information on victims of human traffic for sexual exploitation gathered by the agencies running the social assistance and integration projects funded by the Commission during the first year of implementation of the social protection scheme (2000-2001). Albeit relevant data are reported, they only concern foreign women trafficked to Italy to be exploited as prostitutes, who subsequently entered into the Art. 18 programme.

In the forthcoming weeks, as previously mentioned, the Ministry of Justice in partnership with the Department for Equal Opportunities will issue the first report, carried out by Transcrime-University of Trento, based on the national monitoring of the judicial activity, covering five-year period (1996-2001), in regard to human trafficking and smuggling in Italy. The research, mainly based on judicial standardised and uniform data collection and collation system and interviews with key-informants (public prosecutors), will give important indications on the two criminal phenomena. Such a report, however, will plausibly have a strong judicial and criminal-oriented approach to the subject.

In the last few years, important research works⁷⁰ have been published mainly conducted in sample areas and founded on the analysis of questionnaires and interviews with representative clusters of victims, experts and professionals of agencies concerned with the issue of human trafficking, such as law enforcers, social workers, Ngo's and government officials. These studies represented key-contributions for the investigation and the analysis of the phenomenon, yet they are based on scientific samples estimates report and focussed specifically on female foreign victims of trafficking for the purpose of sexual exploitation in (street) prostitution.

Therefore, due to the lack of a coordinated national system of gathering and monitoring of information on victims of trafficking and to the large number of agencies appointed to run the social protection projects, the Italian research group concentrated its investigation on the data provided by the *Associazione On the Road*, a partner organisation of the present Hyppokrates project but, most of all, one of the major agencies appointed by the above-mentioned Commission to run social assistance and integration projects in Marche, Abruzzo and Molise: 3 out of the 20 Italian regions comprising Italy.

On the Road works directly with sex workers and victims of trafficking for the purpose of sexual exploitation to lower risks and to reduce the discomfort connected with prostitution; to increase prostitutes' possibilities for self-protection, emancipation from

⁶⁹ Commissione Interministeriale per l'attuazione dell'art.18 del D.lgs. n. 286/98 (ed.), *Analisi conclusiva dei dati relativi al monitoraggio dei progetti di assistenza ed integrazione sociale art. 18* (tr.: Final analysis of data concerning the monitoring of Art. 18 projects of social assistance and integration), Roma, 2001.

⁷⁰ See: International Organization for Migration, *Trafficking in Women to Italy for Sexual Exploitation*, Geneva, 1996; F. Carchedi et al. (eds.), *I colori della notte, op. cit.*; AA.VV. (eds.), *Da vittime a cittadine. Percorsi di uscita dalla prostituzione e buone pratiche di inserimento sociale e lavorativo* (From victims to citizens. Exit paths from forced prostitution and good practices of social and job insertion), Ediesse, Roma, 2001.

violence and exploitation; and to offer programmes of social and job insertion to foster self-determination and individual empowerment. In order to achieve these goals, structured services managed by trained professionals have been set up, such as: outreach units; drop-in centres; various types of shelters; information sessions, orientation, counselling and training on social, medical, psychological, legal, educational, and employment issues; vocational guidance vocational training and job insertion programmes are also offered. Great effort has been invested in the following activities: networking, awareness raising, territorial and institutional involvement, promotion of social and cultural policies, research. *On the Road* has, in fact, committed itself to promote policies, strategies and interventions in the fields of prostitution, and to fight trafficking at the local, national and trans-national level⁷¹.

The findings of the research are based on the processed data and information gathered through the following sources:

- 80 personal files of victims of trafficking who decided to enter into the Italian Programme of Social Assistance and Integration (Legislative Decree no. 286/98) managed by the Associazione *On the Road*;
- interviews with the psychologist, the legal consultant, the sociologist in charge of job insertion, and the équipe (mainly psychologists and social workers) of the “Sheltering Area” of the Association;
- 10 interviews with trafficked women hosted by the Association, whose files are part of the analysed sample.

The files were analysed on the basis of two questionnaires elaborated by the Belgium research group, combined into one question sheet and slightly modified in the section concerning the victim’s legal details due to the different mechanisms employed by the Italian legislative system in acknowledging the “status of victim of trafficking”. The information contained in the personal files was gathered by the Association’s psychologists throughout the period of the women’s insertion in the programme. In some cases, the missing data have been provided by the Association’s professionals.

In order to better analyse the collected information, the researcher interviewed the psychologists, the legal consultant, the sociologist in charge of the job insertion, and the social workers employed in the shelters.

Of the 80 analysed files, 10 victims were interviewed by the psychologists of the Association. All interviews had been conducted in Italian.

The sample of women herein analysed is exclusively composed of foreign women trafficked to Italy to be sexually exploited in the field of prostitution, mainly on the streets, and then inserted in the Programme of Social Assistance and Integration managed by the Associazione *On the Road* between 2000 and 2002. Due to the specificities of *On the Road* (being an ngo targeting both trafficked women forced to prostitute themselves and sex workers, and functioning at local level), the findings of the study mainly refer to the phenomenon of trafficking that takes place in the territorial area where it operates and to victims exploited in the prostitution sector. It is important to underline, though, that most victims also worked and lived in other Italian regions.

The research is divided up into several sections, each of them concerning a specific topic regarding the victim’s life before being trafficked, during the process of trafficking, during the period of exploitation and, lastly, after having left the exploitative conditions and having being inserted in the social assistance and integration programme.

The research aimed in fact at identifying the main characteristics of the victims’ profile in terms of:

⁷¹ For a further description of the Association’s activities, see the Annex 5.

- a) individual particulars (nationality, age, civil status, education qualification, working experience in the country of origin, living standards);
- b) family background (composition, social and economic conditions);
- c) recruitment process (subject who took the initiative, victim's position, recruiter's profile, methods of recruitment, relation between recruiter/victim/family);
- d) trafficking process (services provided by the trafficker/s, traffic routes, actors involved, beginning of victim's suspect);
- e) criminal network (type, structure and functioning of the group/individuals that organised both the trafficking and the exploitation processes),
- f) period of exploitation (sector of employment, living and working conditions);
- g) access in the social assistance and integration programme (legal status, services provided, living and working conditions in the country of residence).

Retracing the path followed by the victims of trafficking from their home country to their place of destination has contributed to identify the root factors of the phenomenon of trafficking and to reconstruct the practices and mechanisms of its related transnational crimes. Even though the investigation has accomplished its goals, much remains undisclosed especially due to the difficulties implied in carrying out a research on this sensitive topic⁷².

It is important to underscore that the research has also provided evidence of some methodological limitations when investigating this specific field.

First, data gathering and cross-check. Information collected through personal files is based on the victims' interpretations of events that - due to several reasons - is not always coherent and in no case externally verifiable.

Second, face-to face interviews and time necessary to build confidence. Interviewing a victim of trafficking is quite a difficult task that requires the development of a relationship of trust between the researcher/interviewer and the victim/interviewee, and the use of a proper setting for the interview. In order to avoid these difficulties, interviews with the victims were carried out directly by the psychologists of the Association, also because - given the choice - the selected interviewees preferred to talk to someone they already knew and trust. As a result, the researcher did not have access to information collected by a third party and this might have contributed to miss some details that could have been identified by applying sociological tools through direct contact between researcher and interviewee.

Third, language matters. The fact that the interviews were conducted in Italian might have implied some limitations on the part of the interviewees in presenting their personal experiences due to the unavoidable lack of possibility to use linguistic nuances when expressing/understanding some concepts in a foreign language.

Fourth, the questionnaire and the national context. To gather data through a common scientific tool to be implemented in organisations representing quite distinct national systems of victims' protection is not an easy task. In fact, due to the different legislative and operative provisions employed in the selected countries, sometimes, it was not possible to collect information comparable at international level.

2. Research findings

2.1. Individual characteristics

2.1.1. Gender

In total, 80 is the number of trafficked people considered in this study. All of them are female.

⁷² In this regard, see IOM, *Journey of Jeopardy: A Review of Research on Trafficking in Women and Children in Europe*, 2002, Geneva.

2.1.2. Age

Table 1: Current age

	<i>Frequency</i>	<i>Percentage</i>
< 18 yrs.	1	1,25%
18-21 yrs.	14	17,50%
22-25 yrs.	27	33,75%
26-29 yrs.	21	26,25%
30-33 yrs.	8	10,00%
34-37 yrs.	7	8,75%
> 37	2	2,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

Most of women were between 18 and 29 years old. The youngest was 17 (Nigerian), the eldest 41 (Ukrainian), while the average age registered was 25,9. Albanians and Nigerians - respectively 23,2 and 23,5 – were the youngest group while Ukrainians (29,2) and Moldavians (28,1) the oldest. This trend confirms the data gathered at national level that indicate that the Nigerian and Albanian collectives are the youngest ones among women trafficked and exploited in Italy⁷³. It is important to highlight that, in the last few months, a higher number of young Romanians has being registered; this can probably be explained also by the fact that Romania is among those countries that do not need a visa anymore to enter into the Shengen territory.

⁷³ F. Carchedi et al. (eds.), *op. cit.*; AA.VV. (eds.), *Da vittime a cittadine, op. cit.*; Dipartimento per le Pari opportunità, *Tratta delle donne. Vie d'uscita, percorsi e progetti* (tr.: Trafficking in women. Ways out, paths and projects), Poligrafico dello Stato, Roma, 2001.

Table 2: Age at time of departure

	<i>Frequency</i>	<i>Percentage</i>
< 18 yrs.	11	13,75%
18-21 yrs.	27	33,75%
22-25 yrs.	20	25,00%
26-29 yrs.	13	16,25%
30-33 yrs.	4	5,00%
34-37 yrs.	5	6,25%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

At the time of their departure from their home country, women were almost all major, while a small, even though significant, percentage was composed of underage girls (13,75%). The latter mainly came from Albania but in few cases also from Romania and Nigeria. The youngest person registered at the time of departure was an Albanian girl who was trafficked at the age of 12. Generally, though, minors were trafficked at the age of 16 and 17. As the table clearly shows the highest percentage of women (33,75%) were between 18 and 21 years old when they left their country, followed by those who were between 22 and 25 (25%), 26 and 29 (16,25%), 30 and 33 (5%) and, finally, 34 and 37 years old (6,25%). The older women were all from former Soviet republics, while the eldest were a Ukrainian and a Kazak (both 36).

2.1.3 Nationality

Table 3: Nationality

	<i>Frequency</i>	<i>Percentage</i>
Albania	20	25,00%
Belarus	1	1,30%
Bulgaria	2	2,50%
Czech Republic	1	1,30%
Kosovo	1	1,30%
Lithuania	1	1,30%
Moldava	6	7,50%
Nigeria	13	16,30%
Poland	1	1,30%
Romania	8	10,00%
Russia	5	6,30%
Slovakia	4	5,00%
Ukraine	15	18,80%
Kazakhstan	1	1,30%
Uzbekistan	1	1,30%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

Table 4: Region of origin

	<i>Frequency</i>	<i>Percentage</i>
Balkan countries	31	38,75%
Eastern Europe	30	37,50%
Africa	13	16,25%
Central Europe	5	6,25%

Baltic countries	1	1,25%
Total	80	100,00%

Women were from a wide range of countries, mainly of the Balkan area (38,75%) and Eastern Europe (37,50%); nevertheless a significant contingent was from Africa (16,25%).

As table 3 indicates, the two major countries of origin of the victims were Albania (20) and Ukraine (15), followed by Nigeria (15) and, then, Romania (8), Moldova (6), Russia (5), Slovakia (4), Bulgaria (2); finally, the other countries represented by just 1 person were: Belarus, Czech Republic, Kosovo, Lithuania, Poland, Uzbekistan and Kazakhstan.

The high percentage of women coming from Albania, countries of the former Soviet Union and the Eastern Europe can be explained by the primary role played by the Adriatic regions such as areas of first destination and possible installation of migrants of the Balkan and Eastern European countries. In Abruzzo for instance (one of the regions where *On the Road* operates), Albanians make up 24% of the whole migrant population living in the region, whose maximum concentration is recorded in the main area of intervention of the Association: the coastal area of Teramo and Val Vibrata.

Even if Albanian women and their exploiters constitute a very specific section of the immigrated Albanians, it is possible to associate their motivations for choosing this specific territory to those of the general group to which they belong -- namely Albanians in Italy. First of all, to settle in the areas of Abruzzo, Marche and Molise allows them to more easily maintain frequent and direct contact with their country of origin (due to the short geographical distance) and the presence of a “historical” Albanian community to count on if necessary. The characteristics of the local economy, founded on small and medium size artisan factories also attract many workers, among them several Albanians with a regular stay permit, who simultaneously work in factories and as exploiters; finally, the high percentage of Albanian women can also be the result of their long-standing presence in the Italian sex industry and therefore of their high level of territorial stability – that usually characterises those who have been in the sex market for a long time⁷⁴.

Considerable was the percentage of women from Eastern European countries, in particular from the Ukraine, Moldova, Russia, and Slovakia. Apart from the Moldavians, the other national groups have been present in the area since the second half of the 90s. The analysis of the collected questionnaires seems to indicate the existence of a sort of logistics area nearby Civitanova Marche for women coming from these countries. Many of them have in fact declared that either their final destination was Civitanova or the neighbouring towns or that their contact persons were based or living there. As a woman from Poland said: “Once I arrived in Milan by bus, the bus driver introduced me to a foreign woman who was at the arrival platform. She was very nice and gave me directions to reach Civitanova Marche where – she said – I could easily find a job. She also gave me the address and the telephone number of a friend of hers who could help me to get around to look for a place to stay and to work. I caught the first train to Civitanova where I met this friend and, right after, other foreign women...”. Further investigation may be useful to shed some light on the role played by this town as a sorting or destination place on a key-area such as the Central Adriatic part of Italy.

Nigerian women are also a “historical” presence in this geographical area even though their number in the social assistance and integration programme has begun only recently

⁷⁴ I. Orfano, V. Ferraris, “Area Marche-Abruzzo-Molise”, in Regione Emilia-Romagna and Associazione On the Road, *Articolo 18... op. cit.*

to rise. Such a trend could be a response to the latest transformations of the Nigerian organisational structure of trafficking and exploitation and, in particular, to the new forms of control managed by those ex-prostitutes who, once leased their debt bondage, become exploiters themselves. These new “mamans”, having asked a new loan to be part of the “business”, tend to use more brutal modes of exploitation (untypical for the Nigerian model) in order to lease their new debt as soon as possible. Nigerian prostitutes tend to be quite mobile: live in one city and work in another one. The sheltered Nigerians in fact were used to live in towns of the bordering regions (Emilia-Romagna, Umbria and Lazio) from where they daily commuted by train to reach their assigned spot. This is a well-known practice implemented by Nigerians throughout Italy. They usually travel in small groups, sometimes even for long hours, to reach a given town or village. Once arrived at the train station of destination they continue their journey to reach the workplace by taxi, public transportation (local bus) or by hitchhiking. It is worth mentioning that in several cases, habitual clients may wait at the station and drive them to the final place, where women put on the “working dress”. “The first thing I recall of the night I was brought on the street and forced to prostitute myself is the pair of high-hilled sandals I was given to wear. It was nearly impossible for me to stand still with those sandals on... my feet were hurting, my heart was beating so fast... while I was trying to come to terms with my fear”. It is also plausible that in the last two years the number of Nigerians has increased as a result of the considerable intensification of police raids in the bordering regions and as a consequence of a change in the “prostitution flows” that bring Nigerians to places formerly unvisited.

Table 5: Civil status of victims

	<i>Frequency</i>	<i>Percentage</i>
Married	7	8,75%
Divorced	17	21,25%
Single	48	60,00%
Separated	5	6,25%
Widow	3	3,75%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

The gathered data indicate that 60,00% of women were single; 21,25% divorced; 8,75% married; 6,25% legally separated; and 3,75% widowed. The majority of single women (48) were from Albania (15), Romania (6), and Nigeria (12); while the majority of those divorced were from Ukraine (9 out of 17). If we compare these figures with the ones contained in the Table 2 (*Age at the time of departure*), we will better understand the differences among national groups in regard to their civil status. We can in fact assume that Albanians represented the majority of single women as a result of their younger age and, therefore, of their lower chance of being married at the time of departure and, consequently, not having family ties, of their higher opportunity to emigrate. Conversely, considering the higher average age of women from former Soviet republics at the time of departure, the possibility for them of having already experienced marriage or divorce was much greater.

2.2. State of the dossier

Table 6: Referred to *On the Road* by

	<i>Frequency</i>	<i>Percentage</i>
Other agencies running an Article 18 project	14	17,50%
Friends	8	10,00%
Autonomously	2	2,50%
Law enforcers	30	37,50%
<i>Numero Verde</i>	8	10,00%
Partner	2	2,50%
Social Services	3	3,75%
Drop-in centre	2	2,50%
Outreach Unit	11	13,75%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

Women accessed to the programme through various “channels” and help of different actors.

Women were referred to the Association by: law enforcers (37,5%), other local agencies running an Article 18 project (17,5%), outreach unit (13,8%), friends (10%), *Numero Verde* (10%), territorial social services (3,8%), partners (2,5%) drop-in centres (2,5%), and on their own (2,5%).

Police and *Carabinieri* undoubtedly constituted the principal “referring agents” for those women inserted in the social protection programme run by *On the Road*. They usually got in contact with the law enforcers through police raids and checks or directly asked them for help. Women initially mistrusted police officers because of the wide-spread corruption among law enforcers experienced in their home country or in transit countries, and of their exploiters’ continuous warnings such as: “If you go to the police, you’ll end up in jail and no one will rescue you” or “If you talk to the *Carabinieri*, we’ll get your little sister and you’ll see what we’re capable of”. The major role played by the law enforcement agencies highlights the need to provide them with specialised training to identify and treat victims of trafficking, and to grant them the collaboration of translators that might be of great help not only for investigative reasons but also to easily communicate with the victims and gain their trust. Most of all, the set-up of anti-trafficking units throughout the Italian territory would be of utmost relevance in the fight against human traffic, such a measure in fact is not currently homogenously implemented.

The high efficiency of the informal national network of Art. 18 projects is proved by the significant percentage (17,5%) of women referred to *On the Road* by other private or public agencies running programmes of social assistance and integration. Women were transferred from other geographical areas because of the lack of accommodation availability and/or safety reasons. It is important to underline that even though the Programme of social assistance and integration is now in its third year of implementation, the relations among the funded agencies working all over the country are set on voluntary bases. This is to say that no central coordination in regard to resources availability (accommodation, training courses, job placement, and so on) has been supplied so far by the funding institution (Italian Department for Equal Opportunities), even if this could significantly maximize, on the one hand, the efforts and, on the other, the results.

Outreach units (13,75%) and drop-in centres (2,5%), both directly run by On the Road, proved to be very functional in contacting and identifying the trafficked persons within the target group they contact – people who prostitute themselves, mainly on the local streets. It takes time to gain a person’s trust and this can be achieved only through a constant work of outreach. This is why the street workers expressed deep concern for the recent application of a “hammering police raid policy” and the new law proposal aimed at prohibiting street prostitution in the name of “clean streets to avoid that our kids see such an indecent show”, as the Italian prime minister recently declared. Moving prostitution behind closed doors by law without a serious discussion on trafficking and prostitution and the implementation of proper social policies would probably contribute to seclude women in places not reachable by street and social workers nor by law enforcement officers and, consequently, it would be rather difficult to identify and help victims of trafficking and exploitation.

Numero Verde contro la tratta 800-290.290, the national toll free number against human trafficking, was also a relevant tool for women who entered in the programme. Actually, 10% of the sample referred to *On the Road* through the hotline. This could also be the result of the fact that the Association manages one of the 14 territorial branches of the *Numero Verde* and, for that reason, the local branch might have played a sort of “internal referral function”. Nevertheless, it is important to underline that the *Numero Verde* is quite a powerful means to reach the target but only when it is linked to a widespread public campaign through the media (TV and radio channels, newspapers and magazines, billboards) and other forms of advertising material such as, for instance, stickers, flyers and brochures distributed directly to the final target group by outreach units, drop-in centres, social and health centres, and so on.

Clients and partners played a fundamental role in the women’s decision to leave the exploitative conditions and, thus, enter into a social protection programme. Data do not reflect the actual involvement of the clients/partners because they often fall under the category of “friends” or are not officially registered because they are those who convinced the woman to report to the police or to call the *Numero Verde*. According to the Association’s operators, the clients indeed represent a key-figure in the woman’s life. They may support the woman in her decision to escape from an exploitative condition, and sometimes offer to provide material and personal resources to help her to start a new life. Considering the constructive role a client may have in the person’s new situation, he is asked to meet - both separately and jointly with the woman - the Association’s psychologist and legal consultant in order to inform him of the programme’s aims and rules and assess his motivations for being part in the woman’s life. The Association maintains of utmost importance the woman’s decision (to continue or not to see the client-friend-partner) and the evaluation of the client’s real involvement and aims. The tendency to play the role of the “saviour” is in fact quite common among clients⁷⁵ and this approach is not always positive in terms of a woman’s future well being. Hence, the client is seen as “a possible resource” but a serious evaluation of each case is always performed by the équipe.

Finally, also the local social services served as referring agents (3,75%) even though their role could be even more relevant if the operators were specifically trained on regular basis to identify victims of trafficking. A small percentage of women (2,5%) autonomously contacted the Association as a result of a word of mouth.

Table 7: State of the procedure (Art. 18)

Frequency Percentage

⁷⁵ This is commonly known as “*Sindrome da salvatore*” (tr.: saviour syndrome). It is a sort of pun coined by the operators working in this field since in Italian “*salvatore*” means “saviour” but it is also a common male name.

Social path – obtained	16	20,00%
Social path - on wait	3	3,75%
Judicial path – obtained	41	51,25%
Judicial path - on wait	5	6,25%
Health reasons	1	1,25%
Family reasons	2	2,50%
Referred to other projects	2	2,50%
Revocation	4	5,00%
Interrupted programme	4	5,00%
Voluntary repatriation	2	2,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

In August 2002, when the analysis of the gathered data on the chosen sample was completed, out of 80 women: 63 had already obtained the stay permit, 5 were on wait, 2 had been referred to other Italian social assistance and integration projects, 4 had interrupted the programme, 2 decided to return to their home country, and 4 had their permit revoked by the *Questura* (Police Headquarter).

As we examine into details the types of the 60 stay permits issued, we notice that 57 were given for “humanitarian reasons” (Art. 18 permits) while 1 was issued for “health reasons” and 2 for “family reasons”.

Then, if we look at the stay permit issued for “humanitarian reasons”, we observe that the majority is of the “judicial path” type (41) and the rest (16) of the “social path” one. Perhaps, it could be helpful to remind – as already specified in the first part of this report – that, according to the Legislative decree no. 286/98, there are two separate ways of obtaining an Art. 18 permit. The first one is a judicial procedure (“judicial path”), in which the Public Prosecutor has an important role to play, and the second one is a social procedure (“social path”), involving the local authorities, associations and Ngo’s as main reference points. Both methods lead, in the end, to a residence permit for education or for work, allowing the foreigner to remain in Italy in conformity with the regulations governing the presence of non-European Community foreigners. While the judicial path entails the filing of a complaint against the crime perpetrator (i.e.: trafficker, exploiter), the social path does not require the formal report to the *Questura* but the submission of a “statement” (containing provable key-information) by an accredited Article 18 agency or by the public social services of a City Council on the behalf of the victim. However, it is possible that, due to the statutory obligation of accusation on the part of the *Questura* when a *notitia criminis* is found, also a person within the social path is asked to testify, usually through a special evidence pre-trial hearing (*incidente probatorio*).

A victim or the prosecutor can also request the *incidente probatorio* – foreseen by Article 392 of the Code for Criminal Procedure – when there are specific conditions that may jeopardize the trafficked person’s safety or the evidence. During the *incidente probatorio*, the victim gives evidence before the prosecutor, the investigative magistrate, the defence solicitor and, generally, also in front of the defendant. Such testimony, in case the defence solicitor is present, can be reported during the trial without asking the injured party to repeat it in open court. If, on one side, the special evidence pre-trial hearing is a significant measure that allows the victim not to wait for an undetermined period of time to give evidence and to avoid possible danger, blackmail and uncertainty, on the other one, “it does not protect the witness’s identity

from the trafficker, merely from the wider public.⁷⁶ Only in very few cases, in fact, protection measures to ensure that the victim will not confront vis-à-vis the defendant/s are provided for.

Table 8: State of criminal proceeding

	<i>Frequency</i>	<i>Percentage</i>
No trial	40	50,00%
Ongoing trial	23	28,75%
Concluded trial	13	16,25%
Referred to other agency	2	2,50%
Repatriated	2	2,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

In half of the cases women did not take part into a trial. In about 29% of the cases, a criminal trial was taking place while in about 16% of the cases the legal proceeding was concluded. Finally, 5% of women either were referred to another Art. 18 agency or did decide to repatriate. All convicts were charged with the offence of “exploitation of prostitution” according to the provisions set by Law no. 75/1958, the so-called Legge Merlin on prostitution. Not all penalties inflicted were known to the Association, however, for those for which it was informed, the offenders were sentenced from 2 years and 6 months to 5 years of imprisonment, in 1 case the convict was punished with 20 years of imprisonment because he was also found guilty for having murdered a person. In 22 cases, women gave evidence through the *incidente probatorio*. *On the Road* did not know the results of the police and/or public prosecutor’s investigations for all victims of trafficking inserted in its programme due to the fact that in Italy neither the Police nor the Public Prosecutor’s Office are obliged to inform the injured party about the status of the criminal proceeding or the outcome of the case. The witness can be informed only on relevant issues through her/his lawyer or through informal channels.

It is important to underline that, even if not all women took part to a criminal proceeding, all of them gave evidence to the Police, as foreseen in the Art. 18 of the law no. 286/98, the legal framework of the Italian Social Assistance and Integration Programme for victims of trafficking. Furthermore, their declarations contributed to identify traffickers and exploiters and, therefore, to start investigation and prosecutions.

While the data of the above table clearly underline the prevailing trend to grant Art. 18 permits to women willing to press charges (“judicial path”) by the *Questure* of this geographical area (Teramo, Macerata, Ascoli Piceno), they also undoubtedly show a positive approach towards the “social path” provision.

A high degree of discretionary power has been registered throughout Italy among Police Headquarters when issuing stay permits. A clear tendency to issue Art. 18 permits only or almost exclusively upon formal denounce has been detected in many cities, in spite of the clear rules underlining the existence of the two “paths” set by the Legislative Decree no. 286/98, its Regulation Act and a Circular letter of the Ministry of Interior on this matter.

Thus, it is possible to state that the 16 “Art. 18 permits - social path” issued for women inserted in the *On the Road* programme of social assistance and integration are also the result of a consolidated relationship of trust developed between the Association and the local *Questure* throughout their long-standing period of collaboration. A tangible

⁷⁶ ASI, *op. cit.*, p. 149.

example of such relation is the implementation of an informal “protocol” of procedure between the Association and the Questura, that is currently under discussion in order to be formally adopted⁷⁷.

The high number of permits granted also prove that the spirit of the law has fully been achieved. In fact, as a recent report has pointed out: “In regions where a relationship of trust develops between the police and Ngo’s, the *Questura* grants the permit on the basis of material provided by the relevant NGO, instead of waiting for the opinion of the prosecutors or the start of an investigative process. This is how the Article 18 permit was intended to operate”⁷⁸.

Two women had their stay permit revoked because one decided to return to her home country while the other was found by the police prostituting herself on the street. The last motivation for revoking the permit is homogenously implemented by the Italian Police Headquarters even though the law does not specifically state that prostitution is incompatible with the tenets of the social assistance and integration programme provided for. In fact, according to Art. 18, comma 4, the permit is withdrawn: “in the case of break of the programme or conduct incompatible with the aim of this programme, found out by the Public Prosecutor or, for what is in his/her competency, by the social service of the local body, or in any way checked by the chief of the Police Headquarter, or when the other conditions, that have determined the release of the permit of staying, do not exist anymore”. No definition of what constitutes an incompatible conduct is given by the Legislator, therefore, it is discretionally interpreted by the competent authorities. Interestingly enough, they all maintain that prostitution is not a “good behaviour” and, consequently, the woman must be sanctioned. So, as a German scholar has recently pointed out, do we have to infer that one of the main goals of the law is to “save women” and “make them good Italian ladies or ex-prostitutes”⁷⁹? However, it is important to point out that going back into prostitution is considered incompatible with the programme’s aims also because the person can fall victim again at the hands of criminals that may exploit her again within the circuits she had tried to be freed from through the aforementioned programme.

Finally, for personal reasons 4 women decided to interrupt the programme before having granted the permit, 2 decided to repatriate to their home country (Moldova and Albania), and 2 were referred to other Art. 18 programmes located in other regions for safety reasons.

2.3. Degree of integration

Table 9: What are the victim’s living conditions in the country of destination?

	<i>Frequency</i>	<i>Percentage</i>
With flatmates or autonomy houses	33	41,20%
First and secondary shelters	7	8,80%
With partner	31	38,70%
Alone	7	8,80%

⁷⁷ See “Proposta di protocollo di intesa per il rilascio del permesso di soggiorno ex art. 18 d.lgs 286/98”, in Associazione On the Road (ed.), *Prostituzione e tratta, op. cit.*

⁷⁸ Anti-Slavery International, *Human Traffic Human Rights: Redefining Victim Protection*, ASI, London, 2002, p. 145.

⁷⁹ D. Oberlies, “A comparison with the German legal system”, in Regione Emilia-Romagna and Associazione On the Road, *Article 18, op. cit.*, p. 177.

Repatriated	2	2,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

A large part of women lived with flatmates (41,2%) either in a so-called autonomy house of the Association or in flats rented with other women in order to share the expenses⁸⁰. The autonomy houses are supplied by the Association to women who completed the social assistance and integration programme but still need its temporary support. They usually are in the process of being employed or just started to work and need some more time to find their own accommodation. While hosted in these premises, if already working, women are asked to partially pay the rental and other costs (electricity, gas, water and so on). The autonomy house may represent a transitional space/phase between two distinct stages of women's life: the programme period and the new independent condition in the country of residence. Once left the autonomy house, they initially rent an apartment with friends (usually met within the programme) until they will be able to afford one by their own or move in with a partner.

As we have already observed, partners were in fact a great "resource": almost _ of the sample (38,7%) of women herein considered lived with their partner, who sometimes they eventually married. Women can live with their partner not only once they finish the programme but also while they are still in it. Living with the partner (but also with a family member or a friend) is in fact a possible alternative for those who have "significant relationships" and an autonomous lodging. This form of accommodation is allowed within the tenets of the Social Assistance and Integration Programme on the basis that it is crucial to positively value the woman's personal network that may support her social inclusion in Italy. In this geographical area, this type of relationship seems to be on the increase, thus, a serious research on the attitudinal changes it may produce could be of utmost importance both to investigate the social representations on the phenomena (prostitution, human trafficking, social inclusion of victims, and so on) and to identify significant indicators for the elaboration and implementation of the so-called "community work". Inevitably, in fact, these new couples play the important role of "*agenti di cambiamento*" (literally: "agents of change") within their socio-cultural environment, namely family, friends, co-workers, acquaintances, who are – directly or indirectly – asked to challenge their personal way of thinking and stereotyping people and cultures.

When the survey took place, a minor percentage of women (8,8%) was hosted in one of the Association's shelters: flight house, first care shelter and second care shelters, where social operators are present 24 hours a day and help women in their daily tasks, requests, and obligations to fulfil. Living in a shelter means sharing spaces and duties/rights partly established by the social protection programme and partly by the hosted women themselves. Co-habitation is often an experience of constant work of mediation between personal and community needs that may entail the support of the operators.

Another small group of the sample (8,8%) was living on their own. Such a percentage refers to those women who were self-sufficient in terms of housing and income, due to their stable working and living conditions.

Regardless of the type of living condition chosen, all women are offered a so-called "individualised project", co-developed by the project's team and the victim, based on the specific needs of the person taken care of. Within each individual programme, women had access to: board and lodging, medical care, psychological assistance, social assistance, legal assistance, education/training opportunities, Italian language classes,

⁸⁰ It is important to underscore that the group of women here analysed were at different stages of their individualised Art. 18 projects.

vocational guidance, vocational training (in particular through the Practical Training in Enterprise programme), employment opportunities and job seeking assistance.

Table 10: Did the victim find work in the country of residence?

	<i>Frequency</i>	<i>Percentage</i>
Real estate	1	1,25%
Agriculture	1	1,25%
Hotel industry	24	30,00%
Food industry	1	1,25%
Shoe industry	6	7,50%
Commerce	1	1,25%
Services	9	11,25%
Textile and garment industry	9	11,25%
Tourism	1	1,25%
Sex work	1	1,25%
Temporarily unemployed	26	32,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

As a whole, out of 80 women, 54 reached a full professional inclusion.

The companies, in which the group of women under review got trained and/or found a professional placement, represent the main production sectors of the local economy: industries manufacturing shoes, food, paper, garments, as well as hotel sector, industrial laundering or ironing services, cleaning contractors, domestic work, clerical jobs, hairdressing. In particular, women worked in: hotel industry (30%), services (11,25%), the textile and garment industry (11,25%), and the shoe industry (7,5%)⁸¹. An “apparently” considerable percentage of the sample was unemployed (32,5%). In reality, many of the jobless women had already found an occupation but could not start to work because they were waiting to get their stay permit and, then, the official document (“*libretto di lavoro*”) that authorize them to be legally employed, or they were in the process of changing type or place of work, or they were not working because they were pregnant.

In some cases, the delays of the *Questura* made the professional inclusion difficult because, in spite of a job availability, recruitment was delayed or did fail, given that without a stay permit it is not possible to apply for the tax code and the working papers, the fundamental tools for starting off the inclusion process.

It is important to emphasize that the Association supported the women’s training and employment process aiming at their “professionalisation” and the achievement of full autonomy, enhancing their skills and know-how acquired back home. It was, therefore, intentionally avoided employing the beneficiaries in sectors which were not stable or traditionally meant for people with a “weak” status. We are especially referring to the so-called “market of domestic labour” directed at families and not self-sufficient elderly people. Over the last few years, this sector has generated serious situations of irregular and exploitative conditions, where women are paid very little and are subject to forms of segregation due to the specific features of their job, often entailing the acceptance of unfavourable terms (long shifts, lack of a contract, inadequate salary, etc.).

⁸¹ It is important to state once again that these figures are relevant to the specific local territory in which the Association works: the regions of Marche, Abruzzo and Molise, therefore, they do not refer to the national situation.

As a social worker underlined: “few words have a symbolic burden like ‘work’”⁸². Work in fact represents the opportunity, for many people, to overcome that invisible, yet very tangible, divide between inclusion and exclusion, that very subtle borderline that separates the many kinds of exclusion from grasping of opportunities. Work, beyond the debates and analyses on its nature and changes, on the freedom and dependence that it creates, individual and collective ones, represents the narrow gate to access to a citizenship free from oppression, that can be coloured with the grasping of new life opportunities⁸³.

The labour market being unable to facilitate employment and social inclusion of the disadvantaged groups affects targets of population with specific features and with particular difficulties and personal distress. Inclusion of women is even more complicated when we deal with immigrant women, often illegal, and in particular, with illegal-immigrant-women or former prostitutes. A reality with which the projects concerning the social and professional inclusion of victims of human traffic clash daily.

To overcome these hurdles, many private and public social agencies have elaborated specific tools to promote a better process of inclusion of such target group at high risk of social and economic exclusion. Towards this aim, *On the Road* has formulated a model of specific intervention for employability – named “*Formazione Pratica in Impresa*” (Practical Training in Enterprise) – which has proved to be quite effective. Through this methodology an “individualised training programme” is defined and a person is inserted in a company for a variable period depending on her skills (from 2 to 6 months). During this period, the trainee has the possibility to experiment herself with the real working environment and to participate in the working process. The trainee is supported by a psychologist and a tutor working for the Association and by a tutor working in the company. A specific agreement signed by the Association and the company regulates the training. On the one hand, all costs are covered by the project run by the Association (social security and salary for the trainee), on the other one, the company is committed to verify, at the end of the training period, the possibility to employ the trainee. If the identification of collaborative companies and the following negotiation activity are carefully carried out, according to the Association’s experience, there are excellent possibilities of success, that is that the trainee will be employed - in the same company or in a different one (thanks to the acquired skills) - at the end of the Practical Training in Enterprise.

The high percentage of recruitment obtained at the end of the FPI period is the main indicator of the success obtained by this model, whose methodology seems to meet the needs of the various parties involved. FPI offers to the company and the woman the opportunity to meet, to get to know each another and amend, or even eliminate, a range of stereotypes produced by a poor knowledge of foreign cultures. In this context, work takes on a strongly positive and proactive function which goes beyond the achievement of the economic independence of a person who was previously excluded from the labour market, thus becoming: “a tool for promoting one’s skills and identifying one’s abilities, starting an individual and collective process of social and, later, economic autonomy. Thus, employment is seen as a tool and a driving force for the promotion of individual resources, and the target group is seen as a ‘resource’ and not only as a ‘social problem’⁸⁴”.

⁸² A. Savini, “Costruire percorsi e strumenti di inclusione socio-lavorativa” (tr.: Building paths and tools of social and work inclusion), in Associazione On the Road (ed.), *Prostituzione e tratta, op.cit.*, p. 342.

⁸³ Idem.

⁸⁴ A. Savini, “L’inserimento al lavoro: una sperimentazione formativa nell’ambito del progetto NOW”, paper given at the Conference on *Prostitution on the road. Different approaches for the subject*, Ravenna, 29 October 1998, p. 1.

A significant number of women directly accessed the labour market either by finding a job on their own or with the help of the Association. These were usually subjects with a higher degree of independence, stronger bonds at local level and the need to be quickly fully economically self-sufficient.

Finally, the Art. 18 programme has moreover allowed the introduction of an important novelty especially for under-age women: the “scholarship”. Instead of employing the younger women directly in the factory, they were given the opportunity to learn a job (hairdresser and beautician) in the medium-long term through the granting of a “scholarship” (lasting a year) and constant guidance by a tutor. *On the Road* maintains that these training programmes can allow the girls to acquire the technical and experiential *know-how* necessary to be able to possibly start up one’s own business.

2.4. Social background in the country of origin

Table 11: With whom lived the victim in the country of origin at the time of recruitment?

	<i>Frequency</i>	<i>Percentage</i>
Boarding institute	1	1,30%
Family	74	92,40%
With partner	2	2,50%
Alone	3	3,80%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

Regardless of their ethnic origin and civil status, the great majority (92,4%) of women lived with their family or with some members of it. Only small percentages of women lived by themselves (3,8%), with their partner (2,5%), or in a boarding institute (1,3%).

For those women who were living with their family after their marital experience had failed, the decision to go back home seemed to have been more the result of contingent and cultural reasons than a “free choice”. This is to say that the unstable individual and national economic conditions, the personal situation (i.e.: being a working mother or unemployed), the cultural values (gender roles) contributed to drive back home women who had already been independent householders and/or breadwinners.

Table 12: Standard of life at the time of recruitment

	<i>Frequency</i>	<i>Percentage</i>
Below minimum	25	31,25%
Equal to minimum	47	58,75%
Above minimum	8	10,00%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

The largest part of women (58,75%) declared they had a standard of living equal to the level of subsistence in their country of origin, while another significant group (31,25%) claimed to live below this standard; only few people (10%) confirmed living above the standard of subsistence. The answers to this question are equally distributed among the different ethnic groups.

These data seem to confirm the finding of previous investigations⁸⁵ and also validate the theory that affirms that people who migrate tend to be the ones enjoying a minimum degree of social and economic emancipation within their communities. This is also true

⁸⁵ AA.VV., *Da vittime a cittadine. op. cit.*

for those women who had to ask for a loan (mainly Nigerians and ex-Soviets) to achieve their migratory plan, since they had the necessary “personal and social capital” to do so.

Table 13: Working experience in the country of origin

	<i>Frequency</i>	<i>Percentage</i>
Yes	55	68,75%
No	21	26,25%
Unknown	4	5,00%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

A high percentage (68.75%) of women did work in their home country, usually as factory workers, waitresses, bartenders, shop assistants, secretaries, hairdressers, and tailors; in few individual cases, also as teachers, interpreters, artisans, dancers, and public employees. Probably due to their higher school qualifications, women coming from Lithuania, Kazakhstan, Ukraine and Russia performed more specialised jobs. Women with no work experience were usually from Albania and Nigeria; this may be due to their younger age, the gender roles of the society of origin, the social and economic conditions of the countries of origin.

It is important to highlight that being employed did not always mean having a steady job that guaranteed them a constant source of income. Several women declared, in fact, that they had often to change job and that they experienced a great degree of gender discrimination and economic inequality in their work environment. Especially women from the former Soviet republics suffered from the changes occurred in their countries in the transition period from a centralised state run economy to a market economy. Such a transformation greatly affected (usually highly educated) women, who lost their job, their benefits and the childcare facilities, to the extent that, for instance, in the Russian Federation, they currently “make up between 60 and 80 per cent of the registered unemployed and, in some regions, as much as 90 per cent”⁸⁶.

Table 14: School education

	<i>Frequency</i>	<i>Percentage</i>
No education	3	3,70%
Primary school	4	5,00%
Secondary school	28	35,00%
High school	37	46,30%
University	8	10,00%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

The largest part of the sample of women had a school qualification. A quite high percentage attended secondary school (35%) and high school (46,3%), while a minority had a university degree (10%); only few women had a primary school diploma (5%), while a low percentage was illiterate (2,5%). Generally, women from countries of the former Soviet bloc were those with a higher school qualification, while girls and women from Albania and Nigeria were less educated. This is probably due to the fact that

⁸⁶ IOM, *Trafficking for Sexual Exploitation: The Case of the Russian Federation*, Geneva, 2002, p. 9.

Albanians and Nigerians represented the youngest subjects of the sample and, therefore, in several cases, they interrupted their studies when they moved abroad.

Even if it is contemplated in Article 39 of the Legislative Decree no. 286/98, the recognition of the degree obtained in the country of origin is still one of the most controversial matters in the application of the abovementioned law because of the difficulties for the “equipollence of the titles” and the troubles in obtaining diplomas from foreign institutions. The recognition of the school degree continues, thus, to be one of the main obstacles especially encountered by those women with a higher level of education and work experience. In consideration of these difficulties and while awaiting a solution to disentangle such a bureaucratic-legislative impasse, *On the Road* proposed to a group of women to attend an Italian evening school in order to get a junior high diploma that could allow them to apply for more specialised jobs.

2.5. Motives of the victim to accept the recruiter's offer and type of offer made by the recruiter

Table 15: What was the motivation of the victim to accept the offer of the recruiter?⁸⁷

	<i>Frequency</i>
No or not sufficient income for primary necessities of life	11
Money for family	38
Money to permit more luxury	2
Adventure	1
Interesting work	7
Better perspectives for children	9
Coercion	4
Kidnapping	3
Relational enslavement	5
Otherwise	6

The victims mainly accepted the recruiter's offer in order to ameliorate their economic and living conditions. In fact, a large part of women declared to have accepted to emigrate because of: need of money to support the family, no income or insufficient income to meet the subsistence level, wish for a better future for their children, and money for a more luxurious life.

A group of women accepted the recruiter's offer to perform an interesting job in Italy, to live an adventurous experience, for relationship reasons. Furthermore, a smaller group of women were coerced or kidnapped to reach Italy. Finally, a significant group declared that they had accepted the recruiter's offer for other reasons, mainly to escape from a family condition they could not tolerate: an abusive father (2 cases), a severe disagreement with a relative (2 cases), a pre-arranged marriage (2 cases).

The data clearly underline that women fell in the hands of the traffickers mainly for economic reasons to achieve a better personal and family economic life. Nevertheless, such figures also highlight that women wished to fly from oppressive patriarchal cultural and social models and to experience the Western life style and its promises of personal freedom, as an Albanian woman explained: "I could not live there anymore. All I had to do was to obey to my father, to put up with his orders... and when he told me I had to marry that man, I decided I could not stand the situation any longer... so when this friend of mine told me I could turn a leaf in my life by coming to Italy, I decided to accept his offer... but the Western mirage quickly turned into a nightmare...". The West as a place of female emancipation seems to be quite a common belief strongly backed by supposedly friends (that usually turn out to be recruiters) and the media (TV channels in particular).

As it has been proven by studies in the field, also in this research Albanians generally accepted the recruiter's offer as "fiancée" to be soon married once settled in the new country. Even though several campaigns against trafficking have been run in Albania and the public awareness on this matter has noticeably increased in recent years, a lot of girls and women still believe they will not jeopardize their life when accepting a "risky" engagement proposal that will bring them to Italy: "I thought that it would never occur to me. I was absolutely not prepared to such a thing". To a certain degree, the relationship between the Albanian woman/girlfriend/victim and the man/boyfriend/recruiter/exploiter certainly reflects a cultural model (that women

⁸⁷ Because of the possibility to mention a combination of motivational reasons, no percentages are given.

ironically found themselves entrapped in while aiming at escaping from it) that needs to be further investigated.

2.6. Recruitment

2.6.1. Subject who took the initiative

In 53 cases out of 80 (66,25%), the recruiter took the initiative to approach the victim, while 27 were the cases (33,75%) in which women directly contacted the recruiter. It is important to specify that “recruiter” is here intended as the person who first proposed or imposed the travel abroad to the victim by means of fraudulent or open offers.

2.6.2. Recruiters

The analysis of the questionnaires indicated that methods and channels of recruitment differ according to a series of variables: countries and places of origin of the women (village, town), knowledge of the travel’s purpose, type of criminal organisation managing the trafficking, rivalry between groups for the division of the sex market, places designated for the business of prostitution, relationships established between the girl/woman and the trafficker and the pimp, and so on.

More than half of the victims (52,5%) did not know their recruiter, while the rest defined him/her as: acquaintance (22,5%), partner (13,8%), family member (3,8%) and friend (7,5%).

Table 16: Relationship between victims and recruiter

	<i>Frequency</i>	<i>Percentage</i>
Friend	6	7,50%
Acquaintance	18	22,50%
Family	3	3,75%
Partner	11	13,75%
Stranger	42	52,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

Great differences have been found among the ethnic groups concerning the type of relation existing with the recruiter during the very first contact. The following table in fact highlights the distinct relations detected according to the country of origin, such data significantly substantiate findings of other investigations⁸⁸.

Table 17: Relationship between victim and recruiter broken down by country of origin (%)

Country of origin	Friend	Acquaintance	Family	Partner	Stranger	Total
Albania	-	6,3	1,3	12,5	5,0	25,0
Belarus	-	-	-	-	1,3	1,3
Bulgaria	-	-	1,3	-	1,3	2,5
Czech Republic	1,3	-	-	-	-	1,3
Kazakhstan	1,3	-	-	-	-	1,3
Kosovo	-	-	-	1,3	-	1,3

⁸⁸ AA.VV., *Da vittime a cittadine.*, op. cit.;

Lithuania	-	-	-	-	1,3	1,3
Moldova	1,3	1,3	-	-	5,0	7,5
Nigeria	-	7,5	1,3	-	7,5	16,3
Poland	1,3	-	-	-	-	1,3
Romania	2,5	2,5	-	-	5,0	10,0
Russia	-	-	-	-	6,3	6,3
Slovakia	-	2,5	-	-	2,5	5,0
Ukraine	-	1,3	-	-	17,5	18,8
Uzbekistan	-	1,3	-	-	-	1,3
<i>Total</i>	<i>7,5</i>	<i>22,5</i>	<i>3,8</i>	<i>13,8</i>	<i>52,5</i>	<i>100,0</i>

The largest group of women who had no relationship at all with the recruiters were those coming from Ukraine, Russia, Moldova, Belarus and Romania. Generally, they directly approached the recruiter and, in most cases, he/she turned out to be a person of the travel or employment agency they had contacted usually through word of mouth or a classified advertisement published in the local papers. In Moldova, for example, the bi-weekly “*Makler*” magazine seems to be quite popular for this kind of business. In most cases, the agency offered well-paid jobs as waitress, bar tender, nurse, baby-sitter and, sometimes, dancer. Some women stated that the type of work – sex work – had been made clear upon initial contact with the agency or during the linking-up phase. Even in these cases, where the true purpose of the recruitment was quite explicit, specific details about the job contract were not supplied, as a victim explained: “I left because I had heard that many people were going abroad... besides, the papers were full of ads offering jobs for women willing to move to Italy... job offers as elderly nurse, domestic helper and so on. I went to an employment agency where I met another woman a little bit scared to make a choice... but we decided to come here together and, so, after only two weeks we already had left Ukraine... the agency had taken care of everything: passport, visa, flight ticket. The fact that we had met in an agency gave us a feeling of confidence... we could not suspect anything, the whole thing looked very professional, we could not imagine they were cheating on us. I decided to contact an agency because I had heard that the ads could be deceiving”.

Some women had been recruited by acquaintances or friends, who generally deceived them as regards to the real working conditions in the country of destinations.

Albanians generally knew their recruiters, even though they were not aware of the business the recruiters were involved in. In fact, they usually had been recruited by a person with whom they had a trusting relationship or a close bond: their own partner (12,5%) or an acquaintance (6,3%). Generally women were promised a good job in Italy, such as waitress or factory worker, without any particular details being supplied as to economic or working conditions. In several cases, the stranger or the acquaintance quickly turned into a boyfriend promising a better future in a foreign country. As a result, the percentage of women trafficked to Italy by means of false promises of marriage is probably higher than the one above-indicated, due to the fact that several victims got “involved” with their recruiters right after the first contact. In one case, a member of the family was the actual recruiter of a victim that, at the time of departure, was very young: she was twelve. Finally, a smaller group of women (5%) declared that their recruiter was a stranger, and in two cases women were kidnapped. It is important to underline that in several cases the figure of the recruiter and that of the trafficker and the pimp coincided or, if distinct, they were somehow inter-connected (belonging to the same criminal group, family or place of origin). In almost all cases the recruiters were men.

Also Nigerians had usually been recruited by a person they already knew: an acquaintance (7,5%), a family member (1,3%), who proposed them to go to Italy “to

easily make a lot of money”. Nigerian women had also been approached by strangers (7,5%) assuring them a sort of “promised land”. Generally, recruitment was carried out by other females: neighbours, mothers of women already trafficked to Italy or family acquaintances. The recruiter was thus a local “*maman*” or, in some cases, women who, once back home after having leased their debt bondage as prostitutes, began to be part of the traffic chain as “*petite maman*”.

Table 18: What was the relation of the victim’s family with the recruiter?

	<i>Frequency</i>	<i>Percentage</i>
Acquaintance	22	27,50%
Family	4	5,00%
Unknown	54	67,50%
<i>Total</i>	<i>80</i>	<i>100,00%</i>

In the 32,5% of the cases, a relationship existed between the recruiter and the family: out of this percentage 22,5% were acquaintances and 5% family members.

Also in this case, a relation between recruiter and the victim’s family was more common among the Albanian and the Nigerian collectives, while no contact at all was found among the Russian, Slovakian, Ukrainian, Moldavian women; finally, a mixed situation was identified among the other ethnic groups.

Due to the lack of detailed information contained in the personal files, no processed data are available on how many times the victim had been approached by different traffickers in the country of origin, during the trip and in the place of destination. The collected information in fact was not statistically relevant.

Table 19: What did the recruiter arrange for the victim?⁸⁹

	<i>Frequency</i>
Travel	73
Travel documents	49
Advanced payment of travel expenses	10
Debt repayment for victim	15
Debt repayment for parents of victim	0
Financial care for children	0
Otherwise	2

Generally, the recruiter made arrangements for travel documents and travel, and in some cases advanced payment for the victim.

For those who legally entered Italy by bus, plane or train (mainly women of former Soviet Union and some East Europe countries), the documents were taken care of by a travel agency; even for the Nigerians the recruiters organised travel and necessary documents to access Italy, in most cases, though, the passports were forged. Albanians and several Eastern Europeans illegally entered Italy and, therefore, no travel documents were necessary even though, in some cases, the recruiters provided them with a forged passport. All Nigerians, one Russian and one Albanian declared to have a debt to lease. The Albanian woman declared in fact: “I contacted some people that could guarantee me the travel and a job. I would have repaid them the travel expenses once I had started to work.”

Table 20: Did the victim reach the Schengen territory with a regular visa?

⁸⁹ Combinations possible.

	<i>Frequency</i>	<i>Percentage</i>
Unknown	17	21,25%
Yes	22	27,50%
No	40	50,00%
Otherwise ⁹⁰	1	1,25%
Total	80	100,00%

In half of the cases, the victim did not reach the Schengen territory with a regular visa. This was mainly the case of women from Albania, Moldova and Nigeria. In cases of legal entry into Italy, women had regular tourist visas issued by the Italian, German or Spanish authorities (Embassies or Consulates) located in the countries of origin (principally Russia, Ukraine). Also a “Jubilee visa” was issued to an Ukrainian woman to take part to the “Youth Week”, organised in year 2000 within the Catholic Jubilee Year. In most cases, women reported to have had forged documents.

Table 21: Time between initial meeting with trafficker and departure

	<i>Frequency</i>	<i>Percentage</i>
Less than 1 week	46	57,50%
Less than 1 month	11	13,75%
Less than 3 months	15	18,75%
Less than 5 months	7	8,75%
More than 5 months	1	1,25%
Total	80	100,00%

In 57,5% of the cases the victim departed within less than a week after the initial meeting with the trafficker, and in 71,25% of the cases she left her country within less than four weeks. This clearly proves that trafficking is a well-established business capable of fulfilling its aims in an astonishingly swift way.

Table 22: When did the victim suspect that the trafficker did not meet the promised agreements?

	<i>Frequency</i>	<i>Percentage</i>
At arrival	27	33,75%
Short time after arrival	34	42,50%
During the trip	6	7,50%
Before the departure	13	16,25%
Total	80	100,00%

The largest group of victims (42,5%) found out that the promised agreements were not met shortly after arrival in Italy, while another significant group discovered it upon arrival (33,8%); smaller contingents realised that they had been deceived before the departure (16,3%) and during the trip to the place of destination (7,5%).

Table 23: How did the victim discover the real purpose of the trafficker/s?

*Frequency*⁹¹ *Percentage*

⁹⁰ This refers to a “temporary permit” issued by Swiss authorities to enter Italy for a short period of time.

⁹¹ Combinations possible.

Victim did not regain identity papers	17	7,03%
Maltreatment (physical, sexual or mental abuse)	40	16,52%
Victim was told she had to work in prostitution against initial agreement	54	22,33%
Victim received less money than was agreed on	8	3,30%
Victim was sold without consent	15	6,19%
Victim was told she had high debts	13	5,38%
Victim was forced to earn a minimum amount of money	44	18,18%
Victim could not go freely where she wanted	2	0,82%
Victim was constantly monitored	25	10,35%
Victim was personally threatened	14	5,78%
Family of victim was threatened	4	1,65%
Victim was not allowed to refuse clients	6	2,47%
<i>Total</i>	<i>242</i>	<i>100,00%</i>

Victims discovered that the recruiters did not meet the promised agreements mainly because they were forced to prostitute themselves against initial agreement (54), physically and psychologically abused (40), constantly monitored (25) and threatened (4).

2.7. Pressure, coercion, violence in the process of trafficking and exploitation

The data clearly show the high level of abusive conditions the traffickers perpetrated at the victims' detriment since the very first stages of the exploitation process. According to the individual dossiers analysed, the criminal organisations, regardless of their typology and ethnic origin, made use of different forms of violence. The use of physical and psychological abuse has been identified as the prime tool of management and control used by traffickers and/or exploiters to subjugate their victims.

The largest percentage of women underwent varying degrees of violence, either en route to the point of arrival or during the period of exploitation in Italy. Incidents of individual and group rape have been recorded, as well as abortions which were forced or brought about through different forms of violence. An Albanian woman underlined that coercion also played a strong dissuasive role: "We were locked up and constantly monitored in an isolated house nearby the seaside. We planned to run away but only a Bulgarian women did so but her way to freedom lasted very shortly. She was caught and battered very badly in front of us. This terrified us and made us decide to abandon the idea of escaping from there. In that house, our jailors repeatedly raped us, without even using a condom".

Selling women over and over again was also a practice that greatly contributed to the process of annihilation of victims, who suffered for being treated as goods to profit from to the extent the, in some cases, they could not even recall how many times that brutal transaction took place: "I was sold four times...or maybe five... I don't remember...".

Using religious beliefs to conform the victim to their will is a practice commonly performed by Nigerian traffickers and exploiters. Voodoo ritual as a bonding tool was reported by the largest part of Nigerian women. They all basically recalled the same story: after having collected some of their nails, blood and pubic hair, a priest made them solemnly swear to pay back the debts and not to report anything to the police, otherwise they would have died.

Sometimes violence or threatening acts were also employed against the victim's family in order to put even more psychological pressure on victims as a deterring measure against their wish to run away.

2.8. Criminal network

From the gathered information it is difficult to outline a complete picture of the criminal organisational structure that brought women to Italy. This is due to the fact that, generally, women were not aware of the whole network that managed the process of recruitment/transport/exploitation. The knowledge of the configuration of the criminal chain depended on a series of variables, such as: country of origin, modalities of recruitment, type of relationship existing between victim and recruiter and/or trafficker, level of awareness on the travel's real aims.

The analysis of the questionnaires however, revealed that distinct types of criminal organisations operated in the different phases of trafficking and in the various countries involved. Three are the macro-typologies of criminal groups identified:

1. ethnic organisations of the country of origin;
 2. ethnic organisation of the country of transit;
 3. mixed ethnic organisation (composed of persons of different ethnic groups).
- Such criminal organisations either managed specific segments of the business or controlled the whole process or large part of it.

The data showed that women coming from countries of Eastern Europe and former Soviet Union had been recruited in their country of origin by local people and, then, transferred to Italy generally by an Albanian criminal group and, finally, exploited by the same or another Albanian group or an Albanian-Italian mixed group. It is important to emphasize that several Ukrainian and Russian victims entered in Italy with a regular visa and that the criminal organisation took over the women's control upon their arrival in order to exploit them in the sex market. Albanian and Nigerian women, on the other hand, were recruited and exploited by criminal groups of their ethnic origin, which were active in the countries of origin, in those of transit and of destination.

A table containing the different criminal ethnic organisations and their type of involvement in the distinct stages of trafficking has been developed through the schematisation of the processed data.

Table 24: Ethnic criminal organisations involved in the distinct stages of trafficking, broken down by the victims' countries of origin

Country of origin of the victim	Recruitment	Transportation	Exploitation in Italy
Albania Kosovo	Ethnic criminal group of country of origin	Ethnic criminal group of country of origin	Ethnic criminal group of country of origin
Ukraine Russia Belarus	Ethnic criminal group of country of origin	Ethnic criminal group of country of origin (through travel and/or employment agencies)	Other ethnic criminal group working in the country of destination (generally, Albanian); Mixed ethnic criminal group (generally composed of Albanians and Italians)

Slovakia Czech Republic Bulgaria Romania Poland Uzbekistan Kazakhstan	Ethnic criminal group of country of origin	Mixed ethnic criminal group (generally composed of persons of the countries of origin and transit)	Other ethnic criminal group working in the country of destination (generally, Albanian); Mixed ethnic criminal group (generally composed of Albanians and Italians)
Nigeria	Ethnic criminal group of country of origin	Ethnic criminal group of country of origin (through travel agencies or illegal channels)	Ethnic criminal group of country of origin

The survey corroborates the findings of other reports and police investigations: the main criminal groups that trafficked and sexually exploited the victims in Italy were of Albanian and Nigerian origin. Albanian criminals controlled the transport of victims along the Otranto Channel (South-East of Italy) and the Italian-Slovenian border thanks to agreements with local and foreign criminal organisations. The gathered data, furthermore, indicate that several women had been sold to different criminal organisations on the way to Italy and during their stay in this country.

Nigerian groups, on the other hand, managed all the phases of trafficking from the country of origin to that of destination through a capillary organisation based on a wide extended family or clan network.

Both Albanian and the Nigerian criminal organizations, in certain areas of Italy, had to find an agreement with the Italian local mafia to be able to carry out their criminal activity.

Criminal organisations varied in size and composition but they were usually constituted by a series of actors involved in specific phases of trafficking or in more than one. Also in this case, the research has underscored a large part of women were not able to reconstruct the complete organisation chart of the criminal group that conducted and exploited them in Italy. Several women, however, emphasized that they had met different people from the criminal network, including some Italian individuals responsible for: transportation from the place of arrival to that of destination, rental or management of the “sorting out” places nearby the areas of arrival, transportation from the place of initial lodging to that of exploitation, rental of apartments (mainly as figure-heads) and control over the women.

Furthermore, the analysis of the questionnaires indicated that new players are insinuating themselves into the fabric of the organisations that manage the human trafficking. We are referring to those intermediary persons – sometimes ex-prostitutes – who have the job of recruiting new girls/women at home or of controlling small groups of prostitutes in the country of destination. The emergence of these new figures proves the progressing process of sophistication of the exploitation networks and processes and the consequent need for identifying suitable tools for contrasting the phenomenon of trafficking in its different phases.

2.9. Traffic routes

The analysis of the questionnaires underscored the difficulties for women to precisely reconstruct the geographical routes to reach Italy from their country of origin. Most of them had not been able to provide a complete and detailed map of their journey that often required transit through several countries and the use of different means of transportation.

Table 25: Traffic routes

Albania – Greece – Albania – Italy
Albania – Greece – Albania - Italy
Albania – Greece – Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy
Albania – Italy – France – Italy
Belarus - Austria – Italy
Bulgaria – Switzerland – Italy – Bulgaria - Yugoslavia – Croatia – Slovenia – Italy
Bulgaria – Yugoslavia – Croatia - Slovenia
Czech Republic – Austria – Italy
Kazakhstan – Hungary – Slovenia – Italy
Kosovo – Albania – Italy
Lithuania – Poland – Germany – Austria – Italy
Moldavia – Romania – Yugoslavia – Albania – Italy
Moldavia – Romania – Hungary - Yugoslavia – Montenegro - Albania – Italy
Moldavia - Romania – Italy
Moldavia – Romania – Slovenia –Italy
Moldavia – Romania – Yugoslavia – Montenegro - Albania – Italy (first time)
Moldavia – Romania – Hungary – Slovenia – Italy (second time)
Moldavia - Romania – Slovenia – Italy
Nigeria – Algeria – Morocco – Spain – Italy
Nigeria – Cameroon – Portugal – Italy
Nigeria – Egypt – Greece – Yugoslavia - Italy
Nigeria – Hungary – Italy
Nigeria – Italy
Nigeria – Morocco – Spain – France - Italy
Nigeria – Morocco – Spain – Italy
Nigeria – Morocco – Spain – Italy

Nigeria – Morocco – Spain – Italy
Nigeria – Morocco – Spain – Italy
Nigeria - The Netherlands – Italy
Nigeria – Italy
Nigeria – Italy
Poland – Germany – Austria
Romania – Bulgaria – Greece – Albania – Italy
Romania – Hungary – Slovenia – Italy
Romania – Hungary – Slovenia – Italy
Romania – Italy
Romania – Italy
Romania – Italy
Romania – Yugoslavia – Albania – Italy
Romania – Yugoslavia – Montenegro – Albania – Italy
Russia – Germany – Austria – Italy
Russia – Italy
Russia – Italy
Russia – Italy
Russia – Italy
Slovakia - Austria – Italy
Slovakia – Austria – Italy
Slovakia – Hungary – Slovenia – Italy
Slovakia – Hungary – Slovenia – Italy
Ukraine – Austria - Italy
Ukraine - Greece – Albania – Italy
Ukraine – Hungary – Slovenia - Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Italy
Ukraine – Poland – Germany – Austria - Italy
Ukraine – Poland – Germany – Austria – Italy
Ukraine – Serbia – Bosnia Herzegovina – Croatia – Slovenia - Italy
Ukraine – Italy
Uzbekistan – Germany – Austria – Italy

All women listed a series of places they crossed, sometimes giving specific details (name of the city and type of the means of transport used), and other times providing just general information. Women usually crossed borders in small groups, organised by traffickers, usually using mixed channels, legal and illegal. Corruption of border police in transit countries, who co-operated with the traffickers, and indirectly with criminal groups operating at the border, was reportedly commonplace rather than exceptional. Despite of the abovementioned difficulties, however, it has been possible to identify four main traffic routes that corresponded to four main points of entry: 3 concerning people from the Balkan, Baltic and the former Soviet Union areas, and 1 concerning those from Nigeria.

Women of **Eastern Europe** and from the former **countries of Soviet Union** covertly entered Italy by crossing the Italian-Slovenian border on foot but, in some cases (especially Ukrainian and Russian women), legally entered by plane (Rome) or by bus through the Italian-Austrian border. In cases of legal entry into Italy, women had regular

tourist visas issued by the Italian or Western European authorities located in the countries of origin.






Some women illegally entered Italy by sea departing from **Albania** and crossing the Otranto Channel by boat and arriving in the area of Salento (Apulia). This is the route followed by all Albanian women, most of whom departed from Vlora even if, in recent times, this harbour is less used as a result of the increased police control in that area. In the hotels of this country, several women reported to have been subject to “auctions” to be sold and bought by their traffickers and/or exploiters.






The flow from **Nigeria** followed, instead, an apparently or formally legal channel. The migrant women had falsified temporary visas or identification documents issued by the Spanish embassy. They mainly entered Italy by plane or car. The principal point of entry and the sorting out place was the city of Turin. From Nigeria, women were transported to Morocco by car, where they illegally embarked heading to Spain. Once they were in Spain, most of women had been brought to the airport of Madrid to take an airplane to Turin (in some cases, Rome) or they had been accompanied to the Italian city by car through the Italian-French border. However, Turin was not, for many of them, the final destination. For some women the trip continued: by train, in fact, they reached other Italian cities. Out of the 13 Nigerian women, 10 took the route described above while 3 followed a route that brought them to Italy - by train or by car - via Portugal (1), via Holland (1) and via ex-Yugoslavia (1). The latter were isolated cases that probably responded to specific needs of the criminal group that managed the trafficking process.




The duration of the journey to Italy depended on the country of origin (shorter for women of former Soviet Bloc and longer for the Nigerians) and, in some cases, women had to prostitute themselves in the countries of origin or transit.

In the Table 26 an overview is given of the different routes, grouped by country of origin of victims, and the means of transportation used to reach their final Italian destination. It can be noticed that generally a combination of legal and illegal channels and means of transportation were employed accordingly to the country of origin and the place of entry.





Table 26 – Detected routes broken down by country of origin

Country of origin	Countries of transit	Means of transport	Place of entry
Albania		<u>to Italy:</u> “scafo” (boat) <u>within Italy:</u> car, train	 Apulia (Otranto Channel, Bari, Brindisi)
Kosovo	<u>Route 1:</u> Albania	<u>to Italy:</u> boat <u>within Italy:</u> car, train	 Apulia (Bari)
Moldova	<u>Route 1:</u> Romania, Yugoslavia, Albania	<u>to Italy:</u> car, boat <u>within Italy:</u> car, train	 Apulia (Otranto Channel)
	<u>Route 2:</u> Romania, Hungary, Yugoslavia, Montenegro, Albania	<u>to Italy:</u> car, train, on foot, boat <u>within Italy:</u> car, train	 Apulia (Otranto Channel)
	<u>Route 3:</u> Romania, Yugoslavia, Croatia, Slovenia	<u>to Italy:</u> car, train, on foot, boat <u>within Italy:</u> car, train	 Italian-Slovenian border

Ukraine	<u>Route 1:</u> Hungary, Slovenia	<u>to Italy:</u> car, lorry, on foot <u>within Italy:</u> car, train	 Italian-Slovene border (Nocera Gorica/Gorizia)
	<u>Route 2:</u> Hungary, Croatia, Slovenia	<u>to Italy:</u> car, lorry, on foot <u>within Italy:</u> car	 Italian-Slovene border (Tries)
	<u>Route 3:</u> Poland, Germany, Austria	<u>to Italy:</u> bus <u>within Italy:</u> car, train	 Italian-Austrian border
	<u>Route 4:</u> Greece, Albania	<u>to Italy:</u> “scafo” (boat) <u>within Italy:</u> train	 Apulia (Otranto Channel)
	<u>Route 5:</u> directly to Italy	<u>to Italy:</u> plane <u>within Italy:</u> train	 Airports of Rome, Venice

Russia	<u>Route 1:</u> Germany, Austria	<u>to Italy:</u> train, bus <u>within Italy:</u> car, train	 Italian-Austrian border
	<u>Route 2:</u> directly to Italy	<u>to Italy:</u> plane <u>within Italy:</u> car	 Airport of Rome
	<u>Route 3:</u> France	<u>to Italy:</u> plane <u>within Italy:</u> car	 Airport of Milan
Belarus	<u>Route 1:</u> Poland, Germany, Austria	<u>to Italy:</u> train, bus <u>within Italy:</u> car, train	 Italian-Austrian border
Slovakia	<u>Route 1:</u> Hungary, Slovenia	<u>to Italy:</u> car, on foot <u>within Italy:</u> car	 Italian-Slovenian border
	<u>Route 2:</u> Austria	<u>to Italy:</u> car, on foot <u>within Italy:</u> car	 Italian-Austrian border
Czech Republic	<u>Route 1:</u> Austria	<u>to Italy:</u> bus <u>within Italy:</u> car	 Italian-Austrian border

Bulgaria	<u>Route 1:</u> Yugoslavia, Croatia, Slovenia	<u>to Italy:</u> bus, on foot <u>within Italy:</u> car	 Italian-Slovene border
Romania	<u>Route 1:</u> Yugoslavia, Albania <u>Route 2:</u> Hungary, Slovenia <u>Route 3:</u> Yugoslavia, Montenegro, Albania <u>Route 4:</u> Bulgaria, Greece, Albania	<u>to Italy:</u> bus, boat <u>within Italy:</u> car, train <u>to Italy:</u> bus, on foot <u>within Italy:</u> car <u>to Italy:</u> bus, on foot, boat <u>within Italy:</u> car, train <u>to Italy:</u> bus, on foot, boat <u>within Italy:</u> car, train	 Apulia (Otranto Channel)  Italian-Slovene border  Apulia (Otranto Channel)  Apulia (Bari)
Poland	<u>Route 1:</u> Germany, Austria	<u>to Italy:</u> bus <u>within Italy:</u> car, train	 Italian-Austrian border
Uzbekistan	<u>Route 1:</u> Germany	<u>to Italy:</u> plane, car <u>within Italy:</u> car	 Italian-Austrian border

Nigeria	<u>Route 1:</u> Marocco, Spain	<u>to Italy:</u> car, on foot, ship, plane <u>within Italy:</u> train	 Airports of R Bologna, Mil Turin
	<u>Route 2:</u> Netherlands, Belgium, France	<u>to Italy:</u> car, on foot, ship, plane, car <u>within Italy:</u> train	 Italian-Frenc border
	<u>Route 3:</u> Cameroon, Portugal	<u>to Italy:</u> car, ship, train <u>within Italy:</u> train	 Italian-Frenc border
	<u>Route 4:</u> Egypt, Greece, Yugoslavia, Albania	<u>to Italy:</u> car, ship, train, boat <u>within Italy:</u> train	 Apulia

Chapter D - Conclusions

Trafficking is a multi-faceted phenomenon that involves several actors, both on the criminal and exploitative side and on the lawful and supportive one. It is a criminal system that entails different kinds of offences, legal responses and social measures. In the last decade, human traffic, as well as smuggling, has significantly concerned Italy, whose public and private institutions have made great efforts to contribute to the fight against the criminal organisations, and, conversely, have also provided support to victims. The results achieved are in some cases remarkable, in some others insufficient and, however, much still remains to accomplish. In this part of the report we will briefly evaluate the major trafficking countermeasures - as described in the previous pages - implemented within the Italian territory in order to identify, on the one hand, their positive outcomes and, on the other one, their shortcomings.

1. Social Assistance and Protection Programme (“Art. 18 Programme”)

Five years after the approval of Article 18 and three years after its practical application, one can start to evaluate whether the mechanism provided for in the norm has proved efficient and effective. Considering the aims achieved at local and national level, we believe that the points of strength of the Article 18 Programme are:

- a horizontal and vertical transversal/circular/global approach which implies the involvement of law enforcement agencies, judicial system, public authorities (Ministries, Regions, Provinces, Municipalities) and Ngo’s at the local, regional and national level; and, therefore, the resulting development of an in/formal network of different agencies engaged in the fight against trafficking and in providing services to victims;
- an approach that conjugates the duty to protect victims with the need to fight against organised crime;
- a real chance for victims to escape trafficking, violence and exploitation and to access social and occupational insertion through specific programmes in which multiple “*ad hoc*” services are supplied;
- the issuance of a special stay permit (for “humanitarian reasons”) for six months, renewable for other twelve months, that can be converted on a permanent basis for study or work reasons and, thus, allowing victims to become regular migrants and fully-fledged citizens;
- the fact that the above-mentioned opportunities are not necessarily connected with the direct victim’s co-operation with the law enforcement agencies (report to the police) since, along with the so-called *judicial path*, also a *social path* is foreseen. This is because some victims do not have relevant information about the criminal organisation; or the criminals have already been prosecuted; or “simply” because, at the beginning, they are too scared for their own or their relatives’ safety to press charges. Nonetheless, these factors do not diminish their “victim status” and the need to receive help and support. It should be borne in mind that in the *social path* the victims have to give information - through the appointed public or private body responsible for the programme - about their trafficking and exploitation experience, contributing in such a way to the police investigation. Moreover, if required, the victims will testify in court. In the Italian experience many women who began the *social path*, after having been reassured and having gained new trust in institutions and legality, came to the decision to file a complaint against their traffickers and/or exploiters;

- the considerable rise of arrests and sentences of traffickers and exploiters as a result of the collaboration of women inserted in the Programme, as it has often been pointed out also by the most important representatives of Police and Public Prosecutor's Offices;
- no instrumental use of Article 18 by migrants to legalize their irregular stay on the Italian soil has been detected due to the specific structure of the system in force, as both police sources and scientific studies indisputably have demonstrated⁹²;
- the diversified set of actions implemented by the Interministerial Committee for the implementation of Art. 18 that, besides the projects, also funds a national research based on the national monitoring of the judicial activity in regard to human trafficking and smuggling in Italy (in collaboration with the Ministry of Justice and Transcrime-University of Trento); the voluntary repatriation programme (managed by the local branch of IOM); national seminars; the *Numero verde contro la tratta* 800.290.290. The latter has particularly proved to be effective not only as a national and local switchboard providing information to victims and agencies engaged in the fight against trafficking but also as a key-means to directly link victims, Art. 18 projects, services providers, law enforcers.
- more widespread awareness concerning the phenomena of trafficking and sexual exploitation among actors who directly deal with the phenomenon of trafficking and its victims. To a certain extent also public debates, communication campaigns, TV and radio shows and press coverage have contributed to raise the level of knowledge on human traffic. Furthermore, private citizens have been directly involved in the projects by offering their voluntary help or through family placement schemes;

There are of course some aspects that need to be taken in serious consideration by the Italian national (*in primis*, by the Government) and local institutions in order to ameliorate the system of social assistance and protection set up and to fill some gaps that still remain between the law on paper and its application:

- the Art. 18 projects run by the appointed public and private agencies proved to be effective and, most of all, underlined the key-role played by such bodies within the national policies to combat trafficking. After the experimental period of implementation of the "Article 18 Programme", the Government should thus acknowledge the crucial function took on by those agencies as social services providers on behalf of the State. Allocating adequate funding to support the projects is therefore a priority that should be very high in the political agenda;
- in three years of implementation, the Programme has greatly contributed to increase the number of agencies engaged in the field, which employ different organisational modalities, tools and approaches to accomplish the common goal of supporting victims of trafficking in their process of social and work inclusion within the Italian society. It is of utmost importance that, after this quite long testing period, the Interministerial Commission for the Implementation of Art. 18 establishes an annual public monitoring and evaluation system of the funded programmes to assess the results both on the social and the judicial level, to identify the best practices to assist trafficked persons and, most of all, to set a minimum standard required to agencies running the projects;

⁹² Regione Emilia-Romagna, Associazione On the Road (eds.), *Article 18: protection of victims of trafficking and fight against crime (Italy and the European scenarios)*, Edizioni On the Road, Martinsicuro, 2002.

- even though some attempts have been carried out through the organisation of seminars and the activation of the Toll Free Number 800.290.290, the set-up of a more structured national network of the Art. 18 projects is still lacking. Its institution would greatly contribute to share methods and know-how on regular basis and, furthermore, it could supply a sort of national “resource database” to promptly respond to specific needs (accommodation availability, work placement, and so on);
- a more consistent and regular awareness campaign targeting victims and the population at large would significantly support the work of the agencies engaged in the field, in particular of the *Numero Verde contro la tratta* whose effectiveness is strictly linked to the level of publicity it gets;
- the application of the law is not fully and homogeneously implemented throughout the territory. Some Police Headquarters (*Questure*) in fact apply only the “judicial path” and, in some cases, they do so only if it is “judicially useful”, thus, on the one hand, not entirely respecting the law and, on the other one, significantly diminishing the effectiveness of the system but, most of all, not respecting the victims’ rights and needs. Moreover, the delay in issuing the stay permit has affected the social and work inclusion of the beneficiaries, this aspect should be taken in great consideration in order to ameliorate the functioning of the programme;
- the implementation of a repressive strategy through continuous police raids and forced repatriation do not favour the accomplishment of the aims set by the law. In many cases, in fact, when stopped or deported, victims are not informed of their right to access a social assistance and integration programme. This approach highly violates the victims’ human rights – treated as criminals and not as victims – and, besides, has not been proved effective in terms of fighting trafficking;
- the experience developed in the last three years has underlined the need to implement training activities directed to all professionals employed in the field to properly identify and assist victims of trafficking: social workers, law enforcers, public prosecutors, and so on;
- it should be noted that the legislation does not cover the protection of family members, who may run very substantial risks at home or in other countries. Therefore, changes to this rule are highly recommended to ensure an easier procedure to issue permits for family reunion, regardless of income or other requirements, at least for the victims’ children⁹³;
- other legal provisions are not fully fostered to guarantee the victims’ rights, such as: improve civil court procedures for legal compensation; inform victims on court proceedings; provide interpreters and protect them from possible criminal retaliations;
- the Art. 18 Programme has been mainly applied to victims of trafficking for sexual exploitation in prostitution, even though it is directed to all forms of human traffic. It is therefore necessary to fully implement the programme providing services and schemes for victims of other types of trafficking and exploitation.

In conclusion, the evaluation of Article 18 Programme underlines that it is essential that “the actions of public and private social agencies at local level be not only a sum of actions, but rather - together with any non symbolic/non demagogic work by local administrations and institutions - the core of an organic policy, capable of dealing with

⁹³ M.G. Giammarinaro, *Prime valutazioni*, op. cit., p. 58.

the various aspects of the phenomenon.”⁹⁴ The potential of the Art. 18 model could be still further enhanced at different levels, nevertheless, we are convinced it is an effective system to help victims of trafficking.

2. Legislation

In this framework, as we have seen, the legislative provisions play a fundamental role in defining the characteristics of the issues regarding the phenomena in question and their correlated countermeasures. Consequently, to properly identify and distinguish the different offences and matters it is of utmost importance to clearly conceptualise them and, thus, not confound the different levels of discussion, elaboration and application of the law. This is to underline that very often issues concerning different questions are confused and misinterpreted also because the legislation does not provide sufficient clear-cut and updated definitions of certain offences. Once again, then, it is crucial to remind that illegal migration, trafficking, smuggling, prostitution, exploitation of prostitution and labour are distinct – even if sometimes overlapping – phenomena that need to be properly addressed at legislative and policy level. The following are thus the most “problematic” laws that deserve proper attention by the competent authorities:

- *Law no. 1255 (“Measures against trafficking in persons”)*
The implementation of this law - awaiting approval in the Senate - would finally provide Italy with a specific provision aimed at punishing the offence of human traffic. This would also greatly contribute to make clear distinctions among the above-mentioned different phenomena.
This law should incorporate the definitions of the *U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (Palermo, 2000). Italy, in fact, even though it has signed the Convention against Transnational Organised Crime and its Additional Protocols, has not ratified them yet.
- *Law no. 189/2002 (“Bossi-Fini Law”)*
This newly implemented law concerning immigration has increased the penalties for whoever smuggles groups of migrants for lucrative reasons into the Italian territory. The penalty can be reduced if the offender collaborates with the police or the judicial authority. Furthermore, the law has provided for more severe measures of border control policies and expulsion of illegal migrants found on the Italian soil.

Even if the law can be considered a good instrument to punish offenders, it raises some critical questions in regard to victims of trafficking. In particular, as a result of the application of this law, a significant rise in the number of immediate expulsion and escorting to the borders will probably occur. Consequently, this will likely contribute to make it extremely hard for victims of trafficking to apply for social protection. In many cases, “it will totally prevent the actual opportunity of putting the victim in contact with those who can help her/him to learn and become aware of her/his rights, and, consequently, exercise them. In other words, the so-called phase of ‘information’ and ‘reflection delay’ envisaged by the Commission of the European Communities in its proposed Directive should undoubtedly be favoured.”⁹⁵ These possible consequences will then clearly contradict the aims of the Art. 18 that is now incorporated in this law.

- *Law no. 75/1958 (“Merlin or Prostitution Law”)*
Since trafficking for sexual exploitation has become a recurrent issue discussed on TV shows, press or in public debates, prostitution has also turned into “a matter that

⁹⁴ D. Petrini, F. Prina, M. Virgilio, “Conclusions”, in *Article 18...*, *op. cit.*, p. 228.

⁹⁵ D. Petrini, F. Prina, M. Virgilio, “Conclusions”, in *Article 18...*, *op. cit.*, p. 226.

needs to be quickly solved”. In the last decade such a need has also been fostered by the widespread feeling of uneasiness and unsafety expressed by local communities when migrant women and transsexuals have started to replace the Italian prostitutes throughout the peninsula. The high number of migrant street prostitutes, their more “aggressive” look (often semi-naked), their young age have cyclically provoked strong reactions among different communities asking for the safeguard of the so-called public decency.

Actually, many proposals⁹⁶ to amend the existing law have already been submitted by MP’s in the last decades. No agreement has been reached so far among different political parties, also due to the fact that often it has been difficult to find an accord within the same party. The Merlin Law evidently needs to be revised in the light of the changes occurred since its implementation in order to better meet the sex workers’ rights, the ones of the trafficked people sexually exploited in the Italian sex market and, lastly, those of the civil society.

- *Law no. 45/2001 (“Witness protection scheme”)*

In order to minimise the risks for those who decide to press charges against their traffickers and exploiters, some form of coordination should be implemented between Article 18 and the provisions adopted in the case of witness protection. “In fact, an effective system of protection would be ensured by a model distinguishing between the programmes of social assistance and integration and the implementation of adequate tools for protection against possible retaliation by subjects who have been accused or are already under criminal procedures due to exploitation or violent acts. In this connection, the rules applied for the protection of witnesses should be adopted explicitly also in the case of the victims of exploitation or violence who have submitted (or intend to submit) an application to obtain a residence permit for reasons of social protection.”⁹⁷

- *Repatriation Agreements*

In the last few years, Italy has signed several repatriation agreements with the major source countries of human smuggling and trafficking. The positive results of this policy have not been proved so far. Conversely, these measures, along with the tightening of legal migration policies, have greatly contributed to shift the directions of the illegal routes to reach the wealthy countries, and have worsened the conditions of migrants who put themselves at the hands of unscrupulous criminals.

Summary deportations have been registered especially among Nigerian and Albanian victims of trafficking who were not informed about their right to access a social assistance and integration programme. Several victims in fact declared of having been rapidly repatriated with no information on their rights, no chance to get in contact with a social service provider and no possibility to change their outfit.

A review of the readmission standards is thus clearly necessary in order to assure the respect of the human rights of a victim of trafficking and exploitation. Furthermore, as the public and private agencies engaged in the field have repeatedly underlined, the policy makers should take into serious account that the guarantee “not to be expelled immediately is a *sine qua non* to build the necessary trust to convince the woman to file a complaint, or at least to accept to join a programme for social assistance and integration. Hence, any tightening of the legal regime of expulsions must inevitably consider the possible consequences in the actual management of the provisions in Article 18”⁹⁸.

⁹⁶ All law proposals can be found in the Italian Parliament website (www.parlamento.it/att/ddl/f_guidata) by inserting in the box “titolo” the key-word “prostituzione”.

⁹⁷ D. Petrini, F. Prina, M. Virgilio, “Conclusions”, in *Article 18...*, *op. cit.*, p. 226.

⁹⁸ *Idem*.

3. International cooperation

Trafficking is a transnational phenomenon and only a global approach can successfully contribute to defeat it. Italy has made several efforts to intensify international cooperation and exchange of information in regard to human traffic, especially on the investigative and repressive side. Imperative to improve collaboration among all actors engaged in the field and achieve significant results in the fight against trafficking is to develop action plans and provide adequate resources to implement legislative and practical instruments. Forms of cooperation aimed at activating co-ordinated responses, avoiding overlaps, and maximising the results must be developed among and within the different agencies involved in the fight against human traffic, such as:

- national governments;
- international institutions;
- intergovernmental agencies;
- international organisations,
- national non governmental organisations;
- national and international law enforcement agencies;
- national judicial authorities;

Cooperation among countries of origin, transit and destination is a key-element to efficiently further enhance the fight against trafficking and, most of all, to identify the root causes of the phenomenon that must be tackled at the local level. The effective implementation of countermeasures needs a consistent approach in all European countries and in Third Countries, supported by adequate legislation and social protection schemes at different levels. In particular, programmes to support and protect victims and mutual means to fight criminal organisations must be set up through a transnational, national, and local systemic approach.

4. Research and public discourse

Multidisciplinary and multi-approach studies, with special regard to the new forms of trafficking and exploitation, are lacking in Italy. Even though, in the last few years, several investigations have been published, much still needs to be explored. Most studies, in fact, mainly focused on human traffic for the purpose of sexual exploitation in street prostitution, assessing the scope of the phenomenon at local level and the measures implemented by local agencies (especially ngo's or religious orders) to counteract it and support victims. It would be fundamental, in fact, not only to study the diversified sectors of the sex industry (prostitution taking place in clubs, bars, hotels, massage parlours and so on) but also other forms of trafficking and exploitation occurring in Italy within the (black) labour market, domestic servitude, etc. The implementation of multidisciplinary research teams and the use of diversified methodological tools would contribute to study the phenomenon from different angles and assess its nature and dimension, mechanisms deployed, and actors involved. Furthermore, updated and significant investigations would help to develop efficient and *ad hoc* prevention measures on human traffic and, therefore, to better meet victims' needs.

Research should also analyse the different conceptualisations of issues concerning human traffic and the distinct narratives elaborated. This would facilitate the assessment of the different ideologies implemented that influence the social, cultural, political and legislative discourse on trafficking and its various forms of exploitation. The analysis of the use of language, for instance, can give interesting indications on the – often unconscious - ideological approach employed in the field. It is of utmost importance, thus, to be consistent and accurate in using specific terms that define clear-cut concepts and, therefore, individual conditions. In regard to prostitution, trafficking, smuggling, exploitation, illegal/migration, to correctly employ idioms such as “trafficked woman”,

“trafficked woman sexually exploited in prostitution”, “victim of trafficking”, “forced prostitute”, “exploited migrant woman”, “migrant sex worker/prostitute”, “sex worker/prostitute”, “exploited sex worker/prostitute”, “smuggled migrant”, “illegal migrant”, “trafficker”, “exploiter”, “protector”, is crucial to properly convey the meanings and the distinct situations that each word defines.

It is not a mere matter of strict linguistic rules but a question of scientific method. In fact, a “confused” and inappropriate application of language can negatively influence the gathering and processing data procedures and, thus, the interpretation of the findings. Furthermore, language also defines the public discourse on a given subject. An in-depth analysis of the terminologies employed by media, policy makers and services providers would help to better identify the correlated ideological approaches applied. Just to make a very simple example, in Italian, when referring to a trafficked woman for the purpose of sexual exploitation, the word “*ragazza*” is very commonly used. *Ragazza* means “1. female adolescent, girl; 2. woman of young age; unmarried female”⁹⁹. The “abuse” of this term seems to underline a sort of paternalistic approach to an adult person (namely a woman) who, regardless of her exploitative experience suffered, is still an adult who makes choices and deserves to be treated as such. Furthermore, as the dictionary clearly explains “*ragazza allegra*” or “*ragazza squillo*” are synonymous of “prostitute”.

Even the word “*vittima*” (victim) is sometimes criticised “since it implies passivity and denies agency”¹⁰⁰. If in English this term can be replaced by “survivor”, in Italian no proper linguistic substitution has been found yet. A good example to what extent language reflects a public discourse conveying strong moral interpretations of the woman’s role also within the social assistance and integration programmes has been effectively provided in a recent study: “*Il ‘contratto’ per entrare nel mondo normale si fonda, inoltre, sulla costruzione di nuovi significati da attribuire alla propria esperienza. La donna è principalmente una ‘vittima’ e i trafficanti i suoi ‘carnefici’. Quello della vittima, per definizione debole e dipendente, rischia di diventare un nuovo stigma che fissa solo gli aspetti di maggiore vulnerabilità della sua esperienza. In altre parole, si afferma una rappresentazione a cui la donna è chiamata ad aderire, come l’unica che le consenta un nuovo riconoscimento sociale rispetto a quello precedente di prostituta, in quanto non solo moralmente più scomodo, ma addirittura vietato. Non dalle legge penale, questa volta, ma dalle regole assistenziali di un welfare che non sembra riuscire a evitare l’esercizio di un giudizio morale sulle scelte individuali e, in particolare, sulla sessualità femminile*”¹⁰¹.

A very illuminating reflection on the consequences of the ideological and cultural approaches on social practices implemented through the Art.18 projects has been presented in a recent study. Four main approaches have been identified as regards: a) the person for purposes of rescue; b) the person for purpose of emancipation; c) the phenomenon for purposes of contrast and extirpation; d) the phenomenon of management of correlated social dynamics. These different approaches do greatly affect the nature of the practices and the tools employed to support a person inserted in a

⁹⁹ N. Zingarelli, *Lo Zingarelli 2003. Vocabolario della lingua italiana*, Zanichelli, Bologna, p. 1473.

¹⁰⁰ Iom, *Journey of Jeopardy...*, op. cit., p. 17.

¹⁰¹ L. Maluccelli, “Da prostitute a domestiche: storie di donne di mercati ‘sommersi’ e donne ‘in transizione’”, in A. Colombo, G. Sciortino (eds.), *Stranieri in Italia. Assimilati ed esclusi*, il Mulino, Bologna, 2002, p. 244-245: “The ‘contract’ for entering the ‘regular’ world is based on the construction of new meanings attributed to a person’s own experience. The woman is mainly a ‘victim’, and the traffickers her ‘executioners’. The label of ‘victim’, by definition weak and dependent, risks becoming a new stigma focused only the aspects of her experience that include her vulnerability. In other words, it affirms an image to which the woman must adhere as the only one that allows her a new social recognition in comparison with the former one of prostitute. This label is not only morally uncomfortable, but also forbidden, not according to criminal law in this instance, but according to the rules of a welfare system that cast moral judgment on individual choices, particularly on *female sexuality*”.

programme of social assistance and integration, and, moreover, differently interpret “the two functions (the function of support and that of control), which have been implicitly assigned to the accredited agencies as consignees of mandates like those connected with the concession of rights dependent on the respect of rules and bonds”¹⁰².

¹⁰² F. Prina, “The projects and the forms of implementation of the law: organisational models, system of meaning, articulation of practices”, in Regione Emilia-Romagna, Associazione On the Road (eds.), *Article 18, op. cit.*, p. 216.

CHAPTER E - Recommendations

Trafficking and exploitation of migrant persons is an unacceptable violation of human rights. It is a growing phenomenon and its main feature is complexity, from different points of view:

- Gender (male, female, ftm/mtf) and age (children, adolescents, adults) of the victims;
- Nationality of persons involved (Eastern European Countries, Africa, Asia, South America);
- Degree of deception, physical and psychological violence and exploitation, dependency victims are subject to in the recruitment and trafficking process in the origin, transit and destination countries;
- Degree of victims' awareness in undertaking such a "migratory project" and degree of coercion they are subject to by their exploiters;
- Different purposes of trafficking and forms of exploitation (prostitution, sex industry, pornography, domestic work, "black" labour, begging...);
- Different types and shapes of criminal organisations running the trafficking and exploitation system;
- Different and inhomogeneous responses given by the receiving countries.

Due to the multifaceted and sophisticated structure set-up to run such a criminal business, a wide-ranging and systemic strategy has to be implemented - both on a short and a long term perspective - to tackle the ever-growing phenomenon of trafficking. Within this framework, it is important to highlight that a human rights-centered response and a gender sensitive approach are *conditiones sine qua non* institutions and agencies must take into account in order to efficiently guarantee the protection and empowerment of victims of human traffic to support their full acquisition and fulfilment of "citizenship rights".

The following are the recommendations we believe would enhance the responses to human traffic in order to support its victims and punish the responsible of such hideous crime.

1. International institutions

- Foster signing and ratification of UN Convention Against Transnational Organised Crime and Additional Protocols "to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children", and "against Smuggling of Migrants by Land, Sea and Air";
- Endorse proper national legislative measures in all countries to punish traffickers and exploiters and support victims, that include the definitions and provisions incorporated in the above-mentioned UN Convention and Protocols;
- Promote prevention through socio-economic measures and awareness raising activities in the countries of origin and transit;
- Implement and support local development initiatives in the countries of origin in order to tackle the root causes of trafficking: poverty, discrimination, lack of resources, conflicts;

- Promote the development of local anti-traffic and victims' assistance agencies and support training of local professionals;
- Foster cooperation among agencies operating in countries of origin, transit and destination;
- Allocate suitable financial resources to support anti-trafficking and victims' assistance programmes;
- Ensure data collection and information exchange policies at the international level in order to ameliorate the knowledge on trafficking and, therefore, to implement more focused strategies and share common approaches.
- Support international collaboration among national and international law enforcement agencies and judiciary authorities.

2. National institutions

2.1. Italian Government

- Introduce an annual public monitoring and evaluation of the Art. 18 projects in order to assess the projects' outcomes and the functioning of the implemented procedures; identify the best practices; set a minimum standard provided by the agencies running anti-trafficking projects; and issue an annual report. The collected data could also serve as valuable resources to evaluate the state of play of the phenomena of trafficking and exploitation in Italy;
- Set up a better structured national Art. 18 projects network supported and supervised by a technical coordination body composed of field experts and government officials;
- Implement the active participation into the policy-making process of the public and private agencies involved in the field through the establishment of a national consultation body that meets on a regular basis, possibly through the re-activation of the *Comitato di coordinamento delle azioni di governo contro la tratta di donne e minori a fini di sfruttamento sessuale* (Coordinating Committee for the Government Actions against Trafficking of Women and Children for the Purpose of Sexual Exploitation);
- Provide an adequate and regular fund to financially support the social assistance and integration programmes for trafficked people (male and female) managed by Ngo's and local authorities, whose role of services providers must be fully acknowledged;
- Establish a government fund using traffickers' confiscated proceeds to subsidize programmes aimed at supporting victims;
- Finance and support diversified, multidisciplinary and multi-approach investigations, with special regard to the new forms of exploitation, based on updated system of data collection and collation, disaggregated in terms of gender, nationality, age and type of exploitation;
- Fund awareness raising activities targeting different actors: victims, potential victims, clients, public at large;
- Appoint a *National Rapporteur* on human traffic;

- Promote collaboration between Italian agencies and Embassies of countries of origin, especially in regard to documentation supplying and identity confirmation procedures;

2.2. Italian Parliament

- Adopt as soon as possible the new law against trafficking in human beings, including the UN Protocol definition;
- Ratify UN Convention Against Transnational Organised Crime and Additional Protocols “to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children”, and “against Smuggling of Migrants by Land, Sea and Air”;
- Improve legal provisions to confiscate the assets of traffickers and exploiters and divert the seized profits to finance a national fund to support victims;
- Improve civil court procedures for legal compensation of victims;
- Include in the Immigration law specific provisions concerning family reunion for victim’s family members;
- Extend the witness protection law to victims of trafficking engaged in particularly dangerous prosecution cases;
- Foster international police, judicial and social cooperation with competent authorities in other countries of destination and in those of origin and transit.

3. Italian Law Enforcement Agencies and Judiciary Authorities

- Improve coordination among different law enforcement agencies (Police, *Carabinieri*, *Guardia di Finanza*, and Municipal Police) as regards trafficking cases;
- Appoint a national and local anti-trafficking task forces, including law enforcers and judicial officers;
- Standardise identification and referral procedures of victims of trafficking;
- Inform victims about their rights and possibility to access a programme of social assistance and integration;
- Adopt measures to protect interpreters, who often fear reprisals by criminal networks;
- Ensure the homogeneous and full application of the Art. 18 procedures by the *Questure* (Police headquarters) and Public Prosecutor’s Offices throughout Italy;
- Guarantee an efficient and quick issuance of stay permit to victims;
- Review the repressive strategy implemented through raids and massive deportations to assess the effective results achieved and ensure the respect of victims’ rights during these operations;
- Repatriate victims of trafficking only upon their voluntary request and with the assistance of specialised agencies;
- Train personnel who specifically deal with victims of trafficking;

- Implement an efficient data collection and collation system;
- Employ pro-active, intelligence led investigative methods to fight organised crime and corruption, at the local and international level;
- Collect information through standardised forms by interviewing all intercepted migrants to gather data on recruitment methods, travelling routes, means of transportation, services provided by smugglers and traffickers and prices paid, to be referred to a central database that will be useful for efficient *intelligence* activities¹⁰³;
- Fight corruption among officials.

4. Public and private social agencies engaged in the field

- Develop and share a common strategy among the agency's workers and volunteers, and with other agencies, primarily aimed at protecting and empowering the victims of trafficking;
- Respect victims' rights and plans;
- Provide appropriate and secure housing;
- Supply psychological, medical, social and legal counselling and assistance services;
- Guarantee education and training opportunities;
- Ensure real opportunities for social and occupational insertion on a permanent basis;
- Employ professionals specifically trained to work with victims of trafficking;
- Employ cultural mediators of the countries of origin of victims;
- Employ legal consultants to guarantee an efficient legal assistance to victims;
- Provide regular refresher training sessions to professionals employed;
- Develop and implement a regular system of assessment and monitoring of the activities and strategies carried out;
- Apply transparent working modalities at all stages;
- Be flexible in order to respond to all situations and, therefore, adopt a problem solving approach;
- Issue activities reports on a regular basis;
- Experiment innovative approaches and models of intervention;
- Implement strategies of advocacy at the local, national and transnational level;

¹⁰³ See Commissione Parlamentare d'inchiesta sul fenomeno della mafia e delle altre associazioni criminali similari, *Relazione conclusiva*, 6 March 2001.

- Promote local networks including all agencies engaged in providing services to victims and fighting human traffic and exploitation;
- Develop exchanges and cooperation between Ngo's, social workers and others concerned with victim assistance from countries of origin, transit and destination.

**Research based on case studies of victims of trafficking in human beings in 3 EU Member States, i.e. Belgium, Italy and The Netherlands.
European Commission, DG Justice and Home Affairs
Hippokrates JAI/2001/HIP/023**

Country Report

THE NETHERLANDS

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Chapter A. Introduction

Trafficking in Human Beings (THB) is not a new phenomenon, but the scale on which it occurs worldwide in the past two decades is unprecedented. This had led to concerted efforts to combat THB and to provide victim protection and assistance. The situation in the Netherlands with regard to the investigation and prosecution of trafficking suspects and the reception of the victims has improved over the last few years. Combating trafficking has become one of the core goals of the Dutch police and judiciary. The rights of victims, if and when they decide to report to the police, are guaranteed in law and practice. So-called integration networks have been set up in many provinces. Police, health and welfare organisations and other involved parties who are part of these networks regularly consult one and other.

The above stated improvements in law, policy and practice, however, should not lead to the conclusion that the Netherlands has accomplished all it has to in the field of combating trafficking in women, as the following example will illustrate. The fragile collaboration between the involved partners in anti-trafficking was temporarily done away with when at the end of September 2002, the police arrested and deported nearly one hundred illegal prostitutes on the streetwalkers' district in Amsterdam. Most of them were from Balkan and Eastern European countries. They were labelled criminal illegal immigrants. The reception centres for victims of trafficking and the prosecutor's office were not informed of the possible victims of trafficking. No suspects of trafficking (the traffickers or pimps) were arrested during the police action.

The aim of the introduction to this report is not to engage the different parties of the above-mentioned event in an intense political and moral polemic, nor to point the accusing finger at any one party. However, the events do beg the question of the need for clear rules and transparency of decision-making and actions in the field of anti-trafficking efforts. What police, prosecutors, policy makers, social workers and others had established in the Netherlands during previous years was a system of legal guarantees and social care and reception for the victim of trafficking. The effectiveness of the system is completely dependent on how it is executed by the different involved parties.

The above-mentioned example serves to illustrate the necessity of sound and transparent regulation and practise on the European level as well. Many of the deported illegal prostitutes were from Bulgaria and Romania. Not long ago, the European Union lifted visa requirements for these countries, enabling the citizens from these countries to travel freely to and from the European Union. In the run up to the enlargement of the European Union, the problem of trafficking in human beings cannot be neglected. There are various problems, dealt with in this report that evolved in the Netherlands due to the lack of sufficient European legislation and policy in the field of combating trafficking in human beings.

1. Definitions and scope of research

Article 1 of the Council framework decision on combating trafficking in human beings defines the concept of trafficking in human beings for the purpose of exploiting their labour. In this definition there is a close correspondence with the definition of Article 3 of the UN protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organized crime.

Each Member States shall take the necessary measures to ensure that the following acts are punishable:

the recruitment, transportation, transfer, harbouring, subsequent reception of a person, including exchange or transfer of control over that person, where:

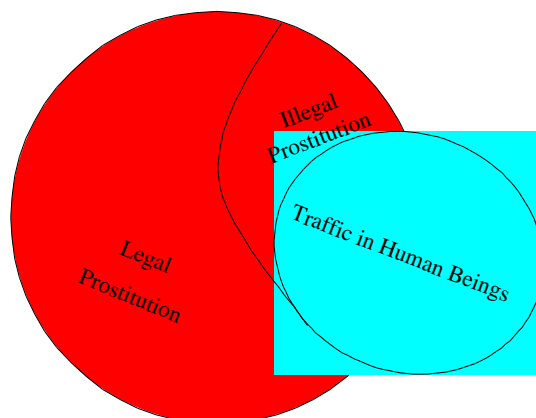
- (a) use is made of coercion, force or threat, including abduction, or
- (b) use is made of deceit or fraud, or
- (c) there is an abuse of authority or of a position of vulnerability, which is such that the person had no real and acceptable alternative but to submit to the abuse involved, or
- (d) payments or benefits are given or received to achieve the consent of a person having control over another person

for the purpose of exploitation of that person's labour or services, including at least forced or compulsory labour or services, slavery or practices similar to slavery or servitude, or for the purpose of the exploitation of the prostitution of others or other forms of sexual exploitation, including pornography.

Thus, all criminal conduct that abuses the physical or mental vulnerability of a person will be punishable. The crossing of a border is not a constituent part of a crime. The Commission wants to avoid the paradox where a European citizen, victim of trafficking in his own country would be less protected than nationals or third countries. It is also noteworthy that the consent of a victim of trafficking to the intended exploitation is irrelevant where any of the means listed above have been used.

In the Netherlands, the definition of trafficking in human beings is restricted to exploitation of prostitution. Article 250a of the Penal Code distinguishes punishable and non-punishable forms of exploitation of prostitution. Punishable is forced bringing or keeping of persons in prostitution; bringing or keeping of minors in prostitution (be it voluntarily or not); or bringing persons from other countries in prostitution (be it voluntarily or not). According to this Article 250a it is also punishable to make profit from the aforementioned circumstances. Article 250a was introduced on the first of October 2000 and replaced the older articles 250ter (traffic in women) and 250bis (ban on brothels). Since then, under certain conditions the exploitation of prostitution is legal.

In comparison with the EU en UN definitions, the Dutch definition is rather narrow, but on the other hand not all forms of illegal prostitution fall under the definition of trafficking.



For the purpose of this research it therefore has to be defined clearly which part of trafficking according to the international definition is included and which part of illegal prostitution according to the Dutch definition. In fact, our research only relates to the field of prostitution in as far as there is also trafficking of human beings according to EU definition. This means that our results do not apply to prostitution in general, not even to all forms of illegal prostitution, but only

to the criminal part. On the other hand, our research is narrowed down to trafficking for the purpose of exploitation of persons in prostitution. By necessity, because of lack of information in the absence of a legal framework, other forms of trafficking are excluded.

Although trafficking usually has an international dimension, in the field of prostitution it also happens within country borders, without borders being crossed, as is the case with victims of so-called 'lover boy'. Much attention in the media and politics was paid to this phenomenon from the nineties of the previous century to present times. Young pimps recruit underage prostitutes by entering into a relationship with them. The girl

falls in love and becomes compliant to his wishes and demands and dependable on him. Although many argue this is no new development - it is the classic interaction between pimps and prostitutes - these recruitment methods are considered as Trafficking in Human Beings under the Dutch legal definition. However, for reasons of comparability with the other country reports, these victims of lover boys are excluded from this research.

Our research is situated at the crossroads of trafficking and illegal prostitution. We are aware of the ideological, political and technical problems involved in every definition of trafficking in the field of prostitution. In the following, though, we will use the term “trafficking” in the meaning of the European Commission, as cited above. For the sake of clarity it needs to be noted that our research does not focus on prostitution as such, but only on the criminal aspects of prostitution regarding trafficking. Therefore we pay no attention to the position of professional prostitutes, or to the administrative, civil and labour law aspects of the problem. Victims do not necessarily need to enter or stay in the country illegally. They even may have Dutch nationality. Besides, victims do not have to be ignorant about their destination in prostitution. Essential is the deprivation of his/her fundamental human rights, the criminal abuse of physical or mental vulnerability for the purpose of exploitation in prostitution. It has to be noted that the change in law on 1-10-2000 falls within the period of research.

2. Theoretical framework

We assume that people act more or less rational i.e. goal oriented and maximizing. They make choices from perceived alternatives, but their rationality is restricted among other things by structural circumstances - for example the economic situation or the position of women in society - by their capacity to process information and by other psychological mechanisms. According to Lindenberg (1990), people are essentially driven by a few general or universal preferences (goals): physical well-being and social approval (and possibly loss avoidance), but they differ in the ways in which they actively produce instrumental preferences or means that lead towards these ultimate goals. These instrumental preferences (or constraints) vary with social position. Social norms prescribe instrumental goals in certain situations. For an actor, a given situation is framed by a goal in the sense that that goal will select the relevant alternatives and thereby define the situation.¹

Coleman (1990) developed an individual level theory of action based on two kinds of elements: actors and things over which they have control and in which they have some interest. These things are called resources or events. In general, actors do not have complete control over resources in which they are interested. Therefore transactions with others are necessary. Actors transfer control over certain resources or events in exchange for control over other resources or events. This is for instance the case in an employment contract as actors give up the right of control over certain of their own actions.

The important point in this respect is that exchange always involves a certain risk. The problem is how one rationally can decide to trust a trafficker who has control over resources in which one is interested, for instance a visa and tickets for another country? Theoretically this depends on two balances:

- The balance between positively valued consequences of choices for different alternatives (money, satisfaction, approval, social status) and negatively valued consequences (effort, strain, disapproval, loss of social status, social sanctions).

¹ Lindenberg, S. Homo Socio-economicus: The emergence of a general model of man in the social sciences. In: Journal of Institutional and Theoretical Economics. 146/4, Dec. 1990, p. 727-748.

- The balance between the chance that someone can be trusted and the chance that someone cannot be trusted.

In general, it can be said that there is a relation between these two balances; the more positive the balance between possible gains and losses, the more risk a potential victim is willing to take by putting trust in a (possible) trafficker. Traffickers act in many subtle ways to influence these balances as perceived by their victims. In this respect, they resemble classical con men. As long as there is a pressing social and economic incentive for women in different parts of the world to find a better life, they will search and find an offer they think will meet their needs. And as long as there is poverty, criminal networks will take advantage of the desperation that evolves from that poverty. Mere deportation back to the source of that misery is, in this context, no means to an end.

Although it may be tempting to present a stereotype or archetypal victim to mobilise public opinion in the combat against trafficking, this usually is not a realistic approach. Victimisation is possible in many forms and at different moments and the line between “victim of trafficking” and “worker in the prostitution business” can be a thin one and is sometimes rather blurry. For analytical purposes we make a distinction between three (ideal-) types of victims: kidnapped or sold women; deceived women; and exploited women. This distinction is not static but a dynamic one, which means that the same person can be deceived at one moment, exploited at another moment or no victim at all as sometimes is the case when a former victim ends up as “madam”. For the details of this typology we refer to chapter B 2.2.1.7. Equally tempting may be the presentation of huge numbers of victims around the world. Although, the problem of trafficked persons is tremendous, the reality is that there exist only rough estimates and no really reliable quantitative data.

3. Aim and design of the report

This research report might contribute to a better understanding of the nature and scope of the phenomenon of trafficking in human beings to the Netherlands. Hopefully, it will also provide an insight into how the authorities and social organisations in the Netherlands tackle the problem and how their current practices could be improved.

In chapter B.1, the legal framework with respect to combating trafficking in human beings will be explored. Chapter B.2 will expound on the facts and figures that are available with regard to the number of women trafficked to the Netherlands. The report will also shed some light on the social, educational and economic background of the victims and on traffic routes, traffickers and their use of methods of coercion. Over a period of four months, files on 80 women at reception centres have been analysed. Of these 80 files, 15 women were interviewed. We will present the quantitative and qualitative results of the research in chapter C. Furthermore, interviews were carried out with 30 experts in the field of anti-trafficking. Social workers, police officers, prosecutors and others were asked to respond to signalled problems in the field of law and policymaking, prevention, criminal investigation, prosecution and reception. They provided answers, posed new issues and suggested solutions to existing problems. The problems in the field of combating trafficking in human beings and the comments made by the experts will be dealt with in chapter C.4. In the final chapter D, recommendations to the European Commission and the Dutch government will be presented.

Chapter B. Scope of the phenomenon

1. Legal framework

1.1. National definitions and legal framework for combating Traffic in Human Beings (THB).

In the Netherlands, the definition of traffic in human beings is restricted to illegal exploitation of prostitution. This involves not only women, but also men. The exploitation of minors and traffic of foreigners to the Netherlands, with the purpose of exploitation in prostitution is also punishable.

1.1.1. Trafficking and prostitution

In the Netherlands, the offence of trafficking is related to prostitution. The offence is made punishable in article 250a of the Criminal Code. This article mentions the forms in which sexual exploitation of human beings is punishable and by implication the others forms are legal. In short, article 250a Criminal Code relates to forced bringing or keeping of persons into prostitution; the bringing or keeping of minors into prostitution (be it voluntarily or not); or bringing persons from other countries into prostitution (be it voluntarily or not). According to article 250a it is also punishable to make profit from the aforementioned circumstances.

In comparison with internationally used definitions the Dutch definition is rather narrow. The definition in the UN protocol on trafficking for instance encompasses forced labour, slavery or comparable circumstances and forced donation of human organs as well.²

1.1.2. Combating THB

The Netherlands has chosen for a combination of penal and administrative measures in the battle against THB. Trafficking, that is punishable exploitation of prostitution, is dealt with via the Penal Code, in particular article 250a, while the legalization of the prostitution branch by means of an administrative approach must lead to a better control and regulation over that branch. This administrative approach is thought to be shaped at the local municipal level.³

1.1.3. Penal instruments

The core of the amendment of the law "Abolition of the General Brothel Prohibition" is the disappearance of the art. 250bis from the Penal Code. Being a pimp as a fact liable to punishment (art. 432 Sr) is also been erased. At the same time the old article 250ter

² At the Second Chamber (TK) the bill 'Partial Amendment of the Morality Legislation (Kamerstukken II 2000/01, 27 745) was put forward. This act proposes among other things to enlarge the range of Article 250a Sr on the exploitation of persons in other sexual treatments than prostitution. This amendment is partially a result of the ILO Treaty on the Abolition of and the immediate Action against the Banishment of the worst Forms of Child Labour. (Trb. 2000, 52). (Wiarda, 2001, p. 371)

³ In this respect, Sweden has made a different choice. Unlike The Netherlands, where the exploitation of prostitution on a voluntarily base was legalized, in Sweden all use of commercial sexual service was made punishable.

Sr has been replaced by the new art. 250a Sr and has been enlarged with a few stipulations in which taking advantage of or profiting of circumstances which can be labelled as trafficking in human beings are made punishable.

That made an end to the existing situation of tolerating the exploitation of prostitutes, at least for as long as prostitution out of one's own free will by adults was meant. Forced prostitution and prostitution by minors are still punishable.

In the criminal approach of trafficking in human beings especially this article 250a Sr is of importance. The goal of this article is to attach a penalty to on the one hand the bringing someone by force into prostitution and on the other hand to take profit out of this. The point of departure for the exploitation of prostitution became that this is only punishable for as far as violence, taking advantage of or deceiving is used or if minors are involved. To incite a minor to the act of prostitution, without that pressure has been put on him/her, is already trafficking in human beings.

A form of pressure is not required if in the execution of the criminal offence borders are being crossed. The view of bringing someone, regardless of his/her age, to another country into prostitution, is by itself seen as trafficking in human beings (art. 250a part 1, sub 2°).⁴ When someone, who although he/she did not start to work as a prostitute out of free will, yet is being refused or hindered to stop with this work, than this is also considered as trafficking in human beings, because in such case it is forced exploitation. The integrity of the body and the freedom of choice of the prostitute are then endangered.

Essential elements in trafficking are coercion and exploitation, in other words lack of free will. "Lack of free will" in this respect has to be understood as the diminution of the possibility to make a conscious decision. To determine in a specific case whether there could have been a conscious decision it is important that the person concerned has been able to make an independent decision and/or has been able to consider the consequences of this decision. An important criterion in this respect is the question if it can be said that a possible victim of trafficking, who is working in prostitution, is in a situation unlike the situation in which a responsible, independent prostitute in the Netherlands usually finds herself⁵.

For the determination of free will of foreigners in case of article 250a lid 1 sub 1 Criminal Code one also has to keep in mind the elements of culture and economic situation in the country of origin because these elements also can constitute the situation of coercion and exploitation in which a victim of trafficking has come into in the Netherlands. There can be an element of lack of free will in making the choice to come to the Netherlands (for instance if the victim has been deceived or because the victim is willing to do everything to escape from a very bad situation in the country of origin). There also can be an element of lack of free will at a later point of time (for instance the person concerned knew he or she would have to work as a prostitute, but was confronted with ever rising "debts", restriction of freedom of movement, or had to hand over traveling documents, etc.). Besides that, an illegal status of foreigners plays a role in situations of coercion and exploitation. Of course, in specific cases Dutch inhabitants can also be regarded as victims of trafficking.⁶

⁴ The Bureau of the "Nationaal Rapporteur Mensenhandel" (= the National Rapporteur on Trafficking in Human Beings), Eerste rapportage van de Nationaal Rapporteur Mensenhandel, The Hague, March 2002, p. 24.

⁵ However, the use of the concept "responsible and independent prostitute" as a touchstone remains rather problematic. Joanna Phoenix, in an article in the British Journal of Criminology, points to a number of dilemmas and contradictions in the stories of prostitutes she interviewed, which make it very difficult to see them as victims or empowered women, because, they are both at the same time.

⁶ Appointment of the handling of trafficking in human beings and other forms of exploitation in prostitution of the Council of Procurator-General

To take on purpose advantage out of and to profit of trafficking in human beings is also being penalised in art. 250a Sr. (subs 4°-6°). The one who is using this situation of exploitation for (financial) gain does not necessarily have to be the person, which has caused the situation of exploitation (the 'trafficker in human beings'), but can also concern another. In this concrete case such shall be investigated by the judge.

The Dutch Penal Code does not know any separate criminalizing for the client of adult prostitutes. Since prostitution by itself never has been punishable by law, it was not punishable neither to make use of these services. Having sex with a minor, younger than 12, is punishable in all cases, disregarding if it is a question of prostitution or not (art. 244 Sr.). To have sexual intercourse with a minor from the age between 12 till 16, who offers his/her services as a prostitute, is punishable as well (art. 245 Sr.). Since the law has been amended on October the 1st 2000 the requirement to institute legal procedures has been lapsed and having sex with a minor prostitute between the age of 12 and 16 can be prosecuted by virtue of one's office. For the category of minors between 16 and 18 it is applied that having sex with a prostitute from this age category, in contradiction to earlier it is punishable now (art.248b Sr.).

In art. 274 Sr. slave trade has been attached to a penalty. Art. 274 SR. is been included in the title "Criminal Offences against Personal Freedom" and it is meant to prevent the exploitation of human beings. The scope of art. 274 Sr. is such that slave trade is covered by trafficking in human beings anyway (Cleiren & Nijboer, 2000).

1.1.4. Administrative instruments

With the abolition of the general brothel prohibition, the main point of the administrative approach of the legal prostitution - the controlling and regulation - has been put by the legislator into the hands of the local authorities. On basis of the amendment of the law the municipalities have been appointed as mayor designers and maintainers of the new policy. This policy focuses on control, steering and reorganisation of the prostitution business and on the amelioration of the circumstances under which prostitutes work. It is not only about combating the inconvenience, but also about the amelioration of the position of the prostitute.⁷

The idea behind the central role of the municipalities is that they are better equipped for the tasks which they are already executing anyway in most cases: drafting the licence rules and license prescriptions, control on the compliance of all kinds of specific and general regulations, etc.

Article 151a of the Municipality Law enables to establish the municipality decrees, in which the regulations are being dictated concerning offering professionally the occasion to perform sexual acts with a third party against payment. By means of a licence system the municipalities stipulate the conditions of exploitation of prostitution within the municipal borders. Now that the exploitation of prostitution has been legalised through the abolition of the general brothel ban, to forbid prostitution completely within the borders of the municipal became contradictory to the right of free choice of labour.⁸

In almost all municipalities a license is needed for the exploitation of a sex institution, in which demands are being dictated to the licensee and the proprietor, the building itself (interior demands) and the actual exploitation (such as closing hours, supervision, concerning labour law, medical aspects). By attaching certain conditions for obtaining

⁷ NRTHB, 2002: p. 29

⁸ A few communities have, for religious or other reasons chosen for a zero tolerance. The provinces and other higher authorities have not accepted this. A very limited filling-in of the possibilities for establishment of prostitution enterprises is however possible.

the license, the principle of control has been guaranteed in advance. Most municipalities have followed more or less the standard decree of the Union of Dutch Municipalities (Vereniging van Nederlandse Gemeenten) (VNG).

Through the Municipal Decree the exploiters have to meet stringent requirements concerning the place of business of the prostitution enterprises, the management, the closing hours and the antecedents of the licensee. Furthermore the municipalities can handle by means of their urbanisation planning an urbanisation management relevant to prostitution. Finally prostitution enterprises are being obliged to meet the normal demands of building- and fire safety and, if there are hotel and catering industry facilities, to the demands of the liquor and hotel and catering industry law.

Besides this is the new article 151a of the Municipal Law a temporary business. The article does not suit very well in the actual structure of the Municipal Law. The minister has in consultation with both Chambers declared that he or his successors will because of the developments in the years to come will take into consideration to make a regulation for the whole country. At that moment the minister thought of it as too early for such a regulation, since the policy for the prostitution sector is still in full movement.⁹

1.1.5. Law enforcement and sanctions

Trafficking in human beings or the punishable exploitation of prostitution (to profit of, to gain out of) is punished with a maximum penalty of six years or a fine until € 45.000. In case the facts have been committed by two or more persons united, or towards a minor, who did not reach yet the age of sixteen, or if the mean of force which is used has caused results in severe physical injuries, the maximum penalty is raised with two years until eight years of imprisonment or a fine of maximum € 45.000. The described facts committed united towards a minor who did not reach yet the age of sixteen or if the used means of force cause severe physical injuries, this adds an extra penalty increasing circumstance, with a maximum penalty of ten years imprisonment or a fine of € 45.000.¹⁰ The sentence is substantially heavier than as stipulated in the old article 250 bis Sr.

Apart from or in combination of the criminal approach, administrative measurements can be taken, in case the established fact is (also) a trespassing of the license rules. These administrative measurements can vary from giving (one or more) warnings, the order of a temporary closure and/or adaptation of the allowed opening hours, the withdrawal of the license until the closure for an undefined period of time. If illegal or minor prostitutes are found, the municipal, as it is the authority, which grants the licence, can decide in these cases to withdraw the license and to close the sex institution for an unlimited period of time.

The enforcement around prostitution is actually separated in a criminal part, aimed at the harmful forms of exploitation and a part concerning administrative law, which means the maintenance of the law by means of supervision of the municipal license policy for legal prostitution. For the realisation of a investigation- and prosecution policy towards the punishable forms of exploitation of prostitution, as well as with respect to having sexual intercourse with minors, who offer themselves as prostitutes, police and justice are responsible. The control on the observance of the conditions and its maintenance is a municipal responsibility.^{11 12}

⁹ TK 2000-2001, 2543, nr.27, p.18

¹⁰ NRT HB, 2002, p.26

¹¹ NRT HB, 2002, p. 32

1.1.6. The obligation of identification

In order to guarantee an effective maintenance of the municipal prostitution policy, an obligation to have identification papers for prostitutes has been introduced. The supervisors have therefore enough competences in order to really be able to execute the control.¹³ In practice this means that the supervisors can ask the prostitutes directly for their identity papers, in order to be able to determine their age and nationality.¹⁴ This regulation obliges the prostitute to show an ID when asked. This does not however include the obligation to carry identification, so in case a prostitute, who was asked to show the ID and cannot immediately do so, must be given the opportunity to do so later on.¹⁵ If the prostitute does not have an ID, this could be an indication that the prostitute is illegal or a victim of trafficking in human beings. Together with other indications this condition can give a reasonable presumption of doubt in the sense of the Penal Code. This indication can lead as well to the consideration of administrative measurements.¹⁶

1.1.7. The B9 ruling

Also without declaration trafficking in human beings can be prosecuted, but in the interest of the investigation and the prosecution it is often desirable that victims or eventual witnesses stay for a longer period at the disposal of the Public Prosecutor.¹⁷ The B-9 regulation serves this purpose. The additional purpose of it is to offer shelter and protection to the victims. In concrete the B-9 regulation offers foreigners, who are (possibly) victim of trafficking in human beings and foreigners who are witness of cases of trafficking in human beings, the possibility to make use of certain, protective, facilities in case that they make a declaration of trafficking in human beings. These facilities are, besides the possibility of a (temporary) stay in the Netherlands, and connected to this all the facilities such as relief and shelter, medical and juridical assistance as well as special arrangements to provide for the costs of life.

If during a police control a foreigner is found who might be a victim of trafficking in human beings, but also if a foreigner who does not possess a valid residence permit and who works (or used to work) in the Netherlands as a prostitute, contacts the police by herself, the police is obliged to point out to her, in case of the least clue of trafficking in

¹² In the community of Groningen for instance, the local police argued that supervision of a legal branche is not a police task, but a task of the local community administration.

¹³ Officials, who were appointed to inspect the compliance with the regulations, are empowered to ask access to inspect the documents as meant in art. 1 W.I.P. (travel documents or other that a foreigner needs to possess).

¹⁴ Because of article 3 Implementing Order Law on Labour for Foreigners (Wet Arbeid Vreemdelingen - WAV) an employment permit for prostitution purposes – the only category which is called as such – is at the moment not granted to subjects of outside the EU/EEC. (NRTHB, 2002, p. 34).

¹⁵ The introduction, of the identification duty gave cause to a lot of protests. The prostitutes and their lobby groups brought forward that the prostitution sector is the only professional group for which such an obligation is valid and therefore this is a form of unequal treatment. They also state that the identification duty is an infringement of the privacy because it is actually an identification duty, which lead to the fact that one can no longer work anonymously as a prostitute.

¹⁶ NRTHB, 2002, p. 36. See as well the indication “Appointment of the handling of trafficking in human beings and other forms of exploitation in prostitution of the Council of Procurators-General”.

¹⁷ The delivery of proves are one of the major problems in cases of trafficking in human beings. A lot of victims who are staying illegally in The Netherlands are usually, out of fear for revenge against themselves or their families, which remained behind, not quickly inclined to make a declaration against the smugglers of human beings and their companions.

human beings, the rights as described in the B-9 regulation. In order to be able to make estimation, the police have a list of indicators of trafficking in human beings.

The (possible) victim is offered a period of three months, in which he/she has to take a decision whether he/she wishes to make a declaration of trafficking in human beings. During this time of reflection his/her expulsion out of the Netherlands is being suspended. If the presumed victim decides to make a declaration, then this declaration is considered officially as an application to the granting of a residence permit for a determined period of time.

1.2. Victim protection and assistance

The above-mentioned B-9 regulation has a double purpose. On the one hand, it is an instrument in the prosecution of traffickers; on the other hand it is also meant as an instrument of aid and protection of victims of trafficking. For the actual assistance of victims there is a whole range of (non governmental) organizations. In the following paragraph a short overview, based on the report of the "National Rapporteur trafficking" of the Dutch government, is given of the relevant parties in the reception of victims as well as the parties involved in prevention and information of (potential) victims. The organisations with a * were involved in the research that will be presented in chapter C.

1.2.1. De Stichting Tegen Vrouwenhandel

The Foundation Against Trafficking in Women (De Stichting Tegen Vrouwenhandel - STV) has been mentioned specifically in the paragraphs 3.13, 3.2 and 4.5.2 of the B-9 regulation. Registration, relief and lodging and continuation of the aid have to happen through the STV. The STV has organised regional integration networks for this purpose. The relief and advisory service for victims operates from within these integration networks. Some of the integration networks haven taken the regional direction upon them. The STV focuses right now on: -application, registration and service co-ordination; -activities related to the integration networks; training and information; - policy influencing; -international activities.

When an integration network is set up, the STV takes care of a basic training for all social workers within the network. This training consists of four modules: the integration project, an introduction as well as a video on trafficking in human beings, exercises using concrete cases and a discussion on the tuning in between offer and demand within the integration project. The STV also spreads its know-how through additional trainings, seminars and case discussions.

The STV has furthermore a task in the bringing together of the offer and demand of services. This happens through its helpdesk. The Foundation limits itself to a 'chain function'; help to victims is being offered through different co-operation partners in the different integration networks. Through this helpdesk the STV offers a consultation service as well.

A few of the targets of the STV are related to influencing the national policy on trafficking in women. E.g. the STV wants to contribute to a (further) development and influencing of the trafficking in women policy after the abolition general brothel prohibition and to enlarge the political and public awareness concerning trafficking in women.

The STV is actively involved in the international project: - La Strada. La Strada is an international program, which started in 1995 and aims at tackling trafficking in women and to approve relief to victims in Central and Eastern Europe. For this purpose there is a co-operation in four core countries (Poland, the Czech Republic, Bulgaria and Ukraine) where campaigns against trafficking in women are held.

Besides this they try to import the La Strada model and its specific know-how and specialisation to the NGO's in the (19) other countries in Central- and Eastern Europe. This is a.o. done through trainings.

The integration networks

At the moment ten integration networks are known in the Netherlands. These networks unite different organisations, which can offer help to victims of trafficking in human beings, such as relief centres, police, Bureaus for Legal Aid and GGD's (Gemeentelijke en Gewestelijke Gezondheidsdienst = Municipal and Regional Health service). Within an integration network the care co-ordinator steers the local organisations and tunes their activities in on each other. The care co-ordinator is also the point of address in case victims present themselves.

1.2.2. NGO's active in the field of anti-trafficking.¹⁸

Project 13 focuses on girls from the age of 13 till 23, who are being abused by young men, or threaten to end up like that, or who were abused in prostitution. The minor victims are accompanied by the Unit Elderly Youth (Unit Oudere Jeugd) of the youth rehabilitation, the adult victims mainly by the Youth Relief of the Youth Rehabilitation (Bureau Jeugdzorg Utrecht c.s., 1998). The target of the project is twofold: - the tracking down in and getting out of prostitution of minors and young adult victims, the organisation of shelter and the initiation and continuity of the assistance; - the criminal pursuit of the pimps/lover boys (for trafficking in human beings, procuring of minors and the withdrawal from the authority).

Asja is a residential shelter for girls who threaten to end up in prostitution, are working in it or want to get out. Asja foresees a 24-hours relief, counselling, intermediation, crisis relief and after care. The assistance is of voluntary basis. Admission at Asja is not regionally bound; on a regularly basis clients are being admitted who are not originated from Friesland.

The Beauty and the Beast is a prevention project in Utrecht. The project focuses on girls in the age category between 13 till 16, who are in the second or third class of the lower general secondary education ((i)vbo or mavo). With the aid of information campaigns they try to raise the awareness of the girls concerning relationships and sex and their own freedom of choice in the matter. The project is also being used to signal potential victims and to refer to e.g. "Pretty Woman".

Pretty Woman is an ambulant assistance project, focussed on young women and girls who run a high risk to end up in prostitution (mainly in the age category between 12 till 18) or who working in prostitution by force (age category 18 till 23). Two assistants are connected to this project, giving information and advise to relief institutions. The offered help is on voluntary bases, 'outreached' and easily accessible. Pretty Woman's work is based on the principles of women assistance and the "relationship-addiction theory" of Robin Norwood. The basic principle is to make girls aware of the psychological factors and mechanisms through which they feel attracted towards certain boyfriends.

Het Scharlaken Koord is a Christian organisation, which is based at the Wallen of Amsterdam (= red light district). The purpose of the organisation is the evangelisation of and the aid to prostitutes. The Scharlaken Koord has a 'passing by centre' at Amsterdam 22 and developed the prevention project "Beware of the lover boys". Staff members of the project try to raise the awareness of girls between the ages of 13 till 16

¹⁸ An extensive overview of organisations active in the field of anti-trafficking in the Netherlands is offered in the publication 'Organisations supporting victims of trafficking in the Netherlands, an overview, IOM, 2000.

of the dangers of lover boys and to teach them to draw their own lines (Scharlaken Koord, 2000). For this purpose they give information sessions in o.a. schools, centres for asylum seekers, neighbourhood centres and 'girls houses'. Parents, teachers and municipal workers are informed as well, in order to understand the phenomena of the 'lover boys' and so that they can interfere if needed.

The department ***Prostitutie Maatschappelijk Werk (PMW)** (= Prostitution Social work) of the **Stichting Humanitas** (= Humanitas Foundation) in Rotterdam, has since it started in 1989 regularly clients who went to work into prostitution as a minor, forced or not by others. Because many institutions that dealt with prostitution by youngsters (police, social workers), pointed out that it is difficult to make this theme debatable amongst youngsters, the PMW developed the brochure 'Gevaarlijke Liefde' (= Dangerous Love) in order to inform girls about lover boys. In this brochure girls who are in a 'lover boy situation' or threaten to get into one, being urged to talk about it. The target of the brochure is not only to inform the girls and to offer them help, but also to make the social assistants and other authorities alert for this signals of forced prostitution.

Stichting Prostitutie Projecten Den Haag (= Prostitution Projects The Hague Foundation) was established in 1982. The aim of the organisation is to assist foreign and Dutch prostitutes in the broadest sense of the word. A substantial part of their clientele consists of people who have been trafficked for sexual exploitation.

Veilige Haven (= Safe Harbour) in Den Bosch is a protected gathering point for Moroccan girls who (under force or not) threaten to end up into prostitution.

The **Stichting Esperanza** (= Esperanza Foundation) is a European-Columbian organisation, which develops out of Europe and Latin-America activities to prevent and combat international trafficking of women. Esperanza is mainly focussed on a cross border approach of the trade. Through co-operation between the countries of origin and the transit and/or destination country (potential) victims are informed, offered help and counselling.

The aim of the **Stichting Religieuzen Tegen Vrouwenhandel** (SRTV = Nuns Against Trafficking in Women Foundation) is to contribute to the combat against trafficking in women and the forced prostitution in which it results. The foundation is consists of only female participants. A few of them have been working in developing countries. The networks, which they have built there, are being used for information to potential victims of trafficking in human beings and the relief to and guidance of (returning) victims. Besides this the SRTV, tries, where possible, to influence politically and once in a while shelter and help is offered to victims in the Netherlands.

The **Nigerian Democratic Movement Netherlands** (NDMN) has conducted in co-operation with Terre des Hommes an investigation in the trade of Nigerian girls towards The Netherlands (Oviawe & Iyare, 1999). One of the conclusions of this study is that at least 400 Nigerian girls, of which most of them are younger than 18, are working by force in the prostitution in the Netherlands. In accordance with the recommendations of the investigation report the NDMN started a helpdesk in March 2000. Goals of this helpdesk are: - combating trafficking in West-African women who are in the Netherlands or who want to come to the Netherlands; - to involve the Nigerian municipal in the combat against trafficking of West-African women.

Bonded Labour in The Netherlands Project is a co-operation initiative of Humanitas and Novib. The target of the project is to offer to victims of trafficking in human beings a better future in the Netherlands or in their country of origin. The BlinN supervises the medical care, juridical aid and relief. The most important part consists in finding appropriate education or a job for the woman. Dutch language classes, computer courses, a basic course in independent entrepreneurship are some of the education

offers. Women can through the BlinN acquire job experience through a temporary job as a volunteer. Besides this the BlinN offers support in case of return to the country of origin.

Tampep (Transnational STD/AIDS Prevention Among Migrant Prostitutes in Europe) is a European project, which combines investigation and action in the field of prevention of AIDS and other sexually transmittable diseases. The target group consists of migrant prostitutes - women, transvestites and transsexuals – from Eastern Europe, South-East Asia, Africa and Latin America.

Terre des Hommes is an NGO which was founded in 1965 and has the following purpose: the actual and immediate aid to the suffering child wherever in the world. Terre des Hommes exposes publicly all severe violations of children's rights by means of campaigns such as 'Stop child prostitution'. Besides that Terre des Hommes made an investigation to child prostitution in the Netherlands and by means of the attached report they've asked attention for this phenomena (Hoogendoorn, 1999).

ECPAT (End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes) is a worldwide movement for combating the sexual exploitation of children, with groups in more than 30 countries. Its headquarter is based in Bangkok. ECPAT-Nederland (ECPAT-NL) exists since 1995 and is a coalition of Defence for Children International, Section The Netherlands, Kinderen in de Knel/Kerken in Actie (= Children in Trouble/ Churches in Action), the Stichting Kinderpostzegels Nederland (=Child Stamps Foundation The Netherlands), the Stichting Mensen in Nood/Cordaïd (=People in Need Foundation) and the Stichting Retour (=Return Foundation). The secretariat of ECPAT-NL is accommodated at the Stichting Retour. ECPAT-NL focuses on the information to and the creation of awareness and involvement with the Dutch population and especially for travellers, organisations and enterprises in the travelling business. Besides this they lobby for an adequate and effective issuing of laws and rules, focussed on prevention of sexual exploitation of children, as well as for prevention and help projects for children who run the risk to end up in prostitution. ECPAT-NL stimulates and follows furthermore the investigation of the part Dutch play in the commercial exploitation of children.

Defence for Children International (DCI) is an independent international organisation who advocate worldwide for the rights of the child. The Dutch section of DCI (DCI-Nederland) is engaged in the Netherlands with information concerning the rights of children and is active on the field of fundraising for legal aid projects of the DCI-sections elsewhere in the world.

Besides the above mentioned organisations the Philippine organisation Bayanhin, Huiskamerprojecten op de Tappelzones (= living room projects in the red light district), GG&GD en Bureaus Slachtofferhulp (= Bureau for Aid to Victims) offer help to victims of trafficking in human beings. Women and centres for aid in case of crisis as well as organisations for self-help play an important role in the relief of victims. De Roggeveen, is a shelter for women and families of HvO-Queirido in Amsterdam. De Roggeveen offers a roof and support to victims of trafficking in women. The care co-ordinator attached to the Roggeveen offers support and advice to victims of trafficking in women. They take care of the interests of the victims. Stichting Toevluchtsoord (Foundation Shelter), is a 'hands off' house in Groningen and has approximately four shelters for victims of trafficking in women. De Stichting Blijf van mijn Lijf (Foundation Hands Off) in Leeuwarden has also a few shelters and support available for victims of trafficking in women.

1.2.3. (Inter) Governmental Organisations in the field of anti-trafficking

Stichting De Opbouw (The Construction Foundation) is a national custody institution for single minor asylum seekers (SMAS) and is responsible of the aid and support of the

SMAS who are placed under its custody. If a minor applies without his/her parents for asylum in the Netherlands, than he/she is being taken care of at first instance in a relief centre (RC). Afterwards the SMAS are send through to a centre for asylum seekers (CAS), care in a (foster) family, a living project, 17 independent living or an internship for youths. A part of the minor victims of trafficking in human beings enter the Netherlands as SMAS. SMAS of who the foundation knows that they are victims of trafficking inhuman beings or threaten to become so, are usually placed in one of the living projects, but it also happens that they are placed in a foster family. Exceptionally is being chosen for a closed shelter.

The headquarters of the **International Organization for Migration (IOM)** has a 'Counter-Trafficking Service'. This offers support and protection to victims of trafficking in human beings and takes care of the accompaniment of the IOM field missions and member states with the prevention of trafficking in human beings (IOM, 2000). The Counter-Trafficking Service contains: - accommodation (shelter) and counselling for victims of trafficking in human beings; -juridical and medical support of victims; - counselling for victims who wish to return to their country of origin. The journey back home and the counselling during the reintegration are taken care of on measurement by IOM; - information and education programs in the countries of origin, transit and destination; - advancement of expertise and trainings (of governments and NGO's) against trafficking in human beings; - the initiating and conducting of research concerning trafficking in human beings in order to obtain more attention for the subject and to deliver the governments and other actors the information which is necessary in order to take the adequate measurements in the combat against trafficking in human beings; - the organisation of symposia in order to raise the awareness of the subject, to exchange experiences, to spread research results, to co-ordinate and harmonise policy-advises and measurements and to create informal networks.

1.2.4. Organisations in the prostitution branch

The **Mr. De Graaf Stichting** (= Mr de Graaf Foundation) is an independent institution for prostitution questions. The foundation offers advice on the prostitution policy, stimulates the discussion on prostitution, performs scientific research, conducts projects ordered by third parties and has an information and documentation centre.

The **Stichting de Rode Draad** (=the Red Thread Foundation) is an organisation, which wants to improve the ability to do things independently as well as the emancipation of the prostitutes and wants to bring about changes in the image society has about prostitution. The objectives of the Rode Draad are: - to try to have prostitute recognised as a profession and to take care of the interests of the prostitutes and ex-; - the realization of the above mentioned initiatives in the broadest sense of the word.

The aim of the **Vereniging Exploitanten Relaxbedrijven (VER)** (= Union of Exploiters of Relaxation Enterprises) is 'to take care of the interests of the exploiters of relaxation enterprises, both collectively as individually, in the broadest sense, a.o. by consultations with the government or other authorities, taking care of the public relations of the relaxation enterprises in general and to obtain an image improvement of such enterprises'.

The **Prostitutie Informatie Centrum** (Prostitution Information Centre) in Amsterdam offers information on prostitution to prostitutes, their clients, students, tourists, media and other interested parties.

The **Stichting Man/Vrouw en Prostitutie** (=Man/Woman and Prostitution Foundation) has as its aim to emancipate prostitution as well as the legal and moral equal treatment of all those who are directly or indirectly involved with prostitution, and more specific the clients of prostitutes.

1.3. Other relevant THB policy aspects

Recently, the government published an official reaction to the first report of the National Rapporteur on Trafficking in Human Beings¹⁹. It will be dealt with in detail in chapter D. Here the general statements will be dealt with. Firstly, the government expresses its approval to widen the definition of trafficking in human beings in the Dutch law. In line with the rapporteur, the government acknowledges the importance of including forced labour in other sectors of the economy, besides prostitution. A concept law is being drafted on this topic. It will concern forms of exploitation that violate the human dignity, including slavery like labour and the forced removal of human organs. The rapporteur strongly advises to execute a survey on the different forms of exploitation in diverse economic sectors, seeing that the prosecution of these phenomena will demand a different approach. It will also have consequences for the reception and social counselling for the victims. The government underlines the need of developing flanking policy to go with the amendments of the law. It will look into the possibilities of initiating a research or survey.

The cabinet strongly underlines the need of prevention activities. In general, the government seems open to improvements in the field of anti-trafficking, but it does not seem to want to pin itself down to concrete commitments.

Begin of October, there were several evaluation reports published on the legalisation of prostitution²⁰. This branch was legalised two years ago. The reports attempt to clarify and publicise the effectiveness of the amendment to the law and also the changes in the sector that have occurred since then. The report that investigates forced prostitution²¹ and illegality will also be dealt with in detail in chapter D. It will be looked into briefly here.

The researchers conclude that there are still prostitutes with no or invalid residence documents working in the legal parts of the branch (windows, brothels and clubs). Not only illegality, also involuntary prostitution seems to still exist in the Netherlands²². The involuntariness and illegality depends on the local enforcement policy. If the enforcement policy and checks are rigid, then it tends to be less. Most importantly, the researchers conclude there has been a shift of illegal prostitution to less visible forms of prostitution such as the streetwalkers' district and private houses. Escort activities have increased. There has also been a geographical shift of illegal prostitutes who move to councils or places where the enforcement policy is less strict. They go on to determine that the flow of Eastern European women does not seem to be bothered by the increased enforcement policy and regular checks by the police. The question that begs an answer is does the government invest enough attention and energy into these (illegal or less visible) sectors of the prostitution market or does it focus too much on the administrative and criminal enforcement?

The evaluation reports on the legalisation of prostitution will have an effect on the governmental policy. The cabinet stated in its official reaction it will take into consideration the evaluation reports before it undertakes action on certain topics. It will

¹⁹ Ministry of Justice, Reaction of the Cabinet on the report of the Nationaal Rapporteur Mensenhandel (NRTHB), 5191934/502/AC, the 15th of October 2002.

²⁰ Relevant for this report is *Illegaliteit, onvrijwilligheid en minderjarigheid in de prostitutie een jaar na de opheffing van het bordeelverbod*, DRs. Marjolein Goderie, Dr. Frans Spierings, Drs. Sandra ter Woerds, juli 2002, Verwey-Jonker instituut, WODC, ministerie van Justitie, Utrecht/The Hague.

²¹ There were five other reports published. For example on labour law issues and position of underage prostitutes.

²² This conclusion is reinforced by the article 'Iedereen vindt het best zolang er maar niet wordt geschoten', 10-10-2002, Dordtenaar. It illustrates the practises in the red light district in Amsterdam. According to the sources, the majority of the women working there are illegal and sometimes forced to work in prostitution.

be interesting to see what the Dutch government will be doing with the evaluation reports. In its official reaction the government stated that the prostitution branch would regulate itself. It stated this in reaction to the point made by the rapporteur that under the new policy, only the legal sectors of the market are given attention and trafficking in human beings would then be left undisturbed. This would happen if and when the local council and the police do their work correctly. The evaluation report however, suggests that involuntary and illegal prostitution exists on quite a large scale, thus demanding a governmental policy line on the problem.

2. Facts and figures and the phenomenon of human trafficking

2.1. The phenomenon of trafficking; general introduction

For a clear understanding of the phenomenon of trafficking, it has to be considered in a wider context of (labour-) migration and especially the changing role of female labour migration: trafficking as a criminal excess of migration²³. Traditionally female migrants have tended to emigrate with their families or after the male head of the family. Today however, given the rise in single parent families, women increasingly have sole responsibility for their families and have stronger incentives to emigrate in order to send back money to support their families. (IOM, 1996).

There appear to be four important clusters of explanatory factors with respect to migration and trafficking:

1. Socio-economic factors;
2. Cultural factors;
3. Political developments; and
4. Historically developed routes and trajectories.

[Information campaign against trafficking in women from Ukraine. IOM Research report, July 1998; Bales, 1999]

Most countries that show high figures of victims of trafficking have known economic crises, which left deep traces in the social fabric. A high level of violence and corruption, and absence of a trustworthy system of law characterize these countries. Especially countries where traditional ways of living together and forms of production largely have disappeared, there is a clear break between old and modern cultural beliefs, conflicting codes, advancing consumptivism, and a strong belief in an easy way to wealth and success. In such a situation women and young people in particular, are easily forced into exploitive relations, in which they suffer from a lack of protective buffers and certainties (Van Dijk, Nijboer, and &Vocks, 2001).

Although poverty seems to be an important factor, this in itself cannot form a sufficient explanation for trafficking. (Also Salt, 2000). Structural factors may lead to anomic relations in society, but the connection with trafficking has not yet been thoroughly investigated. Certain regions with high levels of unemployment have relatively few problems with trafficking whereas other regions that economically seem to be not so poorly developed are more important as country of origin. Siron and van Baeveghem make a difference between survival migration and opportunity-seeking migration. Most of the time migration is not an escape from extreme poverty, and not only the actual economic situation in the sending country causes migration, but also the expectations and the perspective of a better future. In the countries of destination there is explicit demand for relatively cheap, though illegal labour in the form of dirty and dangerous work. Good social security and assistance systems in Western European countries also form a strong pull factor (Siron en van Baeveghem, 1999: 63-64). In particular women

²³ The concepts of migrant and victim of trafficking (or smuggling for that matter) do partly overlap. Some can be migrant and victim at the same time or change position between the two.

who have been structurally denied access to the formal labour market, drift into less protected and more criminalized markets such as sexual exploitation and exploitive domestic work.

From a cultural point of view, the significance of religious notions, and the meaning of migration and sexual service as more or less accepted ways of upward social mobility have to be considered. Also, countries of origin mostly have weak central governments and weak democratic constitutions. In some cases one can even speak of imploding nations, where the state machinery not primarily functions as a service to but as an exploiting agent of citizens. In these countries citizenship has a different meaning from the European Union. At the same time, alternative forms of legal security emerge and traditional cultural forms regenerate. Contracts and agreements are concluded and complied with in different ways. Sometimes there is a whole machinery of fraud and forging of documents. The police in these countries functions not in the first place as protector of the safety of citizens, but has its own objectives.

At the individual level of migration, personal circumstances, such as an unstable family situation or lack of opportunities for work or education play a role. But also an adventurous attitude, perhaps in combination with a certain degree of naïveté and a too optimistic perception affect the choice for migration.

The attraction of the countries of destination lies partly in the better economic opportunities and social security and assistance, at least in the perception of the people concerned. More flexible labour relations and the need for cheap labour, especially for those parts of the labour market for which it is difficult to contract local workers, bring about flows of migration, which opens the way for criminal exploitation and for traffickers. This leads, in combination with the marginalization of certain (ethnic) groups and increasing unemployment in for instance Central and Eastern Europe, to the assumption of some sort of “re-feudalization” of the services sector (Omelandiuk, 1998). Ruggiero (1996,1997) compares trafficking with slavery and analyzes trafficking against a background, characterized by a growth of the hidden sectors within European economies – sectors that encompass a diversity of legal, semi-legal and illegal activities.²⁴

The markets, which especially profit from trafficking, are situated in:

1. The legitimate and conventional market economy, in particular restaurants, factories, and the agricultural sector.
2. Legitimate domestic services
3. Criminal economies, in particular the sex industry and prostitution.

Therefore, legal as well as illegal markets profit from trafficking. Theoretically, trafficking may be seen from an organized crime perspective, but also as an economic activity, where criminal networks operate in the same way as commercial enterprises (Salt and Stein, 1997). Trafficking is partly a consequence of the commodification of migration, by which criminal organizations are able to make profit from the mobility of people. The activities of traffickers do not take place in an impersonal market, in which services are provided to whoever asks for them, but only to those people who have ties with the organization. “Unlike abstract market and criminal approaches, we view the general commodification of migration as being driven by both social and economic forces intimately embedded in regional historical developments and ethnic and gender stratifications.” (Kyle and Liang, 1998)

Hardly any reliable data about scope and extend of trafficking exist. The illegal character, the lack of legislation, differences in the definitions of trafficking in human beings, the restraint of the victims to report their experiences to the authorities and the low research priority are responsible for the fact that only with a very large margin something can be said about the numbers of victims of trafficking in human beings. According to the estimations are yearly worldwide between 700.000 and 2.000.000

²⁴ IOM, Migrant Trafficking in Europe: A review. September 2000

women and children are being trafficked. Of these approximately 175.000 till 200.000 are believed to be trafficked within Europe from Central and Eastern Europe to Western Europe, mainly for the needs of the sex industry (a.o. IOM Quarterly Bulletin, April 2001, EU-Trafficking in women). In Europe the total amount of women who are trafficked and are exploited in the sex industry are estimated to be somewhere in between 500.000 and 700.000. About trafficked men (boys) estimations (Which are more or less trustworthy) do not exist at all.

2.2. Trafficking in The Netherlands

In the Netherlands - as mentioned above - the definition of traffic in human beings only applies to forced exploitation and/or exploitation of minors in prostitution, and to the trafficking of foreign persons to the Netherlands for the purpose of sexual exploitation. For this reason, exploitation in prostitution is the only form of trafficking dealt with in this part of the report. About other forms of human trafficking as defined in the UN protocol on trafficking there is no systematic information available.

In the following paragraphs, based on the existing literature, we present an overview of some facts and figures on victims (2.1) on traffickers (2.2.), on traffic routes (2.3) and on criminal methods (2.4). This section 2 contains information about (estimated) numbers and background characteristics of victims and traffickers, traffic routes, and certain aspects of organized crime, such as form and degree of organization, transportation, recruitment, and coercion and violence.

2.2.1. Victims

2.2.1.1. Number of victims of trafficking in The Netherlands

During the period 1997-2000 364 victims in total have made a declaration in 81 criminal investigations. That is an average of 4 per investigation. In 31 investigations minor victims were involved (as well).²⁵

On basis of extrapolation of the data out of the police investigations for the period 1997-2000, Van Dijk (2002) estimates the yearly amount of new victims of trafficking in women at approximately 3500. How is this number of victims in proportion of the total number of persons working in the prostitution branch? In the framework of the aid- and std-prevention projects the GGD's made an inventarisation in the Netherlands of the composition of the population of the prostitutes in 1999. This research yielded in 20.000 persons. A part of the target group remains however invisible. Other estimations (a.o. Visser, 2000,2002) vary roughly between 20.000 and 30.000. The accepted estimation of 25.000 prostitutes is therefore possibly correct (Van Mens en Van der Helm, 2000,11).

The bureau of the National Rapporteur on trafficking in human beings has made an inventory of with how many the aid organisations came into contact in 2000. (See Table 1)

Table 1: The amount of victims with whom the Dutch aid organisations came in touch in 2000.²⁶

<i>Origin of the victim</i>	<i>Estimation</i>	<i>Registration</i>	<i>Total</i>
Non-Dutch	222	248	470
Dutch	70	68	138
Total	292	316	608

The aid organisations report to have been in touch with 608 (probable) victims of trafficking in human beings in 2000. Of those 138 were of Dutch origin and 470 of Non-Dutch origin. According to the registration of the FATW however, only 25 Dutch and 316 Non-Dutch victims have presented themselves at FATW in 2000.

The amount of Dutch victims in absolute numbers has become bigger through the years and shows a progressive development. Also in proportion to the total amount of victims the amount of Dutch victims has obviously increased.²⁷

2.2.1.2. Gender

Victims of trafficking in human beings, who end up in prostitution, are almost always of female gender. In many case this is connected to the (marginal) position in society which women occupy in some cultures as well as the care for their family, which rests in many countries (almost exclusively) on the shoulders of women. Women have in many (poor) countries a low education or are not educated at all and have as a result of this less chances on the labour market. They are on top of that the first to loose their

²⁵ Unit Kennis en Onderzoek (UKO, = Knowledge and Research) - previously department Onderzoek en Analyse (O&A = Research and Analysis) – of the Nationale Recherche Informatie (NRI) of the KLPD; (NRTHB, 2002: 127 a.f.)

²⁶ Source NRTHB, 2002. The inventarisation of the NRTHB found a higher amount of victims than the FATW- registration. (FATW= Foundation Against Trafficking in Women)

²⁷ According to Van Dijk (2002) for the period 1997-2000 in approximately 70% of the research results it was a matter of cross border trafficking in human beings.

jobs if things go worse economically. This unfavourable position strengthens the motivation to find a job abroad, especially if besides this there are reinforced factors, which have to do with the role and position of women in the society. This position can, depending on the concerned country and the amount of its (economical) development, have religious or more traditional backgrounds.

In countries where women and girls are being considered out of traditional and /or religious grounds as a (financial) burden and as inferior regarding men and young boys, it occurs according to report of the National Rapporteur that girls and young women are being sold or rented to traffickers by members of their family and in some cases even by their own parents. In some cultures a woman, who according to the prevailing values and standards has showed an unacceptable sexual behaviour or became victim of a sexual offence, they have no other choice left than to work as a prostitute. Culturally defined influences can also play a role when the involved (potential) victims live in another country, where in general other values and standards prevail. Besides this women and children of the female gender are out of pure pursuit of profit being kidnapped in order to exploit them in prostitution.

Generally it is being assumed that the number of male victims of trafficking in human beings is limited and that prostitution of men is most of the time a conscious, and therefore in the beginning a free choice, with as most important motif to earn (a lot of) money. Not even 1% of the victims of trafficking in human beings with whom the aid organisations had contacts are of male gender.²⁸

2.2.1.3. Age

Out of the research of NISSO concerning the position of prostitutes in the Netherlands (Venicz & Vanweesenbeek, 2000) appears that almost one fifth (19%) of the prostitutes who were interviewed started as minors. Of these prostitutes 45% say themselves that they've started under force. In these cases was a matter of illegal prostitution. In all other cases, also when at first there was no matter of force, we can still talk about illegal prostitution, because to urge minors to prostitution or the facilitating in whatever way their step towards prostitution is already punishable as trafficking in human beings under Art. 250a SR. Only in those cases where we can speak of an own, free and voluntary choice of the minor to go and work into prostitution, without intervention, involvement or interference of somebody else, we cannot speak about trafficking in human beings. It concerns minors who, out of their free choice, work as independent in prostitution.

On basis of an investigation for the period 1997-2000 (Van Dijk, 2002) can be assumed that approximately two thirds of the victims belong to the age category between 18-24. Approximately one out of six victims are minor. In a previous NISSO research from 1998 (Venicz & Vanweesenbeek) are - on a basis of careful extrapolation of the data from police, asylum centres, youth- and prostitution- relief institutions, estimates are made of the number of minor female prostitutes in the Netherlands. One came to the conclusion that the number of minor girls working in prostitution or that has been

²⁸ Out of the research of Van Gelder (1999) turned out that most men became a prostitute out of their own free will and they continue to work voluntarily as well. That is why generally they cannot be defined as victims of trafficking in human beings. Korf, Nabben & Schreuders (1996, p.93) came to the conclusion through the investigation which they conducted among Romanian boy prostitutes, for whom the definition is applicable, that their level of education varies, but that they are in general no badly educated and therefore underprivileged boys. Economical motives turn out to be the main reason to go and work into prostitution in The Netherlands. Own initiative and therefore working on voluntary bases as a prostitute seem to be important with these boys. Other researchers and aid organisations state that they find a lot of minors among the male prostitutes in the sex institutions. These are often emotionally less assertive boys of broken families, in a lot of cases of foreign origin. (Hoogendoorn (1999) and in the same way: ECPAT-NL (no year) and Werkgroep Kinderporno en Kinderprostitutie in Nederland (1998)).

working there and who come into contact with institutions, organisations, facilities and shelters, on a yearly bases can be estimated at at least 1000 till 1500 and the number of minors which probably works into prostitution at at least another 500. Besides that the investigation also reports the existence of a dark figure. Departing from the conservative estimation of 1500 minor prostitutes in the Netherlands it assumed that at least 600; but maybe even well over 1150 minor girls are the victim of trafficking in human beings.

In the inventarisation, which has been done by the Bureau NRTBHB amongst relief institutions, a much lower figure of 129 victims came up. This is relation to the relatively low number of minor victims could be explained by the limited willingness of the minor victims to admit that they work into prostitution, especially when they are being exploited.

2.2.1.4. Origin of the victims of trafficking

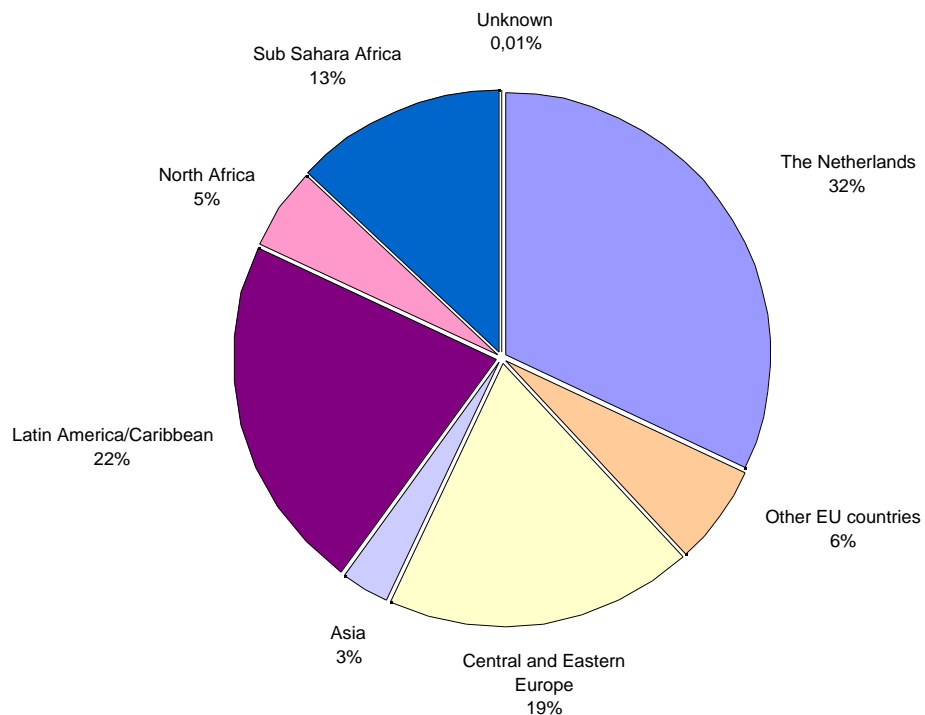
Out of the registration of the Nederlandse Stichting Tegen Vrouwenhandel (FATW) appears that most of the victims of trafficking in women who are being found in the Netherlands originate from Central and Eastern Europe. Especially countries such as Bulgaria, Romania and Russia, but as well the Czech Republic, Ukraine and Poland, are being mentioned a lot. According to the Core team NON (2001: 84 a.f.) one can make up (indirectly) out of an investigation among GGD (Gemeentelijke en Gewestelijke Gezondheidsdienst = Municipal and Regional Health service) that Poland and the Czech Republic are most probably the most important countries of origin of Central and Eastern European women. With regard to the other regions Nigeria is frequently mentioned as country of origin. According to the data of Van Dijk (2002) the foreign victims of trafficking in human beings are rather often originating from Bulgaria and the Czech Republic. Herewith one has to remark that the willingness to make a declaration also plays a part. With African victims this should be rather small.

Only in a limited way victims originating from Asia - especially from China and the Philippines as well as from South and Central- America - especially the Dominican Republic - are being mentioned.

How the origin of the victims is as to the origin of the general population of the prostitutes (Van Mens en Van der Helm, 2000) one can see in Figure 1.

In comparison to the part in the population of the prostitutes it is obvious that prostitutes from Latin America, the Caribbean area and Asia are underrepresented by the investigation researches of the police. It is not clear if such is due to the little victimisation, a lesser willingness to make a declaration or the juridical status (work more often legally).

Figure 1. Country of origin of the Dutch population of prostitute:



2.2.1.5. Family background

Out of the research of Vocks and Nijboer (1999) among Central and Eastern European female victims it turns out that a mayor part of them (approximately three out of four) had a disturbed relationship with one or both parents. On top of that the concerned women were still dependant from their parents from the financial point of view as well as for housing. If the family relation is problematic, an offer of financial independence and distance from the parents sound very attractive. These women will have less difficulty in case of leaving their parental home, because they are not bound by affective relationships. A problematic family relation works in this case even more as a push factor and stimulates women to try and find their luck elsewhere. Trough this they are more open for an attractive proposal from a recruiter.

Furthermore this research dealt for the greater part with unmarried women and had most of them no children. The fact to be without ties and the freedom of movement made the choice to go abroad (this id if there was no kidnapping or selling through) easier.

2.2.1.6. Motivation

The motives of the women of the research of Vocks and Nijboer to accept the proposal of the recruiters were mainly of economical nature. At home the victims often had high debts, which they would never have been capable of paying back with a normal salary. In some cases unemployment was the cause of this bad financial situation. These women saw prostitution as their only way out. Prostitution was however not only chosen in cases of grinding poverty. A part of the interviewed women was originating from middle and upper class families, who knew better times, but who were no longer able to keep up their previous high standard of living. Some women had finished a university education (Cfr. IOM, 1996).

Out of the research of Vocks and Nijboer turns out that (relative) poverty was the most important reason for the respondent of this investigation to accept the proposition of a recruiter. The increase of the costs of living and the decrease of the incomes have led to feelings of 'strain'. People got more aspirations, while there are less (legal) possibilities. New problems such as unemployment and inflation hit especially women, more precisely those with a lower education, who do not have a supporting network to rely on. There are however as well women who came to the West in order to earn the money to pay for their education and like this to obtain a successful future.

Out of the research turns out that moreover many women had job experience. Almost half of them were unemployed at the moment that they were approached by a recruiter. It strikes the attention that a big amount of women had already worked as a prostitute before (or in related professions), but also women who had no experience in the sex industry and were unemployed at the moment of the mediation, saw prostitution abroad often as a way to earn anonymously and in a short time a lot of money. Women who already worked as a prostitute before their leaving for the Netherlands in Central and Eastern Europe, often performed this job in very bad circumstances and expected in the Netherlands to be working under better circumstances. Working abroad was therefore seen as a raise of status.

2.2.1.7. Typology

Based on depth interviews and a questionnaire, Vocks and Nijboer distinguished three types of victims. Least frequent are the women that are kidnapped or sold. Next in order of frequency come the women that are being deceived by recruiters concerning the nature of their occupation. Women, who knew about the nature of their occupation, but not about the circumstances, form the largest category of victims. At the same time this order of increasing frequency corresponds to a decreasing amount of coercion and violence that was exerted.

Type 1: Kidnapped or sold women

This category of victims did not decide to migrate. In all cases, the kidnappers were acquaintances of the women (partner, friend). Eventually they were all sold to other pimps, sometimes more than once. In most cases these victims had no financial problems. Some were taken by force after turning down an offer from traffickers. The sold women already worked as prostitute in their home country, but didn't want to migrate. However, because of weak family ties, they could be taken without the risk of relatives making inquiries. Most victims of this type originated from Central Europe.

Type 2: Deceived women

Deceived victims were generally living under poor financial circumstances, which motivated them to accept work in Western Europe, but this category also contains women who wanted to make more out of their lives and were not afraid to take risks. The latter are educated Eastern European women, working in low paid and unsatisfactory jobs in the hotel and catering industry or in middle class jobs. Their perception of Western societies is strongly coloured by unrealistic, optimistic

expectations, which makes them an easy target for traffickers. In general, these victims are not acquainted with the trafficker.

Type 3: Exploited women

Victims of this category, originating mainly from Central Europe, agreed to work in Western Europe in the sex industry. Most of them came from dysfunctional families had no family ties and practically no education. Almost all of them had previous experience in prostitution. In contrast with type 2, the trafficker was often someone they knew. They mainly chose to work abroad out of economical necessity, having an income equal or even lower than the minimum for existence. They were prepared to take risks, because they were living under poor conditions, experiencing a strong competition and having not much to lose.²⁹

2.2.2. Offenders/traffickers

2.2.2.1. Data from criminal investigation reports

During the period 1997-2000 according to the National Reporter 81 investigations have started, which with a declaration, have lead of the arrest of the suspects and have been analysed. 70% of these investigations are about cross-border trafficking in human beings³⁰; 30% about trafficking in human beings without cross-border component. In the 81 investigations there are a total of 521 suspects considered. This is an average of something more than six per investigation (NRTHB, 2002). Van Dijk reaches an estimation of around 1350 perpetrators on a yearly basis (Van Dijk, 2002).

The number of suspects in an investigation depends of course as well of the efforts of the police to track down all the suspects. In many investigations priority is given to the tracking down and the prosecutions of the suspects who are staying and/or operating from the Netherlands. Suspects who do not enter the Netherlands (often the recruiters) stay out of the view of the investigation. The suspects who did come on the screen, are not all arrested anyway and not all arrested suspects are finally being charged with trafficking in human beings.

2.2.2.2. Data from prosecution files

During the period 1995 till 2000 included 756 cases have been inscribed at the Public Prosecutor in which (alone or with) suspicion of the in (the old) article 250ter ST. described crime was under discussion.

In this case it is not only about committing trafficking in human beings, but also about provocation, accomplice, attempt and preparation of trafficking in human beings. These all-inclusive cases, which in a later phase of the process are dismissed by the Public Prosecutor as well as cases in which in the end no suspicion of offending the article 250 ter Sr is being included in the accusation.³¹

In more than one third of the cases concerned there was only suspicion of trafficking in human beings. In 38% of the cases it concerned suspicion of trafficking in combination with one crime of another crime. This was often a form of violence or belonging to a criminal organisation. In 27% of the cases it was suspicion of trafficking in human

²⁹ Source: Vocks and Nijboer, 2000

³⁰ Within sexual exploitation some subcategories can be distinguished, i.e. victims of Dutch nationality, victims of so-called 'lover boy' practices and AMA's (meaning Single Underage Asylum seeker). There is also a considerable amount of overlap between those first two categories. For reasons of comparability with the other country reports, victims of loverboys are generally not included in this report. Empirical, quantitative differentiation of subcategories is not possible, because of lack of data.

³¹ NRTHB, 2002, p. 129.

beings with other kinds of crimes (NRTHB, 2002:133). Besides it is such that by far in most of these cases there was a summons issued because of (alone or among other things) trafficking in human beings. In total 23 cases however, the primary accusations in the summons issued were other facts (NRTHB, 2002:137/8).

In more than three quarters of cases the suspect was detained on the moment that the case was brought before the judge. Moreover this was in most cases preventive custody (custody or detention). (NRTHB, 2002/135)

In 71% of the cases the PP summoned, in 88% of those cases the judge imposed a punishment and this was in 82% of the cases an imprisonment. In other words in approximately half of the cases imprisonment is being imposed.

2.2.2.3. Gender

The suspects in criminal cases are most of the time man, but a not to be neglected part are of female gender. The yearly amount of female suspects varied from 13% (in 1996) till 25% (in 2000). Women, especially female partners of the main suspects, appear according to the investigation not only to be the object of trafficking in human beings, but also to co-operate actively and one does not have the impression that this happened under force. Female offenders are involved in recruiting, transportation, surveillance and collection of payments to the pimps from the victims (cfr. Kleemans a.o., 1998; core team NON, 2001:93; and Van Dijk, 2002:70-72). Eye catching with female offenders is the position of Nigerian ex-victims as 'Madame'.

2.2.2.4. Age

The age of the suspects at the time of the first committed fact of trafficking in human beings of which they were suspected, was in more than 80% of the cases somewhere between 18 until 40 and was as an average around 30 (NRTHB, 2002). According to Van Dijk (2002) most offenders are between 18-24 years old. According to the National Reporter between the years 1995 until 2000 included, there were 26 minor suspects, of which the youngest (in 1995 en in 2000) at the time of the first committed fact of trafficking in human beings were 14 years old. The oldest suspect was on that moment 73. In the case of minors generally lover boys are concerned.

2.2.2.5. Origin of the offenders of Trafficking in Human Beings

More than 90% of the suspects in criminal cases lived in the Netherlands. Other 'home-countries' were Germany (in total twelve times), Belgium (in total nine times), Hungary and Slovakia (each three times). The United States, Ukraine, Greece, France, the Czech Republic, Italy and Nigeria are being mentioned once.

The native country of the suspects was much more often another country than The Netherlands. The percentages of suspects, which are born in the Netherlands, varied from 22% (in 1998) till 40% (in 1999).

Native countries, which occurred frequently among suspects, are beside a constant first place for the Netherlands, a rather stable 'position' for Yugoslavia, Turkey and Morocco. After 1997 Hungary and the (former) Soviet Union occur -in comparison- less often and Nigeria as originating country of the suspects as from 1998 comparatively more. Also according to Van Dijk (2002) a lot of suspects of trafficking in human beings are originating out of former Yugoslavia, Nigeria and Turkey. She calls it eye-catching that a part of the suspects originates from countries out of which no or hardly any victims are coming from. This could indicate that suspects do not recruit themselves out of those countries, but leave this to local recruiters. The traffickers are often migrants out of Central and Eastern Europe, who moved themselves to the West. They therefore know the countries as well as the language and have local connections (Aronowitz, 2001).

Under the native countries of the minor suspects the Netherlands occur relatively more often, but such has to do -as mentioned already- with the practices of the 'lover boys'. Besides this Morocco and Albania, Belgium, The Ghana, Indonesia, Yugoslavia, The Dutch Antilles, Sudan and the Czech Republic are mentioned. Almost one third of the suspects are born in the Netherlands. More than a quarter came originally out of Central or Eastern Europe, 16% out of Turkey or Morocco and 10% out of Africa. Out of the remaining regions of origin all together only 15% of the suspects were originating. The amount of the suspects out of Africa has increased slowly but surely.³²

What catches the eye is the diversity of the origin of the offenders. The Dutch are however are always playing a role in one way or the other in trafficking in human beings. Almost always they pop on the screen as customers of the trafficked women. In this case they are representatives of the legal sex industry; it is nevertheless probable that the legal exploiters of the sex houses will be more careful in the future, because the hiring of illegal women could lead to the withdrawal of their licence. (Core team NON, 2001:92)³³

2.2.3. Traffic routes

The origin of victims of trafficking in human beings is different per transit or destination country and changes as well through time. A few restricted regions however pop up again and again. These are situated in Central and Eastern Europe, Western Africa (Nigeria and The Ghana) and Asia (Thailand and The Philippines). (IRT-NON, 1997; De Ruyver a.o. 1999; BKA, 2000; Aronowitz, 2001; IOM, 2001; Van Dijk, Nijboer and Vocks, 2001).

According to the research of IOM Italy, Belgium and the Netherlands are the most important destinations for Nigerian victims of trafficking in human beings. Rumanian and Moldavian women go especially to the Balkan Countries, especially Bosnia Herzegovina and Albania. Ukraine is an important country of origin for both Western Europe as the Balkan Countries (IOM, 2001). Traditional countries of origin such as Albania, former Yugoslavia and the Czech Republic become more often transit and/or destination countries. Young women are often trapped in carousels, through which they are brought from one country to the other.

The travel routes vary strongly because criminal groups try again and again to use new routes in order to stay out of the hands of the police. Out of Central and Eastern Europe the journey happens most of the time over land, per car, but sometimes as well by public transportation. Out of the other continents the transport usually happens by airplane. Cross-border out of the other continents happens partly through Schiphol, but out of Africa predominantly via Belgium. Out of Central and Eastern Europe the journey happens mostly through Germany and to a lesser degree Belgium (Van Dijk, 2002).

With some effort there are a few patterns to be distinguished in trafficking in human beings. Partly, the routes and ways are based on historical bounds or geographical factors. Besides that they also have to do with the existing co-operation in the sphere of the organised crime. In the latter case one should rather think about networks of operating offender-groups with changing composition than about firmly organised illegal trade-organisations (Van Dijk, Nijboer and Vocks, 2001).

³² Source: NRTHB, 2002, p. 133-135.

³³ Compare: Trafficking in Women to Italy for Sexual Exploitation. Migration Information Programme, IOM, June 1996. (Most offenders of trafficking in human beings come themselves out of Italy, but the foreign offenders come most of the time out of Albania and Nigeria.) and BundesKriminalAmt, 2000. (In case of traffickers, besides large numbers of German offenders (39%), the involvement of Turkish offenders is eye catching. (15%)).

Besides that the patrons of trafficking in human beings can possibly be explained out of historical developments or historically grown migration or trade routes. Out of Western Africa e.g. the first contacts (of migrants) ran through The Ghana, a country with which the Netherlands have historical bounds. The later Nigerian traders where from this point of view the successors of their Ghanaian predecessors. More often one notices succession of groups, of pioneers and followers (Van Dijk, Nijboer and Vocks, 2001).

A reason for the supply out of Central and Eastern Europe is as well that the supply lines are shorter and also because it is easier to enter as a tourist than coming from the development countries. Out of Central and Eastern Europe there are often no more visa restrictions. According to Van Dijk (2002) the existence or non-existence of a visa-obligation can possibly play a part in the choice to recruit in a certain country, but this is not a decisive reason.

2.2.4. Criminal methods

2.2.4.1. Criminal networks

The most important facilitating element for the trafficking in women is the existence of organised networks of traffickers and criminals who bring women from poor countries to the West in order to exploit them there. These networks came into being as a reaction on the demand of a continuously changing population of cheap prostitutes.

By means of questionnaires over the period mid 1997 till mid 2001 the police made an inventarisation connected to the investigation of trafficking in human beings. Although incomplete, this inventarisation offers however some understanding. Trafficking in human beings happens often in an organised network or network-like structure. Often there are links with other forms of criminality, especially in the field of firearms and/or drugs and (less frequently) forms of fraud. Victims circulate often between different countries and places. NRTHB,2002:124 a.f.

Van Dijk (2002) distinguishes, besides the individually operating persons, isolated criminal groups, which take the whole trafficking in human beings process for their account and criminal networks which co-operate with other (sub) groups. In the analysed investigations it appears that they are in majority criminal networks. This is obviously more often the case with cross-border trafficking in human beings. Within the networks friendly or family relations often exist. A 65% of the offender groups are ethnically homogeneous; the remaining 35% are mixed. The most spread ethnically homogeneous groups are, aside from 11% Dutch, Albanian (11%), Nigerian (Edo-tribe) (11%), Bulgarian/Czech/Romanian (11%), Turkish (8)% and Antillean /Suriname (8%). (Van Dijk, 2002) Apart from that the remark must be made that the term ethnical origin is not very clear and often hard to determinate. Ethnicity and nationality do often not coincide. (Kampschreur, 2002: a.f.)

In general we are dealing with gangs, which operate quite traditionally. There is definitely no infiltration in the legal regular world. It is true that window prostitution and clubs are involved in trafficking in human beings, but this involvement goes for window prostitution not further than renting windows from the proprietors. In the case of clubs there is more often a direct involvement. In largely spoken a quarter of the investigations the clubs are co-operating with traffickers and in a quarter of the cases as well the club owners can be marked as traffickers. Almost one out of four investigations have according to the EU criteria to do with organised crime.³⁴

³⁴ In any case more than two persons, a structural cooperation, a minimal penalty of four years for the committed crimes and the unlawfully obtained advantage of more than 225.000 €. Besides this there are at least two characteristics out of the list of seven additional criteria, such as the application of mutual sanctions.

Approximately a quarter of the criminal groups apply internal sanctions. These consist most of the time out of threats, but in some cases a very strong assumption exist that members of the gang were eliminated. Furthermore appears that in 36% of the investigations there was a matter of combination with other crimes, especially drugs, crimes against property and (to a lesser degree) (fire) arms trade, but trafficking in human beings was almost in all case the main activity, this means the most important source of income. Out different investigations appears that falsification of passports is done by separate criminal groups (Van Dijk, 2002).

It is moreover eye catching that a part of the suspects originates from countries where hardly any victims come from. The thought behind this is that it is a matter of 'distributive trade'. "This can indicate that the suspects originating from these countries do not recruit themselves, but leave this to recruiters originating out of the same countries as the victims. They engage much more in the so-called distributive trade. It is possible as well that they recruit themselves, but not in their own country, e.g. in order to protect their own women" (Van Dijk, 2002:47). The victims of Albanians and (former) Yugoslavians come predominantly out of Central and Eastern Europe. Distributive trade can be seen as a sort of 'market' on which the victims of trafficking in human beings are being sold between the different bands. Recruiters sell women to the traders. The recruitment happens according to Kampschreur (2002:47) more often in Central than in Eastern Europe.

Especially Central and Eastern Europe as well as Nigeria prominently pop up again and again as important logistic chains. During the turnover a power vacuum came into being in the Eastern bloc, which was quickly filled up by different criminal groups who made use of corruption, extortion and underground networks. These gangs already existed before, but had more or less free play. The lucrative sex-industry came rather quickly into the hands of these organisations, which were not hindered by legal hindrance. Although organised crime does not always execute trafficking in human beings itself, it is often indirectly involved in the form of protection granting (Siron and van Baeveghem, 1999).

The larger part of the Central and Eastern European offender groups which can be classified under group criminality, consists out of two or three offenders who bring the woman themselves to the Netherlands and employ her here. Often they have as well a personal relation with the women. Offenders out of Central and Eastern Europe search mostly women in the city or village where they grew up themselves, in order to sell her at a regular place in the prostitution environment or have her working for them. The Dutch offenders put out the recruiting in general to local Central and Eastern European recruiters or buy women in cities such as Berlin, Antwerp or Prague. There are co-operations between brothel keepers in the Netherlands and a regular group of recruiters who operate in Central and Eastern European Countries. This includes groups of offenders who dispose of recruiters in the countries of origin but as well of contacts in the prostitution world, mostly in a number of brothels of which the owner also belongs to the organisation.

In case of a criminal group, which is organised as a 'wholesale trade', the offenders group often has a brothel or café as a 'point of support'. There are also groups that make use of the services of an impresario, a travel agency or an interim office for hotel and catering industry personnel in order to recruit women by means of deception. These groups dispose very often as well of contacts and /or skills to produce forged documents on short term.

Eastern European offender groups have according to Kampschreur very few specific characteristics. No use is being made of clear cultural elements. Offender groups are however characterised by a certain hierarchic structure. Parts of the logical chain are being put out to a subcontractor. These groups show a more network-like structure than or organised connections and are mostly very violent. The misappropriate advantage is

being used to obtain a place in the Dutch society and to put up other business. Trafficking in human beings form a 'bridge function' to other forms of organised crime (Kampschreur, 2002:p.4).

In case of Nigerian offender groups cultural elements, especially voodoo, play a prominent role. Offenders use these elements in order to make women dependant and to keep them under pressure. The knowledge, which Nigerians have in the field of the asylum procedure in the Netherlands, is striking. They make use of the asylum seekers centres and the wholes in the Dutch AMA-policy (AMA = Alleenstaande Minderjarige Asielzoekers or Single Minor Asylumseekers) for their trafficking practices. It occurs on a regular basis that former victims start their own business later on. Like this they clime from victim through middleman to 'Madam'. The unlawfully gained advantage is mostly invested in Nigeria. According or Kampschreur Nigerians have in general the whole logistic chain of the criminal offence of trafficking in human beings in their own hands. They are, from this point of view, more 'isolated groups' (Kampschreur, 2002).

Van Dijk found in her investigation a very many-branched and still hierarchic network of Nigerian traffickers in human beings, which brings victims in the whole of Europe into prostitution and is managed out of Nigeria. In Nigeria girls are being recruited and sent to different 'cells' in Europe. At the head of each of the cells are men and '(Super) madams'. Between the cells and with the recruiters victims are being exchanged, against payment. The fact that there seems to exist a general fund, in which the 'cells' deposit money, indicates that the network is closer than other criminal groups. Moreover it seems that when victims do no longer 'satisfy' as a prostitute, suspects of other cells interfere and e.g. collect the victims and sell them through and/or force them to toe back the line by means of violence (Van Dijk a.o. 2002:85).

2.2.4.2. Recruitment

Recruiting methods vary from recruiting without any form of (initial) force or deception, through the use of false pretexts, till kidnapping or the selling (through) of persons. The first initiative towards the final recruitment can be active or passive. It is often a gradual process, by which the (later) victim is little by little pushed in the direction of prostitution. It can also be the case that victims are without any fuss being employed into prostitution and /or that they make it impossible for her to stop working as a prostitute. (NRTHB, 2002:88-89)

According to Van Dijk victims are in a bit more than half of the case being recruited by a person unknown to them, but often the contact was made through friends, acquaintances or family. Moreover many victims are being approached in the nightlife. Some traffickers in human beings look also specifically for potential victims in vulnerable positions such as e.g. orphanages. Out of the research of Van Dijk can be deducted that in most cases victims were aware of the fact that they were going to into prostitution, though it is not clear at which moment they found out. They are especially misled about the circumstances in which they would have to work and/or the earnings they would gain out of it (Van Dijk 2002).

In practice the recruiting often happens through offering studies, marriage-agencies, or work in housekeeping, as an au-pair, in the hotel and catering-industry, the theatre or dance-world or in a comparable position abroad, or the offering of help with finding such a position, but sometimes it is made clear directly that it is a job in the sex-industry. The (aimed) victim co-operates in these cases most of the time voluntarily at her own transport to and entering into the country of destination. It might be that she is conscious of the illegal character of her (aimed) entry and job in the destination country, but that is not necessarily so (NRTHB,2002:90).

A specific category is being formed by the Single Minor Asylum seekers (AMA), who end up into prostitution. Many Nigerian victims tell after their arrival in the

Netherlands, or after they are being found into prostitution, an almost identical story, which probably has been drummed into them by the one who sent them or brought them over here. These girls, or their parents, are being misled by the traffickers about the final purpose of their coming to the Netherlands. Their parents paid often a lot of money for the (supposed good) services of the trafficker. Since they, because of the height of the amount (especially in relation to their own income) are most of the time not capable to put themselves the money on the table or to have a loan of family or acquaintances, the trafficker expresses his willingness to borrow the amount, under the condition that the loan is being paid back with the earnings of the girl. By making a debt both the parents and the girl are bound to the trafficker. To clinch the commitment, the girl undergoes often a voodoo ritual. (NRTHB, 2002:94)

In some cases girls who came to the Netherlands with the specific intention to go and work into prostitution use the AMA-procedure. This can be out of their own initiative, but most probable these girls are sent by their parents or family members because of the extremely bade economical situation and the grinding poverty in which they live (Oviawe & Iyare, 1999). Upon arrival in the Netherlands the minor is often no longer in the possession of travel documents, which are or taken away from them by the travel agent who brought them to Europe or are being disposed by the concerned, in order to make it more difficult to determine age and origin of the concerned. They also make use of forged or falsified travel documents and identification. Chinese AMA are other than Nigerian AMA already employed into prostitution on their way to the West, in order to pay in this way their debts to the smuggler. In this way smuggling and trafficking merge into one another. (NRTHB, 2002:98)

2.2.4.3. Transportation

In the cases Kleemans a.o. (1998, p. 107 a.f.) investigated Eastern European traffickers in women transport their women mostly over the road. The explanation which they give for this is two folded. To start with the trafficked women originate mainly out of regions, which can be travelled by car (Eastern Europe and White Russia/Byelorussia). Secondly the trafficked women would not let themselves to be transported voluntarily if they would know the real purpose of their stay in the Netherlands. A car offers a lot of possibilities to keep the women under control. The use of friendly relations and the bribing of the border patrols make sure that the car crosses without any problems the borders of the EU and prevents that the women can call successfully upon the services of the border authorities.

Nigerian traffickers in women use air transport and all the related protection methods such as the use of badge holders at the airports. The distance to the Netherlands is a logical explanation for this as well as the discipline of and the control over the women. The use of voodoo and the involvement of the authorities see to it that in certain cases Nigerian women get little chance to escape from the force of the traffickers in women (Kleemans a.o. 1998, p.107 a.f.).

The used means of transportation, the transit and the crossing of the border is most of time arranged by the recruiter or other persons which are brought in for this purpose. The recruited women often don't know the routes and procedures for the travel to and back and do not possess the necessary financial means not travelling documents. This enables moreover the organiser to bring/keep the (aimed) victim as much as possible in a situation of dependency. Because of the control-element and the possibility of supervision, the trafficker will during the journey act often as companion or he hires someone who will accompany the women during the travel abroad and keeps an eye on them (NRTHB, 2002; p.99-100).

In almost two third of the investigations to cross-border trafficking in human beings one or more victims were travelling with a falsified or forged passport. They are often forged passports of other member states of the EU, such as Greece, Italy, Austria and Belgium (Van Dijk, 2002).

The trafficker charges a huge sum of money for the organisation of the journey. These either have to be paid in advance or have to be borrowed, or the (aimed) victim has to commit herself to use her earnings abroad in order to pay these costs. In this way the (aimed) victim makes a debt, which binds her to the trafficker. The use of forged documents as well as the secrecy of the transport as such and the presence of a travelling companion are factors, which make the dependence of the (aimed) victim towards the trafficker bigger (NRTHB, 2002; p.99-100)

Legal ways of entering the Netherlands are e.g. as a tourist, student or business relation, with the use of legal papers which were supplied for this purpose. This assumes the co-operation of the concerned, out of which can be deducted that at that moment she was not (fully) aware of or did not suspect anything concerning the actual purpose of her entry pursued by a third party (NRTHB, 2002; p.99-100).

Another way of entering the Netherlands illegally is the use of legal ways in an illegitimate way or for illegitimate purposes. One can think herewith at abuse of the asylum procedure or methods such as marriages of convenience, adoption or family reunification. The use of such methods leads one to suspect that the concerned is well aware of the fact that her entry and stay does not occur according to the valid rules, but does not necessarily mean that she is familiar with the fact that she is supposed to work in prostitution (NRTHB, 2002; p.99-100).

Completely illegal entry in the Netherlands concerns matters as crossing the border using falsified or forged travel documents or simply bringing someone secretly into the country. In case someone is only brought in, apart from the exploitation, which might follow, this is de facto smuggling of human beings, disregarding if the concerned has been misled concerning the illegal entry and stay in the Netherlands. (NRTHB, 2002, p. 99-100).

2.2.4.4. Pressure, coercion, violence in the process of exploitation

Some of the women have been kidnapped or sold. In those cases from the beginning there is use of criminal violence from the beginning. Other women, who have been deceived, are already suspicious during the trip, but then, they have no possibility to return.

Women are in many cases already put to work in the transit country before they end up in the Netherlands. In case of cross border trafficking in human beings this happens according to Van Dijk (2002) in largely 60% of the criminal investigations. Especially in Germany (Central and Eastern European victims), Belgium, Spain and Italy victims are being put to work before they end up in the Netherlands.

Once arrived the place of destination – anyhow seen from the point of view of the recruiter - he explains the women what is expected from her. In some cases – especially if she was not aware of what kind of job she was expected to do – ill treatment or rape by the recruiter or exploiter are involved. Women who did know what was expected from them generally started voluntarily with the job.

Exploiters use a wide variety of means to control victims, especially those without experience in prostitution, and withhold them from contacting the police or counselling agencies (Vocks en Nijboer, 2000). These include:

- Threat of or actual violence, rape and/or ill-treatment of the victim
- Threat or actual violence against the family of the victim
- Coercion by debt bonding
- Withholding money for a return ticket and seizure of identification papers
- Confinement of victims at their workplace
- Constant monitoring and prohibiting any contacts with family or friends

- Extortion of an disproportionate part of the profits of prostitution
- Forced use of alcohol and drugs
- Inducing fear by means of religious rituals like voodoo practices
- Tattooing of victims without their consent (as a title-deed)
- Selling, or threat of selling to other pimps
- Threat of deportation by the police
- Inducing fear of corruption of police force

Besides this victims are frequently displaced in order to make police control more difficult, but some times as well as a sanction.

Concerning the working conditions of the victim one can put that in largely three quarters of the researches they are that bad that they cannot be compared with the 'normal' circumstances in which the non-exploited prostitutes do their job.

These methods can by themselves already create a situation in which the victim does not (any longer) resist against the abuse, which is made from her. Often they are applied in combination, through which their effectiveness increases. Especially if such happens in the context of illegality and threatening with the authorities, the unknown Dutch culture, language and environment. The application of control methods happens therefore in a very refined way. (NRTHB, 2002: 102).

Chapter C. Research

1. Methodology³⁵

Over a period of four months, five reception centres for victims of Trafficking in Human Beings (THB) gave access to some or all of their files on victims of trafficking³⁶. In total, 68 files were analysed. These files differed with respect to the information they contained. Some files of women who had only visited the centre for a few weeks before disappearing with unknown destination, returning to their country of origin or before they were transferred to another centre in the country, were minimal. Others contained information gathered over a period of years. In some files, the official report to the police was included. But more often than not, the files principally contained records of the various matters social workers in a reception centre have to deal with, such as assistance in legal procedures, finding housing and psychological counselling.

The files were analysed on the basis of the two questionnaires used by the Belgium researchers³⁷, fused into one question sheet. As stated, not all files contained the official report to the police. It should be pointed out that the information that has been analysed is based on the interpretation of events by the victims, of what they have told social workers in reception centres. Their stories have not been externally verified. Social workers co-operated by providing missing information in some cases.

Of the 68 analysed files; three victims were interviewed as well. Besides that, fourteen women (three of them were also included in the file analysis) were interviewed at six reception centres³⁸ and one woman was interviewed in Kiev (Ukraine). In total 15 victims were interviewed. These interviews differ as well. Some women were interviewed with the assistance of an interpreter for a short period of time, while others were interviewed in two sessions of two hours, with the victim being able to express herself fluently in Dutch.

The women were asked the same questions as have been used in the file analysis. Both the files and the interviews have been statistically processed, leading to quantitative results of in total 80 cases. Of the 80 cases, 40 dossiers were analysed and one victim interviewed at Prostitutie Maatschappelijk Werk Rotterdam, 13 dossiers analysed and 1 victim interviewed at Asja in Leeuwarden, 6 dossiers analysed and 3 victims interviewed in Toevluchtsoord Groningen, 6 dossiers analysed and one victim interviewed at Bonded Labour in Nederland (BlinN), Amsterdam, 4 victims were interviewed at opvanghuis Roggeveen Amsterdam, 2 victims interviewed at Blijf van mijn lijfhuis in Leeuwarden.

The reason we chose to treat the results of the files analysis and the interviews as equal and similar is the fact that the files and interviews are by and large both based on the stories of the victims, with no external verification. The gained information is therefore comparable. Moreover, in all cases the same questions were answered. The individual

³⁵ In the Netherlands, The Foundation Against Traffic in Women (FATW) is responsible for the central administration of information on victims of Trafficking in Human Beings (THB). Unfortunately, the FATW - with reference to privacy legislation - did not grant the necessary permission to use their files for the purpose of scientific research. Therefore a different procedure than in the Belgium and Italy study had to be initiated to gather the relevant information for the research.

³⁶ These organisations were: Prostitutie Maatschappelijk Werk in Rotterdam, Prostitutie Projecten Den Haag (The Hague), Bonded Labour in the Netherlands Amsterdam, Stichting Toevluchtsoord Groningen and Asja in Leeuwarden.

³⁷ See adaptations in annex 3

³⁸ These organisations were: Prostitutie Maatschappelijk Werk in Rotterdam, Prostitutie Projecten Den Haag (The Hague), Blijf van mijn lijfhuis Roggeveen in Amsterdam, Stichting Toevluchtsoord Groningen, Asja in Leeuwarden and the blijf van mijn lijfhuis in Leeuwarden.

details gathered from the interviews will be dealt with after the quantitative results of the research have been presented.

Seeing that the Dutch research group set out in arrears with the work that had to be done in comparison to the Belgium and Italian group, it was decided to investigate all the files available at the reception centres: mainly the years 1998, 1999, 2000, 2001 and 2002, but also three older files from respectively 1993, 1996 and 1997. Thus, with regards to the period in time that is researched, this research differs from the other two. The question arises whether this sample represents the population of victims of trafficking in the Netherlands. Unfortunately, it is not possible to make a valid assessment of the representativeness because there is no reliable registration of the population of victims. According to the National Rapporteur on Trafficking (NRT), the registrations of the FATW cover approximately half of the total number of (known) victims. Over the years 1998, 1999, and 2000 the FATW registered 738 foreign victims of trafficking, 51 victims of Dutch nationality and 67 victims with unknown nationality. Compared with the FATW registrations, our sample contains relatively more victims from Central and Eastern Europe and less from Africa and other continents. Approximately 53% of the foreign victims originated from Central and Eastern Europe, some 30% came from Africa, 9% from Asia and 6% from Latin America and the Caribbean. (NRT, 2002: 74). In our sample Central and Eastern European victims represent 75% of the total number and African victim 19% ($\chi^2 = 13.92$, $df = 2$, $p < .001$). We can also compare our sample with a former study by Vocks and Nijboer (1999), which was aimed at women from Central and Eastern Europe. In the conclusions of this chapter, we will indicate in how far our results differ from this former study.

The method of research and research topic has been delineated in another respect. Whereas the Belgium report focuses on Trafficking in Human Beings in the field of prostitution as well as in other sectors and includes human smuggling, the Dutch report confines itself to Trafficking in Human Beings for the purpose of sexual exploitation (module I). Though by necessity the methods of research were not the same, the results of this module of the separate country reports are reasonably comparable.

In this report, we have chosen not to include Trafficking in Human Beings within the Netherlands borders. So-called 'lover boy victims' are usually young girls who have Dutch nationality and are exploited against their will in the Dutch sex industry. They are classified as victims of Trafficking in Human Beings by law and as such, are registered by the FATW and dealt with in the report of the National Rapporteur. Although it is an equally horrific crime as Trafficking in (foreign) Human Beings, consideration was given to the fact that including this group would make the Dutch part of the study less comparable with the other two countries involved. Furthermore, the background, traffic routes and methods of recruitment of this group, as well as the related and appropriate social care, policy and practice differ notably from the group of victims which is the subject of investigation of this report.

Besides the research into THB victims, the laws, policy and practice in the field of anti-trafficking have been researched as well. Based on a profound search of the scientific literature tentative answers and hypotheses on problems in the field of combating trafficking in Human Beings were formulated. A practical and value adding circumstance in this respect is that the Bureau of the National Rapporteur recently prepared a comprehensive report for the Dutch Government. 30 experts who work in the field of combating trafficking in human beings were asked to respond to propositions based on a selection of the problems as signalled by the rapporteur. They formulated answers based on their work experience. The interviews were conducted according to an open-ended method. The nature of the conversations was tentative and explorative. We did not aim at any quantitative result in this respect, nor did we imagine the results of the interviews would be a representation of all Dutch workers in the field of anti-trafficking. We did, however, attempt to interview experts from different regions in the

country³⁹. Their comments can be classified as individual opinions, thoughts and views based on their work experience in the field of anti-trafficking. The results of this part of the study are presented in section 4.

2. Research findings: victims of trafficking for the purpose of sexual exploitation

2.1. Individual characteristics

2.1.1. Gender

With one exception, the victims of trafficking were female. The only male was a 14 year old boy.

2.1.2. Age

Table 1: Age at entrance of reception centre

Age	Frequency	Percent
Unknown	5	6.3
<18	7	8.8
18-20	20	25.0
21-24	35	43.8
>24	13	16.3
Total	80	100

Most of the victims were between 21 and 24 when they entered the reception centre (or the police station). Seven of the victims were underage at that time. One (male) victim was 14 year old and a female victim was 50. The average age at entrance of reception centre was 22.0 year.

Table 2: Age at time of departure in the country of origin

Age	Frequency	Percent
Unknown	2	2.5
<18	15	18.8
18-20	28	35.0
21-24	26	32.5
>24	9	11.3
Total	80	100

At the time of departure in the country of origin, the average age was 20.8 year. At that time nearly 20% of the victims were underage. The only male victim, who was recruited in an orphanage, was 11 years at the moment he left his home country. The average time between departure in country of origin and entrance at reception centre is a little more than 1 year and 3 months. However this average is strongly influenced by one victim

³⁹ See list of respondents in annex 4

who entered the reception centre some 18 years after she left her home country. Without this victim, the average time between departure and entrance is about one year.

2.1.3. Nationality

Table 3: Nationality

	Frequency	Percent
Albania	1	1.3
Belarus	3	3.8
Bulgaria	20	25.0
Cameroon	1	1.3
Colombia	2	2.5
Congo	1	1.3
Czech Republic	3	3.8
Dominican Republic	1	1.3
Estonia	4	5.0
Ghana	1	1.3
Hungary	1	1.3
Kazakhstan	1	1.3
Latvia	1	1.3
Lithuania	2	2.5
Moldova	4	5.0
Nigeria	10	12.5
Philippines	1	1.3
Ukraine	8	10.0
Uzbekistan	1	1.3
Poland	1	1.3
Romania	4	5.0
Russia	6	7.5
Sierra Leone	1	1.3
Somalia / Sudan	1	1.3
Turkey	1	1.3
Total	80	100.0

In table 3 the nationality of the victims is listed in alphabetic order.

A quarter of the victims have Bulgarian nationality. The substantial representation of Bulgarian victims is not easily explained. One factor is that EU visa requirements do not apply to Bulgaria anymore. Bulgarians can enter EU territory with no formal obstacles. It is illegal for them to work in any EU country. However visa obligations have also been lifted for Romania and other Eastern European candidate member states for the EU. Overrepresentation of a certain nationality can be dependable on numerous factors and can arise by chance. Social workers and police officers ‘in the field’ however, confirm there has been a major increase in Bulgarian THB victims in the last year⁴⁰. In table 4 the same data are grouped into regions of origin.

Table 4: Region of origin

	Frequency	Percent
Eastern Europe	43	53.8
Africa	15	18.8
Baltic countries	7	8.8

⁴⁰ Especially in Groningen, based on the interviews with Thijen, Wijdgraaf, de Jong, ter Horst and Grimmius, see chapter C.4. In Amsterdam there also seems to be a high proportion of Bulgarian victims who are staying in the shelter homes, based on the interview with Korteweg

Central Europe	5	6.3
Balkan	5	6.3
Other countries	5	6.3
Total	80	100.0

Most of the victims (53.8%) come from Eastern Europe. Taken together, Central- and Eastern Europe, the Balkan and Baltic countries, account for three out of every four victims.

2.2 State of the dossier

Table 5: Year of entrance at reception centre

Year of entrance	Frequency	Percent
Unknown/not valid	3	3.8
Before 1999	9	11.3
1999	14	17.5
2000	13	16.3
2001	22	27.5
2002	19	23.8
Total	80	100

Table 6: Referred by

	Frequency	Percent
Unknown	2	2.5
Police	32	40.0
Judicial	2	2.5
Asylum Seeker Centre	2	2.5
Other victim assistance agency	2	2.5
Other social organization	7	8.8
Autonomously	2	2.5
FATW (STV)	24	30.0
Other	7	8.8
Total	80	100.0

Most of the victims were referred to the reception centre by the police (40%) or by the FATW (30%).

Table 7: State of the procedure (B9)

	Frequency	Percent
Unknown	8	10.0
Not started	13	16.3
Pending	42	52.5
Stopped	17	21.3
Total	80	100.0

In nearly 60% of the known cases, the procedure was still pending. In about 18% of the known cases the procedure was stopped, and in nearly 24% of the known cases criminal investigation activities never started. This had several causes. Partly it was due to the victim returning to her country of origin straight after or during her three-month reflection period, after having decided not to report. Sometimes the prosecution did not have enough evidence or leads for a criminal investigation, and in other cases the victim disappeared with unknown destination before the criminal investigation could be started. In 17 cases a verdict was reached, in three cases in higher appeal.

In 32 cases a reason was known why criminal investigation had not started or had been stopped. It has to be taken into account that these 32 cases do not overlap with the 30 cases where the B9 procedure did not start or had been suspended. In some cases this procedure was still running while the destination of victims was unknown. In two cases the victims had relapsed into the illegal circuit, but the procedure was still running. Sometimes the state of the procedure was unknown while the victim had left with unknown destination. Because this part of the used questionnaire does not seem to fit the Dutch situation, the following inventory of reasons should be regarded with some reservation.

Table 8: Reasons for not starting or suspending criminal investigation

	Frequency	Percent
Destination unknown	11	34.4
Suspects no longer in the country	4	12.5
Voluntary repatriation	4	12.5
Suspects untraceable	3	9.4
Victim report insufficient	3	9.4
Stay permit for humanitarian reason	3	9.4
Relapse into illegal circuit	2	6.3
Former conviction traffickers	1	3.1
Crime took place in another country	1	3.1
Total	32	100.0

Among the reasons for not starting or suspending criminal investigation, most often this was done because the victim had disappeared with unknown destination, because the

suspects were no longer in the country or because of voluntary repatriation of the victim. Other reasons were that the suspects were untraceable, insufficient victim report, stay permit for humanitarian reason, or because the victim had relapsed into the illegal circuit or because of a former conviction of traffickers.

2.3. Degree of integration

Table 9: Does the victim participate in Dutch language courses?

	Frequency	Percent
Unknown	10	12.5
Yes	49	61.3
No	21	26.3
Total	80	100.0

Most victims (61.3%) participated in a Dutch language course. The degree of participation varies a lot. In some cases the victim attended a few classes, in other cases, the victim obtained diplomas of lower and higher secondary education, spread out over a few years. Furthermore, 17 victims (21.3%) followed other courses. The subject and content of these courses also varies enormously. Examples: an apprenticeship at a lawyer's office, a course in accounting, and a course in Arabic language, hairdressing and tourism. The probability of a victim being able to follow extra vocational and educational courses, all depends on her own initiative, perseverance and the support and supervision of the social workers involved, seeing that it is not a fixed part of the provisions for THB victims. A Baltic woman said:

"I could not stand doing nothing all day long, I had studied law for two years in my home country and I felt I wanted to contribute to society. I learned Dutch in no time at all and then went on to other courses"

An underage Bulgarian victim relates the following:

"I went to secondary and nearly finished it before I was trafficked to the Netherlands. I was top of the class in many subjects. I love to learn and study. When I enrolled in a Dutch course at the community centre, I moved up in learning levels quickly. Soon, I had to leave the centre and I registered at the Regional Education Institute. In the future, I want to study law and become a lawyer"

Table 10: What are the victim's future plans?

	Frequency	Percent
Unknown	11	13.8
No future plan	7	8.8
Return to home town	10	12.5
Return to home country (other town)	1	1.3
Settlement in The Netherlands	45	56.3
Other plan	6	7.5
Total	80	100.0

By far the largest group of victims (56.3%) wants to settle in the Netherlands. The reasons for wanting to settle vary. Some start a relationship or family life and go on to apply for a residence permit based on partnership. Sometimes children play a role. Often the fear of returning to the country of origin plays a major role.

Many found their wish to stay in the Netherlands, on the fear they have of returning to their country of origin. A Bulgarian victim talks about the situation in her home country:

"I cannot go back to Bulgaria. My family is being threatened. My mother has moved to Greece because of it. They (the traffickers) are looking for me there. The court case against my traffickers has been pending for the last four years. It is substantially based on my reports and statements. There were also other Bulgarian,

Albanian and Russian girls involved. I testified at the court case and was confronted with the traffickers. What will happen to me if and when the traffickers are convicted and I have to go back home? I saw them half a year ago, hanging round my flat."

An Albanian victim fears return to her country as well:

"I returned briefly with my Dutch boyfriend, but we were followed and threatened, they knew exactly where we were staying and they talked to my sister and threatened her. They phoned my boyfriend and said: keep away, we will hurt your son if you don't. I'm afraid my mother is involved in the trafficking network, because they know strange details of my life. When my mother moved to another town, the traffickers turned out to be living very near to her."

In Nigeria, the situation of one of the victims is pretty much the same. She relates:

"My mother knows what has happened to me. She is afraid, men come to visit her, asking her about me and threatening her."

Then there is the situation of a Nigerian victim, who was trafficked to France and was forced into street prostitution and severely abused by her traffickers. She fled to the Netherlands. She has no grounds to stay in the Netherlands, because, although she is a genuine victim, the crime was not committed on Dutch territory, so the prosecutor and judge have no competencies:

"The Dutch police tell me I have to report in France, but I dare not return. The traffickers have a huge network and I don't know my way around the country, I have no money and I do not speak the language." She also has a fear of returning to Nigeria: "My mother was beaten so fiercely by the traffickers that she ended up in hospital. They control everything and everybody."

A Bulgarian woman is clear and simple about her future plans:

"I want justice to be done. I want the police to get those men, that is what I want most."

A Czech woman pointed out that she would consider having her child adopted if she were forced to return. She claims her son has grown up in the Netherlands, speaks better Dutch than the Czech language and thus has better opportunities in this country. A Colombian victim has economic reasons for wanting to stay in the Netherlands:

"I escaped the poverty of Colombia, I want to stay here. Working here (illegally) provides me with a better perspective on life."

Yet another reason for wanting to stay is the length of time a victim has spent in the Netherlands. A Baltic victim says:

"I have lived in the Netherlands for over six years now. My son has grown up here and he speaks Dutch fluently. I have become accustomed to the country and have integrated. This is my home now."

Table 11: Did the victim find work in the country of residence?

	Frequency	Percent
No	63	78.8
Volunteer work	7	8.8
Paid job	3	3.8
Illegal work/prostitution	7	8.8
Total	80	100.0

Only three of the victims had a paid job. Under the B9 ruling, victims are not allowed to work. The three women had obtained a permanent residence permit (on humanitarian grounds or on the basis of partnership). Only slightly more than 20% of the victims did find some sort of work, voluntary or illegal. Some of the women turned to prostitution in the period between escaping the trafficker's network and filing an official report at the police and being admitted into a reception centre. A group of women, who are THB victims, but who are for some reason not eligible for the B9 residence permit (victims statement insufficient, suspects left the country, not enough evidence to base a criminal investigation on etc.) did find illegal work. Yet still another group works on a voluntary basis. Examples cited were: shop assistant in a chemist, apprentice of a lawyer, aid in an old people's home. The social and psychological significance of being able to work was underlined by practically every interviewed victim.

"Dutch friends and acquaintances often ask me: why don't you work, you're so young. I don't know what to say, I feel ashamed when I have to admit I'm dependent on the state for my income. I am young and I want to work. I find enormous fulfilment in doing the voluntary work I'm currently doing, it renders meaning to my life."

Many victims feel 'trapped', because they are not allowed to work, but have hardly any alternative activities with which to fill their days. A Bulgarian victim puts it like this:

"I sit here all day in the refuge centre with nothing to do. It drives me up the wall. I would like to do voluntary work with babies or old people, but it takes ages before these things can be arranged."

After being in the Netherlands for five years, a Ukrainian victim started a voluntary job working as an accountant. She recalls:

"It gave me a sense of belonging and self esteem. Finally I could give something back; I could make myself useful and practice the profession I was trained for."

Table 12: Did the victim establish a family life in the country of residence?

	Frequency	Percent
Married/living together	5	6.3
Marriage plan	2	2.5
Living with friend	4	5.0
Single	69	86.3
Total	80	100.0

Only a very small number of victims were living together in the Netherlands. Of course, this is an expected result, because the Dutch policy regarding victims of THB is not aimed at integration of victims, but is geared to repatriation. As soon as the criminal procedure is finalised, the victim is supposed to return to her country of origin. Twelve victims had children in the Netherlands. In eight cases they had taken their children with them when they migrated; sometimes these children were born in the country of destination.

A lot of the interviewed women have boyfriends, but cannot or choose not to live with them. A noticeable aspect in this respect is the role the so-called 'client-saviours' play. Very often the victims left or escaped forced prostitution with the help of clients. Six of the fifteen interviewed victims got out of forced prostitution with the help of a customer, two of which started a relationship with him. Social workers admit the

position of the 'client-saviour' is ambivalent⁴¹. While there is a danger of the development of yet another dependent relationship with the danger of abuse, on the other hand, the clients are in a good and unique position to communicate with the victims. Eventually, by establishing a trusting relationship, they could be best positioned to get her out of forced prostitution.

A Bulgarian woman related the difficulties she experienced in a relationship with a boyfriend in the Netherlands:

"We were together for a while. Then he found out I had (involuntarily) worked as a prostitute. That was the end of the relationship. He was very angry and beat me up. He wanted nothing to do with a whore."

Children pose specific problems to the victims. A Baltic victim states:

"My child came to the Netherlands a after I had ended up here. But still he has no legal status, it creates problems for me."

This problem has been recognised by social workers as well⁴².

⁴¹ Both Kern and Sosef regularly encountered client-saviours in their work.

⁴² Korteweg, see chapter C.4.

2.4. Social background in the country of origin

Table 13: With who lived the victim in the country of origin at the time of recruitment?

	Frequency	Percent
Unknown	12	15.0
Single	6	7.5
With partner	7	8.8
With parents/family	50	62.5
Other	5	6.3
Total	80	100.0

The majority, more than two thirds, of the victims lived with their parents or family. In many cases this situation is born out of necessity. Not a lot of people can afford to live on their own in most Eastern European and African countries.

Table 14: Describe your civil status at the time of recruitment

	Frequency	Percent
Unknown	1	1.3
Married	5	6.3
Cohabitation	2	2.5
Divorced (legally)	1	1.3
Not married/not living together	71	88.8
Total	80	100.0

The majority of victims were unmarried at the time of recruitment. Only a slight percentage of the women were married or divorced.

Of fifteen of the victims, it is known that they had children in the country of origin. Four of them had two children and one woman had three children. From the dossiers, little is known about the age of these children. Eight of the fifteen women had taken their children along with them when they went to the Netherlands. In six other cases they were looked after by the parents or family of the victim or the father of the victim. In one case the child was brought to a children's home. One victim describes how her son was used as a method of coercion.

"I arrived in the Netherlands and soon they made it clear we had to work as prostitutes. I screamed and said I did not want it. They then showed me a photo of my son and told to do as they said; otherwise something might happen to my son. They chose me and other women who were single mothers; they knew they could blackmail me."

Abortion should be mentioned here as well. A Nigerian victim described how she was forced to have several abortions while she was forcibly working as a prostitute in the Netherlands. The doctor never asked her why she wanted or needed these abortions.

Table 15: Standard of life at the time of recruitment

	Frequency	Percent
Unknown	1	1.3
Below minimum	59	73.8
Equal to minimum	18	22.5
Above minimum	2	2.5
Total	80	100.0

Nearly three-quarters of the victims described their standard of life at the time of recruitment as below minimum. Only two victims declared their standard of life above minimum.

The subsistence level seems to be a subjective criterion. While some victims state they lived below the subsistence level, while still having money for clothes and such, others claim they hardly had enough money for primary necessities of life.

Table 16: Working experiences in the country of origin

	Frequency	Percent
Unknown	27	33.8
Yes	36	45.0
No	17	21.3
Total	80	100.0

Of the victims who had working experience in the country of origin (about two-third of the cases where this is known) there was a wide variety of different kind of jobs. Most frequently, these were jobs in the hotel and catering business, in factories, the entertainment business or in prostitution, forced or voluntary⁴³.

The women earned nothing in cases where salaries were not paid out, or they had small salaries that did not enable them to survive. A Colombian victim claims:

“I worked as a cleaner in Colombia, but I could not survive, it was a daily struggle to get by”.

Of the interviewed victims, two claimed they had normal incomes. A Bulgarian victim comments:

“I worked with my parents selling fruits and vegetables on the market. We were not rich, but we had a good life.”

Others could not make ends meet. A Ukrainian victim explains:

“My salary was not paid for months and my parents did not support me, so I had no means of income or survival”.

A Nigerian victim did also not receive a salary for months, while she was working every day:

“I worked as a secretary and had to take care of my younger sisters and brothers and my child. I was the breadwinner.”

Table 17: Was the victim working at the moment of recruitment?

	Frequency	Percent
Unknown	27	33.8
Yes	31	38.8
No	22	27.5
Total	80	100.0

At the moment of recruitment, nearly 60% of the victims where this is known had work, and of these some 30% (18% of the known cases) were working as prostitutes.

Three interviewed victims had experience in working as a prostitute and were trafficked by or with the assistance of their pimp. One of the victims stated she worked in prostitution in the Czech Republic to finance her hard drug habit.

Table 18: How many years of school education

	Frequency	Percent
Unknown	34	42.5
Up to 5 year	9	11.3
7 year	2	2.5
8 year	1	1.3
9 year	2	2.5
10 year	16	20.0

⁴³ The results on working experience in prostitution for the total group are different from those of Vocks and Nijboer, 1999. However, if one compares only the Central and Eastern European group of victims with this former study, the results are pretty much the same.

11 year	7	8.8
12 year	6	7.5
15 year	2	2.5
16 year	1	1.3
Total	80	100.0

In counting the number of years each victim had gone to school, five years were awarded for primary school and five for secondary school. The modal number of years of school education was ten years, which leads to the conclusion that twenty percent of the victims had gone to primary and secondary school. Some women were higher educated, but there was also a group of women who practically did not receive any schooling at all. Because many dossiers do not contain sufficient information about this point, it is hazardous to give more specific quantitative information.

Highly educated and hardly educated women among the interviewees became victims of trafficking. Lack of means to survive and a problematic family background seemed to be the core causes that drove the women into the hands of traffickers. Of the three (interviewed) women with a university education two were misled and one was falsely married and then kidnapped. One wanted to earn some money abroad to finance her studies and to gain experience and learn a foreign language. The other could not survive due to the economic malaise in the Ukraine and no social network.

Table 19: Did the victim follow vocational training?

	Frequency	Percent
Unknown	31	38.8
No	24	30.0
Yes	25	31.3
Total	80	100.0

Of the victims where this item is known, about half had followed vocational training. This training varied from lower occupational training through to university. In thirteen cases this training was completed with a diploma.

Needless to add, many of the victims were recruited at a time when they were still following the vocational training, and had not yet completed it with a diploma, while others dropped out before they were recruited. One of the interviewed victims stated she went to the Netherlands, on the assumption that she would be working as an au pair to finance her law studies. She states:

“It was not only the money. I did need extra money to be able to study law and raise a child. But I was also very curious to know what it was like working and living abroad and learning a new language.”

The other two victims with a university education had studied economics (graduated) and architecture (which she did not complete). Two of the victims completed an administrative training to be a secretary and one of them worked as such at the time of recruitment.

In the paragraph about individual characteristics, the age at time of departure was already presented. Here, in table 20 a more specific overview is given.

Table 20: Age at time of departure

	Frequency	Percent
Unknown	2	2.5
11 year	1	1.3
13 year	1	1.3
15 year	4	5.0
16 year	1	1.3
17 year	8	10.0

18 year	8	10.0
19 year	11	13.8
20 year	9	11.3
21 year	9	11.3
22 year	4	5.0
23 year	8	10.0
24 year	5	6.3
25 year	3	3.8
27 year	2	2.5
29 year	1	1.3
30 year	1	1.3
35 year	1	1.3
48 year	1	1.3
Total	80	100.0

As can be seen from table 20, some 20% of the victims were very young at the time they were recruited, but there was also an older victim, who was 48 at the time of recruitment.

Table 21: How big is your village or town?

	Frequency	Percent
Unknown	40	50.0
Less than 10.000 inhabitants	6	7.5
10.000-50.000	3	3.8
50.001-100.000	7	8.8
100.001-500.000	9	11.3
More than 500.000	15	18.8
Total	80	100.0

This item is known only from half of the dossiers. Among the others, there seems to be a slight tendency towards bigger cities as home town.

Table 22: Did you grow up with your own father?

	Frequency	Percent
Unknown	20	25.0
Yes	38	47.5
No	22	27.5
Total	80	100.0

In 25% of the cases it was unknown whether the victim was raised by her own father. In the other cases in nearly 40% the victims did not grow up with their own father.

The reasons for not growing up with their own father can be death, divorce and problematic relationships. In some cases a stepfather substitutes the father.

Table 23: What is the relationship like with your own father?

	Frequency	Percent
Unknown	5	13.2
No contact	9	23.7
Good	13	34.2
shallow	3	7.9
Bad	8	21.1
Total	38	100

Of the cases where this item is known and the victim had a relationship with her father, in 55% this relation was non-existent, bad or shallow. In ten cases the victim was maltreated by her father and/or sexually abused (5 cases).

Table 24: Did you grow up with your own mother?

	Frequency	Percent
Unknown	17	21.3
Yes	49	61.3
No	14	17.5
Total	80	100.0

Most victims (nearly 80% of the relevant cases) were raised with their own mother.

Table 25: What is the relationship like with your own mother?

	Frequency	Percent
Unknown	5	10.2
No contact	7	14.3
Good	29	59.2
Bad	8	16.3
Total	49	100.0

Of the relevant cases, the relation with the mother was mostly good. In 8 cases (16% of relevant cases) the relation was bad. Eleven of these victims were maltreated by their mother.

In relation to the general family background of the interviewed victims, a very varied pattern evolves. In the case of one Bulgarian girl, the troubled family situation seems to have contributed to the susceptibility of her to the traffickers:

“When I was 14, my parents divorced. They were quarrelling so much with me and with each other, that I was kicked out of the house. I slept with friends and slept on the streets for a while. When I ended up in hospital, my mother came to see me and I lived with her for a while. But she is an alcoholic and in no time things went wrong and she hit and abused me. I left again.”

A Ukrainian woman who lost contact with her parents, points out:

“I had no family to fall back on when the going got tough. While my friends and colleagues survived due to their parents who grew vegetables in their own vegetable garden outside of town, I lacked this support.”

Another woman from Bulgaria paints a wholly different picture:

“My mother is a fashion designer and my father is an architect. I have a good relationship with both of them.”

Another Bulgarian woman adds:

“I have a good relationship with my father and mother; I trust them and tell them everything.”

A Bulgarian victim who was sexually abused by her father admits it has contributed to a low feeling about herself. The correlation between sexual abuse and becoming a THB victim however is not necessarily imperative as one of the root causes for young women becoming the victim of trafficking in human beings, seeing that women with functional relationships also end up becoming victims.

In a general sense, it could be concluded that strong family ties offers a means of survival. If there is no such network, the woman is socially and economically more vulnerable.

From the dossiers, not much is known about the working circumstances of the father and mother. In about half of the cases, the information is lacking.

Table 26: Did your father work at the time of recruitment?

	Frequency	Percent
Unknown	42	68.9
Long-time unemployment	5	8.2
Irregular jobs	1	1.6
Steady job	13	21.3
Total	61	100.0

Of the known cases, in nearly 70% the father had a steady job.

Table 27: Did your mother work at the time of recruitment?

	Frequency	Percent
Unknown	39	58.2
Long-time unemployment	12	17.9

Irregular jobs	3	4.5
Steady job	13	19.4
Total	67	100.0

In 46% of the known cases the mother had a steady job.

Table 28: Do your parents have debts?

	Frequency	Percent
Unknown	47	66.2
No	14	19.7
Yes, with traffickers	3	4.2
Others than traffickers	7	9.9
Total	71	100.0

Also regarding debts of parents, there is a shortage of information in the dossiers. However, in 74% of the files, the victims considered themselves to be living below the subsistence level. In this respect it is not sure that in most cases the category “unknown” in facts stands for “no debts”. Anyhow, it does not appear that debts with traffickers do form a substantial category.

In one of the cases the debts of the mother caused the woman to be trafficked. One of the interviewed Nigerian victims stated she approached the recruiter to ask him if he could help her paying off the debts of her mother:

“I was working as a secretary. I asked the man if he could help us paying off the debts. He would pay for the debts and then he would take me to Europe where I could earn money as a secretary. He told me I was smart, he could see it in my eyes.”

2.5. Motives of the victim to accept recruiter’s offer and type of offer made

Table 28: What was the motivation of the victim to accept the offer of the recruiter? ⁴⁴

Motivation	Frequency	Percent
No or not sufficient income for primary necessities of life	44	55.0
Money for family	22	27.5
Forced or kidnapped	11	13.8
Better working conditions as a prostitute	8	10.0
Attractive work	7	8.8
Money to permit more luxury	6	7.5
Adventure	6	7.5
Relational enslavement	3	3.8
Better future perspectives for children	2	2.5
Political instability in country of origin	2	2.5
Otherwise	4	5.0

As can be seen in table 29, the most frequently given motivation for accepting an offer from a recruiter was lack of money. Besides that a number of victims (11) were forced or kidnapped and 8 victims sought better working conditions as a prostitute. Attractive work, money for luxury or adventure was also mentioned.

The women could have a combination of motivational reasons to accept the recruiter’s. Often the need to generate a sufficient income and money for the family were both mentioned as the motivation for accepting the offer.

⁴⁴ Because of the possibility to mention a combination of motivational reasons, percentages do not add up to 100.

From the conducted interviews with 15 victims, it is clear that all but three left their country with the idea of earning more money abroad. A Baltic woman explained her motivation:

“It was not only the money. I did need extra money to be able to study law and raise a child. But I was also very curious to know what it was like working and living abroad and learning a new language.” (This is already mentioned in paragraph d).

One African woman described political unrest as the main cause for leaving the country:

“I was living in Sierra Leone with my mother, father, and sister. A civil war broke out and both my parents were killed. I fled to a church. A white man told me he would bring to me a safe place.”

One Albanian and one Bulgarian victim were abducted. In the case of the Albanian victim, money did play a role, however:

“A man came to our house and he told my parents that his friend wanted to marry me. He would be paying a very considerable dowry, so my parents assented to the plan, even though I told I did not want to marry this man. But they really needed the money.”

The three girls, who worked as prostitutes in their country of origin, were not so clear about their motivations to accept the offer of the recruiters, besides being attracted to the supposed amounts of money to be made. The Czech woman stated her hard drug dependence and the fact that her boyfriend cooperated with the traffickers caused her to accept the offer:

“I went with my boyfriend and another man in the car to the Netherlands. They had told me I could earn approximately 3000 guilders⁴⁵ a day in prostitution in the Netherlands.”

Table 30: Which work has been promised to the victim?

	Frequency	Percent
Unknown	2	2.5
Hotel and catering industry	9	11.3
Marriage proposal	1	1.3
Au pair	2	2.5
Prostitution	19	23.8
Entertainer, dancer, stripper	5	6.3
Other	31	38.8
Forced or Kidnapped	11	13.8
Total	80	100.0

The work promises were rather diverse. The category of working as prostitute constitutes about a quarter of the relevant cases.⁴⁶ However, this figure gives only a slight indication and certainly needs some explanation. It is not clear in how far the victims have been open regarding this question. In some files it is apparent that victims, who claim to have been misled on the nature of the work they would be doing, will still be seeking contact with the traffickers and their associates, after they have reported to the police.

In 64 cases, there was more detailed information about the content of the made arrangements. It is difficult to summarize this information, but the most frequently given answer referred to “normal” arrangements, good earnings under reasonable working circumstances, repayment of debts, interesting jobs, independence, etc.

From the interviews, it appears that the main arrangement referred to was the good pay, the escape from the poverty the women were living in. The Czech woman who knew

⁴⁵ This is equivalent to somewhat more than €1300.

⁴⁶ Again, the result for the subcategory of Central and Eastern European women who knew what of work was expected from them were comparable with the study of Vocks and Nijboer. About 50% of this subcategory knew they were going to work in prostitution.

she was going to work in prostitution was unpleasantly surprised when she arrived in the Netherlands and had to start work:

“I was shocked when I saw the women, practically naked behind the windows; I had never seen this before. I did not want to expose myself like that. Then when I started work, I had no say in the hours I worked, I was not allowed to leave the house and I was not allowed to refuse clients. This was not what it had been like in the Czech Republic.”

A Bulgarian woman explained:

“I was going to work on a fifty-fifty basis, but they told me I had a debt of 100.000 US Dollars, so I hardly received any of that money.”

In some cases more time was spent on making the arrangements than others. The Ukrainian woman relates:

“I talked to the recruiters only twice, very briefly. I had to phone them in the Netherlands and at the time, I could not afford long international phone calls. So when I left I knew practically nothing about the circumstances I would be working under.”

A victim from a Baltic country describes:

“The recruiters had hired an official office in the same building where the ministry of justice was located. It all looked very trustworthy. I had to sign a labour contract there. I would be working as an au pair for a month in the Netherlands. If the working relationship was mutually satisfying, I would be able to extend the contract to three months.”

2.6. Recruitment

Table 31: How many persons organised the mediatory proposal?

	Frequency	Percent
Unknown	5	6.3
One	11	13.8
Two or three	32	40.0
Four through ten	27	33.8
More than ten	5	6.3
Total	80	100.0

In about 15% only one trafficker was involved, whereas in some 40% of the cases there were more than three traffickers. In 28% of the cases five or more traffickers were involved. Traffickers can be distinguished in recruiters, traffickers during the trip, and exploiters. Of each category, we analysed how many people were involved, whether there were women involved and the nationality. It should be pointed out that the recruiter, trafficker during the trip and exploiter can, in some cases, be the same person.

2.6.1. Recruiters

Recruiters are mainly (73.8%; 48 of the 65 cases where this item is known) of the same nationality as their victims; in 6 of the 65 cases (9.2%) the group of recruiters is mixed and there are also recruiters of other nationalities involved; in 11 cases (16.9%) recruiters have different nationalities as their victims. Especially Bulgarian, Nigerian and Ukrainian recruiters usually do not cooperate with other nationalities.

In 48% of the cases there was only one person doing the recruiting, in 24% there were two recruiters and in 28% more than two. Although most of the recruiters were men, in fourteen cases (out of 67 relevant cases; 21%) there was a female recruiter involved of whom five were African and five Russian. In the Nigerian networks, the ‘madams’ play an influential role, reasonably high up in the hierarchy. In the Russian and Ukrainian

networks the women recruiters are known as *monetkas*⁴⁷. They recruit the women from the home country and are able to gain the trust and confidence of the woman easier, because they are of the same sex and speak the same language.

In 17 (out of 71 cases; 24%) Bulgarian recruiters were involved; sometimes alone, sometimes as part of a larger criminal network. In eleven cases the recruiters were (partly) Russian and in 9 cases the recruiters were (partly) Nigerian. In 28 out of 36 relevant cases (nationality known and at least two recruiters; 78%) the recruiters were all of the same nationality.

The Ukrainian woman described her recruiters:

“The contact person was a Ukrainian woman. I trusted her, because I could relate to her, she was from my village, spoke my language. When I arrived in Amsterdam, it turned out she was working together with a Yugoslavian man. Pretty soon it also turned out she worked as a prostitute herself⁴⁸.”

An African victim tells:

“During the civil war in Sierra Leone, in a church I met a white man who said he would take me to a safe place. He flew with me to the Netherlands, travelled with me by train to Groningen (in the North of the Netherlands), and dropped me in the middle of town. Immediately, two African girls approached me. They turned out to be the ‘madams.’”

A Bulgarian woman describes:

“The network that trafficked me consisted of Bulgarians, Albanians, Moroccans and Dutch people. The boss was married to a Dutch woman who rented out windows in the red light district. She was high up in the hierarchy of the organisation.”

2.6.2. Traffickers during the trip

In 22 of the 33 cases (66.7%) where this item is known, traffickers during the trip have the same nationality as the victim. In 4 cases (12.1%) also other nationalities are involved during the trip and in 9 (27.3%) cases travellers are of different nationality.

In 63% of the cases there was only one trafficker during the trip, in 24% there were two, and in 13% there were more than two. The traffickers during the trip were mainly male. The percentage of women involved (11%) was lower than with the recruiters.

In most cases where there was a trafficker during the trip, the nationality of this companion was Bulgarian, with only one Russian companion and two Nigerian companions. However only in less than half of the cases the nationality of the traffickers during the trip was known. In slightly over 60% of the (13 relevant) cases the companion group was of mixed nationality.

A Colombian woman tells about her trafficker during the trip:

“I was flown to Prague. There I was picked up by a man who drove me to Germany in the car. He wanted 1500 dollars for this trip. To pay him, I had to work in Germany for a short period of time.”

2.6.3. Exploiters

In 26 of the 54 known cases (48.1%) exploiters are of the same nationality as the victim. In 13% (7 of the 54 cases) also other nationalities were involved and in the remaining 21 cases (38.9%) the exploiters are of different nationality. Especially Nigerians exploit the victims themselves, and they do not cooperate with other exploiters. This applies to a somewhat lesser degree also to Bulgarian and Russian traffickers.

⁴⁷ Sergey Krivosheev a.o., *Review of the Mechanisms, Means and Law Enforcement Response to Trafficking in Persons to in Ukraine*, (2001) IOM, Kiev. They are referred to as second wave victims, because they had once been trafficked themselves and then started recruiting new victims for the traffickers.

⁴⁸ What is described here is the *monetka* system

In 40% of the cases there was only one exploiter, in 24% there were two and in the remaining 36% there were three or more exploiters. So it appears that more persons are involved in exploiting than in recruiting.

In 17 out of 64 relevant cases (27%) women were involved in exploiting THB victims. This percentage is slightly higher than with the recruiters.

Most exploiters were of Bulgarian nationality, but also Russians and Nigerians were represented more frequently. In only 16% of the 55 relevant cases persons of Dutch nationality were involved as exploiter. This seems to indicate that in most cases there are not many overt connections between THB and the Dutch sex business.⁴⁹

In 13 of the 34 relevant cases (nationality known and more than one exploiter; 38%), the exploiting group was of mixed nationality.

An Albanian woman relates how she was forced into prostitution by a man who was the recruiter, trafficker during the trip and the exploiter.

“I was forced to marry an Albanian man. He took me to Brussels, then to Stuttgart and afterwards to the Netherlands. He sexually exploited me in cooperation with Greek and Moroccan exploiters.”

Table 32: How many times has the victim been approached by different traffickers?

	In the country of origin		During the trip		In the country of destination	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Unknown	10	12.5	48	60.0	16	20.0
1 time	66	82.5	29	36.3	59	73.8
2 times	4	5.0	3	3.8	4	5.0
3 times	0	0.0	0	0.0	1	1.3
Total	80	100.0	80	100.0	80	100.0

As can be seen from table 32 in most of the cases where this item is known, the victims were only contacted once in the country of origin, during the trip as well as in the country of origin.

Table 33: Time between initial meeting with trafficker and departure

	Frequency	Percent
Unknown	31	38.8
Less than 1 week	33	41.3
Less than 1 month	7	8.8
Less than 3 month	9	11.3
Total	80	100.0

In nearly 70% of the known cases the victim departed within less than a week after the initial meeting with the trafficker, which means she had not much time to reconsider the offer of the trafficker. This might well be a purposive strategy of the traffickers.

Table 34: Who took the initiative to contact the recruiters?

	Frequency	Percent
Unknown	5	6.3
Victim	10	12.5
Trafficker	58	72.5
Trafficker through family of victim	3	3.8
Other	4	5.0
Total	80	100.0

⁴⁹ This conclusion should, however, be qualified within the perspective of the research. The files at the shelter homes for victims were analysed. The information contained in those files is not exhaustive, nor do the files embody precise criminal information and background. Probably, Dutch exploiters are involved in a more facilitating way (Van Dijk, 2002).

In more than 70% it was the trafficker who took the initiative to contact the victim. In one out of every eight cases it was the victim herself.

Of the 15 interviewed women, four of them contacted the recruiter themselves. They were looking for a solution to their problems. A Nigerian victim says:

“My mother had debts. I had heard that there was a man in town who could help us pay off the debts. I went to see him and asked him if he could help us”

A Ukrainian woman relates:

“Friends told me about this Ukrainian woman who was living in the Netherlands. She had started her own company and was successful at it, according to them. I was looking for a job abroad and my friends told me I should ask her. I thought I should give it a try and phoned her.”

A Baltic woman was also misled:

“I visited the seemingly bona fide office of the recruiters to inform about the job as an au pair.”

A Colombian woman was also actively looking for a solution to her problems when she contacted the recruiters.

Table 35: How did the recruiters contact the victim?

	Frequency	Percent
Unknown	14	17.5
Advertisement	1	1.3
Company	4	5.0
Place of entertainment	8	10.0
Recommendation	2	2.5
Through family	10	12.5
Through acquaintances	22	27.5
Other	19	23.8
Total	80	100.0

The trafficker contacted the largest category of victims (48% of the relevant cases) through acquaintances or through family. Family in this respect refers to the direct next of kin, as well as to the more distant relatives such as uncles, aunts and cousins. It should be born in mind that the term aunt or uncle has a broader meaning in some cultures, specifically African countries, compared to Western Europe.

As has been proven by studies in the field, the most effective method of recruiting women is by advertisement by word of mouth⁵⁰. Most interviewed victims claim they had heard of the activities and offers of the traffickers and recruiters through the grapevine.

Table 36: What was the relation of the victim with the recruiters?

	Frequency	Percent
Unknown	7	8.8
Partner	10	12.5
Family	3	3.8
(Good) friend	5	6.3
Acquaintance	14	17.5
Stranger	39	48.8
Other	2	2.5
Total	80	100.0

In 53% of the relevant cases, the trafficker was a stranger to the victim. In 19 cases (26%) it was a friend or acquaintance. In 13 cases (18%) the trafficker was the partner

⁵⁰ Information campaign against trafficking in women from Ukraine, research report, IOM Ukraine, July 1998.

of the victim or a member of her family, in one instance this was the mother of the victim.

It remains an incredible report to hear of when families sell their own blood relatives. A Bulgarian victim experienced being sold by her cousin:

“My cousin was living in Amsterdam. She phoned me regularly and told me I could earn a lot of money in the Netherlands. She convinced me I had to take the risk and go the Netherlands. In the end I went, but when I got there, she immediately sold me to a Yugoslavian trafficker.”

Table 37: What did the recruiter arrange for the victim?⁵¹

	Frequency	Percent
Travel documents	62	77.5
Advanced payment of travel expenses	59	73.8
Debt repayment for victim	1	1.3
Debt repayment for parents of victim	1	1.3
Financial care for children	1	1.3
Otherwise	2	2.5

There is not much variation in the arrangements the recruiter made for the victim. In nearly all cases this concerns travel documents, advanced payment and travel expenses. In many Nigerian cases, the trafficker will pay for the costs of a voodoo priest.

All the interviewed women certified this conclusion. They relate how the traffickers covered the travel and document expenses. In some cases, however, the travel and document expenses were hugely exaggerated and the victim was presented with a correspondingly huge debt to the traffickers. A Nigerian woman explains:

“I had a debt to the trafficker of 40.000 US Dollars for travel documents. This had been confirmed by a voodoo priest, so I felt bound by it.”

A Ukrainian victim sets out the arrangements made with her recruiters and traffickers:

“They said I had to pay for the train ticket and travel documents and then when I arrived they would reimburse half of the costs. It seemed a reasonable proposal.”

Table 38: Did the victim reach the Schengen territory with a regular visa?

	Frequency	Percent
Unknown	22	27.5
Yes	29	36.3
No	29	36.3
Total	80	100.0

In half of the relevant (58) cases the victim did reach the Schengen territory with a regular visa. It concerns false passports with Schengen visa or regular passports with forged Schengen visa. In sixteen cases we have more information concerning this visa. These were granted by Dutch consulate (three times), French, German or Austrian consulates (two times each) or other. Prices varied from 40 to 700 USD.

Sometimes it is hard for the women to establish what kinds of travel documents were arranged for her. A Nigerian woman relates:

“I was dressed up like a little girl. I had to refer to the madam as ‘mummy’. We then travelled by plain to the Netherlands. I don’t know what kind of documents she had arranged for me, but I think I saw the madam bribing a customs officer at the airport before we left.”

Table 39: When did the victim suspect that the trafficker didn't meet the promised agreements?

⁵¹ Combinations possible

	Frequency	Percent
Unknown	4	5.0
Before departure	17	21.3
During the trip	17	21.3
At arrival	10	12.5
Shortly after arrival	31	38.8
Other	1	1.3
Total	80	100.0

The largest group of victims discovered shortly after arrival that the promised agreements were not met. Victims discovered this through a variety of different forms of pressure, force or coercion.

Table 40: Different forms of pressure, force or coercion⁵²

	Frequency	Percent
Victim had to work in prostitution against initial agreements	55	68.8
Maltreatment (physical, sexual or mental abuse)	39	48.8
Victim did not get any money at all for working	20	25.0
Victim was told she had high debts, which could not be real	19	23.8
Victim was sold without consent	18	22.5
Victim was personally threatened	18	22.5
Family of victim was threatened	12	15.0
Victim could not return home when she wanted	10	12.5
Victim did not regain identity papers	9	11.3
Victim received less money than was agreed on	5	6.3
Victim could not go freely where she wanted.	4	5.0
Victim was constantly monitored	3	3.8
Work in prostitution under different conditions than agreed on	2	2.5
Victim was forced to earn a minimum amount of money	1	1.3
Victim was not allowed to refuse customers	1	1.3
Other	1	1.3
Victim did not get ticket for journey back home	0	0.0

The most common way the victim found out the arrangements were not being met, was when she was told she would be working as a prostitute. This was the case with over half of the victims. The traffickers made their wishes known in many cases by using physical force and violence, in 49 % of the cases. This is relatively more than in the study of Vocks and Nijboer (1999). The group of women who knew they were going to work as a prostitute found out the arrangements were not being met, when they realised the conditions under which they would be working or when they were not paid.

A Nigerian victim tells of what happened when she realised she would have to work on the streets and refused to:

- “I was told to go with the other girls who were also staying in a house in the suburbs of Paris. There were about twenty African girls in the house. I saw how they were dressed and realised they had to work as prostitutes. I did not want to go with them and I told the men so. One of them was furious and shouted at me. I still refused and he then beat and raped me. I still have scars on my body. He hit me with a iron bar.”

A Baltic woman relates:

“When we arrived in the Netherlands we were brought to a hotel. We were told that we would be working as prostitutes the next night. I screamed and said I would never do that. But they showed me a photo of my son and told me to quieten down, because something nasty might happen to him otherwise.”

⁵² Combinations possible

Table 41: Did the victim try to check up on the offer beforehand?⁵³

	Frequency	Percent
Unknown	4	6.0
No	62	87.0
Yes	3	4.4
Total	69	100.0

Table 42: How did the victim try to check up?

	Frequency	Percent
Unknown	4	5.8
Trusted people who made an offer	54	78.3
No opportunity to check	5	7.3
Through family, friends, acquaintances	2	2.9
Other	4	5.8
Total	69	100.0

Not many victims did try to check up, mainly because they trusted the people who made them an offer or because they had no opportunity to check. In this respect it is also relevant that most victims did not have much time or means to verify, because they left the country soon after the initial contact.

What should be noted here as well is that when the woman does attempt to check up on the offer made by the recruiter, the people in her environment may not be sufficiently informed to warn her against the danger awaiting her. A Nigerian woman relates:

“I asked around if the man offering me a job in Europe could be trusted. But he was an established figure in our community and nobody thought badly of him.”

Table 43: Does the victim have debts towards the trafficker?

	Frequency	Percent
Unknown	30	37.5
No	16	20.0
Yes	34	42.5
Total	80	100.0

In 68% of the relevant cases the victim had debts towards the trafficker. In most cases these debts were because of the arrangements the recruiter had made i.e. documents, advanced payments and travel arrangements. In a minority of cases (38% of the 13 relevant cases) these debts had been redeemed.

The amounts owed to the traffickers differ enormously, from the actual travel and document costs (approximately 100 US Dollars) to 100.000 US Dollars.

Based on the interviews with the women and on the analyses of the files, there seems to be more of a ‘debts culture’ in the Nigerian networks than in any other nationality.

2.7. Pressure, coercion, violence in the process of exploitation

The number of different forms of pressure, force or coercion may constitute an indication of the degree of violence the victim was subjected to. In 34 out of 76 known cases (45%) the victim was subjected to three or more different forms. Most often, this concerned physical, sexual or mental abuse, shakedown of money, bonding with highly exaggerated debts, selling of people without consent and threatening of the victim personally or through family. The different forms are summarized (again) in table 44.

⁵³ The eleven cases where victims were forced or kidnapped not included.

Table 40: Different forms of pressure, force or coercion⁵⁴

	Frequency	Percent
Victim had to work in prostitution against initial agreements	55	68.8
Maltreatment (physical, sexual or mental abuse)	39	48.8
Victim did not get any money at all for working	20	25.0
Victim was told she had high debts, which could not be real	19	23.8
Victim was sold without consent	18	22.5
Victim was personally threatened	18	22.5
Family of victim was threatened	12	15.0
Victim could not return home when she wanted	10	12.5
Victim did not regain identity papers	9	11.3
Victim received less money than was agreed on	5	6.3
Victim could not go freely where she wanted.	4	5.0
Victim was constantly monitored	3	3.8
Work in prostitution under different conditions than agreed on	2	2.5
Victim was forced to earn a minimum amount of money	1	1.3
Victim was not allowed to refuse customers	1	1.3
Other	1	1.3
Victim did not get ticket for journey back home	0	0.0

A Bulgarian victim talks about the eight months she was forced to work in prostitution in Amsterdam:

"I had to work behind the windows and I earned approximately 600 guilders a day. I had to give all of it to the trafficker, who had by now become my pimp. I was kept inside and could not venture out onto the streets."

Another Bulgarian woman tells how much she earned:

"I earned approximately 1500 guilders per day. I could keep some of the money, but my pimp told me I had a huge debt with him, so in the end he did take all my money."

A Baltic woman tells her story:

"I had to work in two places and hardly slept at all. They gave me a lot of drugs and alcohol to stay awake. I was not allowed on the streets, but even when I did come outside, I had no idea where I was. My perceptions were very blurry due to lack of sleep and the drugs and alcohol."

A Nigerian victim tells:

"I refused to work on the streets. The man then hit me with a baseball bat, very hard. I still have scars all over my body."

Table 45: Is the victim religious?

	Frequency	Percent
Unknown	5	6.3
No religion	54	67.5
Christian	9	11.3
Islam	1	1.3
Jewish	1	1.3
Other religion	10	12.5
Total	80	100.0

In about two thirds of the cases, the women indicated they were not practicing believers and never went to church or were atheists. These answers were classified as 'no religion'. These women were from mainly Eastern European countries. Women and girls who were subjected to voodoo (nearly all Nigerian victims) fall under the category 'other'.

⁵⁴ Combinations possible

Table 46: Did the religion influence the decision to accept the offer?

	Frequency	Percent
No	12	57.1
Yes	9	42.9
Total	21	100.0

In general religion was not an important factor and it did not play a role in influencing the victim. The only exception was the use of voodoo practices in the case of African (Nigerian) victims. Voodoo can be regarded as a culturally accepted religious habit, as an attempt to propitiate spirits and to confirm agreements in the same way as a written and signed document in other cultures is used, but in a distorted and corrupted way, voodoo is also used by traffickers to put pressure on their victims. Voodoo may thus create a very strong pressure on victims to conform to the wishes of traffickers, even when there is no direct control of traffickers over their victims.

Two of the three Nigerian victims who were interviewed, were taken to a voodoo priest before they were trafficked to the Netherlands. The priest took some pubic hair, nails and blood from them, both women recollected. During an elaborate ritual, the woman is then asked to solemnly pledge an oath never to inform the police of what has happened to her and to pay back all debts she has to the trafficker. If the girl ever contacts the police she will die, she is told. But if she pays off all her debts, the curse will be retracted. A Nigerian woman who was not taken to a voodoo priest expresses the influence her religion has had on her life:

“I was brought up a Christian and I am a strong believer. I was taught that the body is a temple; you should treat it with respect. What has happened to me has seriously violated this principle.”

2.8. Criminal network

In 15 cases it is known that victims were transported by car, in 17 cases by plane, in 11 cases by bus and in 7 cases by train. Travelling by bus and to a lesser degree by train is popular among Eastern European traffickers, in particular Bulgarians. As can be expected travelling by plane is connected with trafficking from other continents. Travelling (part of the trip) by car is found among most countries of origin.

Traffic routes

Important transit countries are Germany (28 times), Czech Republic (7 times), Poland and Italy (5 times each). We tried to analyse the different travel routes of victims to see whether there were any common patterns emerging. Of course, some travel routes are more “logical” than others. Travelling from Central and Eastern Europe to the Netherlands, one usually has to pass through Germany, and this is also what we found. Besides these “logical routes”, there were three notable phenomena. In the first place it appeared that Nigerian victims were entering for a larger part through Mediterranean countries, which seems to indicate that Nigerian traffickers are avoiding a direct flight from Nigeria to Schiphol airport. In the second place it was found that a large number of Bulgarian victims travelled directly to The Netherlands, without delay in transit countries. In the third place it appeared that not many victims entered the Netherlands through Belgium

A Bulgarian woman relates:

“I was trafficked from Sofia to Nuis, in Northern Netherlands. This is place for car trading and my trafficker was registered as a car dealer.”

The police in Groningen confirm a lot of the traffickers go to Nuis for car dealing.

Table 47: Did you remain in another country before arriving in the Netherlands?

	Frequency	Percent
Unknown	1	1.3
No	36	45.0

Yes	43	53.8
Total	80	100.0

Victims are brought to a neighbouring country before they are trafficked to the country of destination, or they are trafficked to a neighbouring country of the country of destination.

A Bulgarian victim says:

“We were brought to the mountains of Macedonia by car. We had to climb over the mountains by foot to Greece.”

A Nigerian woman recalls how she was brought to Belgium, before going to the Netherlands:

“In Brussels I was sold to a man. I was forced to work in prostitution here. Then I was driven by car to the Netherlands and I was sold again to another man.”

Table 48: For how long did you remain in another country?

	Frequency	Percent
Unknown	26	60.5
From one week to one month	12	27.8
Between one month and three month	3	7.0
More than three month	2	4.7
Total	43	100.0

Table 49: Were you forced into prostitution there?

	Frequency	Percent
Unknown	1	2.3
No	18	41.9
Yes	24	55.8
Total	43	100.0

In 55.8% (24 of the 43 relevant cases) the victim was forced into prostitution during the trip.

Table 50: Is there a link between the case and other criminal offences?

	Frequency	Percent
No	19	23.8
Yes	61	76.3
Total	80	100.0

In most instances of trafficking in women, there was a link with other criminal offences. These offences are listed below. It is not totally clear however whether these data refer to indictment. The two offences that occur most frequently are directly linked to the offence of trafficking. Violent offences occur when the woman is beaten, raped or violently abused in any other way. And often there is a link between trafficking and false or stolen documents in order to get the woman past a border control.

A Bulgarian victim recalls:

“I was trafficked by a notorious and widespread criminal network. In Bulgaria a lot of people know this group. They are involved in trafficking in women, drugs and weapons.”

Table 51: Which other criminal offences?⁵⁵

	Frequency	Percent
Violent offences	42	52.5
False and/or stolen documents	29	36.3
Drugs	12	15.0

⁵⁵ Combinations possible

Weapons	9	11.3
Theft	6	7.5
Money laundering	2	2.5
Financial crimes	2	2.5
Cigarette smuggling	1	1.3

3. Conclusions

Conclusion 1

In a more general sense, it could be concluded that strong family ties offers a means of survival. If there is no such sustaining network, women are socially and economically more vulnerable. Although not all victims have a problematic family background, it appears that for most of them problems in this respect played a role in making them more susceptible for the approach of traffickers. This conclusion is supported by the results of the before mentioned study of Vocks and Nijboer (1999).

Summary of findings

With one exception, the victims of trafficking were female. Most of the victims were between 21 and 24 years when they entered the reception centre. Nearly ten percent were underage at that time. At the time of recruitment, one fifth of the victims were underage.

In nearly 40% the victims did not grow up with their own father. As far as is known from the files, in the majority of the cases the victim's relation with her father was non-existent, bad or shallow. In a substantial part of the cases the victim was maltreated by her father and/or sexually abused. More victims (nearly 80%) were raised with their own mother. The relation with the mother was mostly good, but in one out of six this relation was bad. Several victims were maltreated by their mother.

At the time of recruitment, more than two thirds of the victims lived with their parents or family in their country of origin, in many cases out of necessity. The majority of victims were unmarried then, only a slight percentage of the women were married or divorced. Of fifteen of the victims, it is known that they had children in the country of origin. Eight of them had taken their children along with them.

In relation to the general family background of the interviewed victims, a very varied pattern evolves. In the case of one Bulgarian girl, the troubled family situation seems to have contributed to the susceptibility of her to the traffickers. Another woman from the same country paints a wholly different picture. A Bulgarian victim who was sexually abused by her father admits it has contributed to her low self esteem. However, the nexus between sexual abuse and becoming a THB victim is not necessarily imperative as one of the root causes for young women becoming the victim of trafficking in human beings, seeing that women with functional relationships also end up becoming victims.

Conclusion 2

In general it can not be said that victims of trafficking are poorly educated. Especially women from Eastern Europe often have followed more than primary education, even at university level. This conclusion is supported by the results the former study of Vocks and Nijboer. African victims generally are less educated.

Summary of findings

Twenty percent of the victims had gone to primary and secondary school. Some women were higher educated, but there was also a group of women who practically did not receive any schooling at all. About half of the victims had followed vocational training, varying from lower occupational training through university. Roughly half completed this with a diploma. Among the interviewed women, highly educated and hardly educated women became victims of trafficking.

Many of the victims were recruited at a time when they were still following vocational training, and had not yet completed it with a diploma, while others dropped out before they were recruited. One of the interviewed victims stated she went to the Netherlands, on the assumption that she would be working as an au pair to finance her law studies.

Conclusion 3

Not unemployment as such, but the impossibility to make a living at a decent level, even with a job, appears to be a causal factor. This conclusion is supported by the results the former study of Vocks and Nijboer. (See also conclusion 4)

Summary of findings

The work histories of the victims showed much variation. Most of the jobs were in the hotel and catering business, in factories, the entertainment business or in (forced or voluntary) prostitution. At the time of recruitment some 60% of the victims had work, and of those who had work, roughly one out of three was working as a prostitute at that time. About one third of the women had working experience as a prostitute. Three of the interviewed women had experience in working as a prostitute and were trafficked by or with the assistance of their pimp. One of the victims stated she worked in prostitution in the Czech Republic to finance her hard drug habit.

Nearly three-quarters of the victims described their standard of life at the time of recruitment as below minimum. Only two victims declared their standard of life above minimum.

The women earned nothing in cases where salaries were not paid out, or they had small salaries that did not enable them to survive. Of the interviewed women, two claimed they had normal incomes. Others could not make ends meet. A Nigerian victim did also not receive a salary for months, while she was working every day and had to take care of her younger sisters and brothers and her child.

Conclusion 4

The main reason for accepting an offer from traffickers is economical necessity: labour migration a means of survival. A minority was inspired by their desire for luxury, adventure or more attractive work. One out of every seven victims was not motivated at all, but were kidnapped or sold without their consent. This conclusion is supported by the results the former study of Vocks and Nijboer, with the exception that the number of kidnapped or sold women in that study was slightly higher.

Summary of findings

Eleven victims (14%) were kidnapped or sold. Among the others, the most frequently given motivation for accepting an offer from a recruiter was lack of money; 12% sought better working conditions as a prostitute. Attractive work, money for luxury or adventure was also mentioned.

Lack of means to survive and a problematic family background seemed to be the core causes that drove the women into the hands of traffickers. Of the three (interviewed) women with a university education two were misled and one was falsely married and then kidnapped. One wanted to earn some money abroad to finance her studies and to gain experience and learn a foreign language. The other could not survive due to the economic malaise in the Ukraine and because she had no social network. One of the interviewed Nigerian victims stated she approached a recruiter to ask him if he could help her paying off the debts of her mother.

Often the need to generate a sufficient income and money for the family was both mentioned as the motivation for accepting the recruiter's offer. The work promises as mentioned by the victims were rather diverse. The category of working as prostitute constitutes about a quarter of the relevant cases, but for the subcategory of Central and Eastern European women this proportion is significantly higher.

From the conducted interviews with 15 victims, it is clear that all but three left their country with the idea of earning more money abroad. A Baltic woman needed extra money to be able to study law and raise a child, but she was also very curious to know what it was like working and living abroad and learning a new language. One Nigerian

woman described political unrest as the main cause for leaving the country. One Albanian and one Bulgarian victim were abducted. The three girls, who worked as prostitutes in their country of origin, were not so clear about their motivations to accept the offer of the recruiters, besides being attracted to the supposed amounts of money to be made. The Czech woman stated her hard drug dependence and the fact that her boyfriend co-operated with the traffickers caused her to accept the offer.

Conclusion 5

The seemingly trustworthiness of traffickers is an important consideration. Traffickers make use of time pressure, in combination with relatively small social distance - same nationality, same gender, friends or acquaintances, family relations – to influence the victim's choice.

Summary of findings

In half of the cases only one person was doing the recruiting, in 24% there were two recruiters and in 28% more than two. Recruiters are mainly of the same nationality as their victims. Bulgarian, Nigerian and Ukraine recruiters usually do not co-operate with other nationalities. Although most of the recruiters were men, in 21% a female recruiter was involved. Victims (to be) more easily trust female recruiters.

The Ukrainian woman was contacted through a Ukrainian woman who came from her own village and spoke the same language. She trusted her, because she could relate to her. A Bulgarian woman describes the trafficking network. It consisted of Bulgarians, Albanians, Moroccans and Dutch people. The boss was married to a Dutch woman who rented out windows in the red light district. An Albanian woman was forced to marry an Albanian man, who took her to Brussels, then to Stuttgart and afterwards to the Netherlands. He sexually exploited her in co-operation with Greek and Moroccan exploiters.

In most cases the trafficker took the initiative to contact the victim through acquaintances or through family. Four of the 15 interviewed women contacted the recruiter themselves. They were looking for a solution to their problems. In a little more than half of the cases the trafficker was a stranger to the victim. This was more often than the 32% in the former study of Vocks and Nijboer. In the other cases it was a friend or acquaintance (one quarter), the partner or family member (one fifth), or in one case the mother of the victim. It remains an incredible report to hear of when families sell their own blood relatives.

Usually victims were contacted only once and in more than two third of the cases the victim departed within less than a week after the initial meeting with the trafficker, which means she had not much time to reconsider the offer of the trafficker. This might well be a purposive strategy of traffickers. Not many victims did try to check up beforehand, mainly because they trusted the people who made them an offer or because they had no opportunity to check. Furthermore, the people in her environment may not be sufficiently informed to warn her against the danger awaiting her. The Ukrainian woman talked to the recruiters only twice, very briefly. She had to phone them in the Netherlands and at the time, she could not afford long international phone calls. So when she left she knew practically nothing about the circumstances she would be working under.

In some cases however, more time was spent on making the arrangements. A victim from a Baltic country describes how the recruiters had hired an official office in the same building where the ministry of justice was located. It all looked very trustworthy. She had to sign a labour contract there. She would be working as an au pair for a month in the Netherlands. If the working relationship were mutually satisfying, she would be able to extend the contract to three months

Conclusion 6

Traffickers usually arrange the necessary documents and travel costs. As a result those victims have (sometimes considerable and exaggerated) debts towards traffickers, which brings them in a very dependent situation

Summary of findings

In nearly all cases the trafficker arranged travel documents, advanced payment and travel expenses. In many Nigerian cases, the trafficker also paid for the costs of a voodoo priest.

In some cases, however, the travel and document expenses were hugely exaggerated and the victim was presented with a correspondingly huge debt to the traffickers. In half of the cases the victim did reach the Schengen territory with a regular visa; false passports with Schengen visa or regular passports with forged Schengen visa.

Sometimes it is hard for the woman to establish what kinds of travel documents were arranged for her. A Nigerian woman tells how she was dressed up like a little girl and had to refer to the madam as 'mummy'. She didn't know what kind of documents were arranged but thought she saw the madam bribing a customs officer at the airport.

In two third of the cases the victim had debts towards the trafficker. In most cases these debts were because of the arrangements the recruiter had made i.e. documents, advanced payments and travel arrangements. In a minority of cases these debts had been redeemed. Based on the interviews with the women and on the analyses of the files, there seems to be more of a 'debts culture' in the Nigerian networks than in any other nationality.

Conclusion 7

Only for African victims religion appears to play a role. Voodoo is very effective for traffickers to control their victims, even at a distance. This makes it especially difficult for African victims to take action against their traffickers.

Summary of findings

In general religion was not an important factor and it did not play a role in influencing the victim's decisions. In about two thirds of the cases, the women indicated they were not practising believers and never went to church or were atheists. These women were from mainly Eastern European countries.

The exception was the use of voodoo practices in the case of African (Nigerian) victims. Two of the three interviewed Nigerian victims were taken to a voodoo priest before they were trafficked to the Netherlands. The priest took some pubic hair, nails and blood from them, both women recollected. During an elaborate ritual, the woman is then asked to solemnly pledge an oath never to inform the police of what has happened to her and to pay back all debts she has to the trafficker. If the girl ever contacts the police she will die, she is told. But if she pays off all her debts, the curse will be retracted. Another Nigerian woman who was brought up a Christian and a strong believer was taught that the body is a temple; you should treat it with respect. What has happened to her had seriously violated this principle.

Conclusion 8

The results regarding traffic routes are for a large part in line with what is already known. Important to note is the direct connection between Bulgaria and The Netherlands, which seems to be rather well organised. Another important point is the finding that Nigerian traffickers seem to avoid direct flights to Schiphol, possibly because they know these flights attract more attention from immigration officers. It is also noteworthy that only a few victims entered the Netherlands through Belgium, although this is one of the two direct neighbouring countries.

Summary of findings

Most of the victims come from Eastern Europe. Taken together, Central- and Eastern Europe, the Balkan and the Baltic, account for three out of every four victims. A quarter of the victims have Bulgarian nationality. In two third of the cases traffickers during the trip have the same nationality as the victim. In most cases there was only one trafficker

during the trip, two in a quarter of the cases. Traffickers during the trip were mainly male, with fewer women involved than with the recruiters.

Victims were transported by car, by plane, by bus (Eastern Europe, Bulgaria in particular), or to a lesser extent by train. As can be expected travelling by plane is connected with trafficking from other continents. Travelling (part of the trip) by car is found among most countries. The most important transit countries are Germany in particular, the Czech Republic, Poland and Italy. In roughly half of the cases the victims were brought to a neighbouring country before they were trafficked to the country of destination, or they were trafficked to a neighbouring country of the country of destination. Of these, roughly half were forced into prostitution in one of the transit countries.

Of course, some traffic routes are more “logical” than others. Travelling from Central and Eastern Europe to the Netherlands, one usually has to pass through Germany, and this is also what we found. Besides these “logical routes”, there were three rather notable phenomena. In the first place it appeared that Nigerian victims were entering for a larger part through Mediterranean countries, which seems to indicate that Nigerian traffickers are avoiding a direct flight from Nigeria to Schiphol airport. In the second place it was found that a large number of Bulgarian victims travelled directly to The Netherlands, without delay in transit countries. In most instances of trafficking in women, there was a link with other criminal offences, often between trafficking and false or stolen documents in order to get the women past a border control. A Bulgarian victim was trafficked by a notorious and widespread criminal network involved in trafficking in women, drugs and weapons. In the third place, only a few victims entered the Netherlands through Belgium

Conclusion 9

In half of the cases, victims are exploited by traffickers of the same nationality. In most cases more than one exploiter is involved and – although men form the majority – relatively often also women exploit other women. From victim accounts it appears that the Dutch sex business is not actively involved in trafficking.

Summary of findings

In 48% exploiters are of the same nationality as the victim. Most exploiters were of Bulgarian nationality, but also Russians and Nigerians were represented more frequently. In 16% of the cases persons of Dutch nationality were involved as exploiter. This seems to indicate that – based on victim accounts – the Dutch sex business is not so actively involved in trafficking, but probably more in a facilitating way (Van Dijk, 2002). Nigerian, and to a somewhat lesser degree also Bulgarian and Russian traffickers, usually do not co-operate with other nationalities in exploiting prostitutes. In 40% of the cases there was only one exploiter, in 24% there were two and in the remaining 36% there were three or more exploiters. So it appears that more persons are involved in exploiting than in recruiting. In 27% women were involved in exploiting THB victims. This percentage is slightly higher than with the recruiters.

Conclusion 10

A considerable extent of force and coercion is being exerted, varying from having to work under unfavourable conditions to very harsh forms of physical violence and threatening of the victim herself or her family. Protection against force and coercion is one of the aims of the new legislation, but on the basis of our research it is not possible to conclude whether the legalisation of the exploitation of prostitution has brought a change (for better or for worse) in this respect.

Summary of findings

The group of women who knew they were going to work as a prostitute found out the arrangements were not being met, when they realised the conditions under which they would be working or when they were not paid.

A Czech woman who knew she was going to work in prostitution was unpleasantly surprised when she arrived in the Netherlands and had to start work. She was shocked

when she saw the women, practically naked behind the windows; she had no say in the hours she worked, and was not allowed to leave the house or to refuse clients. A Bulgarian woman was told she had a debt of 100.000 US Dollars and hardly received any money. Another Bulgarian woman earned approximately 1500 guilders per day. She could keep some of the money, but her pimp told her she had a huge debt with him, so in the end he did take all the money.

The most common way the other victims found out the arrangements were not being met, was when they were told they would be working as a prostitute. Traffickers made their wishes known by using physical force and violence. In nearly 50% of the cases the victims were subjected to a large degree of criminal violence. Most often, this concerned physical, sexual or mental abuse, extortion, bonding with highly exaggerated debts, selling of people without consent and threatening of the victim personally or through family.

A Nigerian victim refused to work as a prostitute and then was beaten and raped. She was hit with an iron bar and still has scars on her body. A Baltic woman was told that she would be working as prostitute. She refused but then was shown a photo of her son and was told to quieten down, because something nasty might happen to him otherwise.

A Bulgarian victim had to work behind the windows and earned approximately 600 guilders a day. She had to give all of it to the trafficker, who had by now become her pimp. She was kept inside and could not venture out onto the streets.

A Baltic woman had to work in two places and hardly slept at all. She was drugged to stay awake, and was not allowed on the streets. Because of lack of sleep and drugs and alcohol, her perceptions were very blurry at that time. A Nigerian victim was forced to have several abortions while she was forcibly working as a prostitute in the Netherlands. The doctor never asked her why she wanted these abortions.

Conclusion 11

Most victims are already working in forced prostitution for some time before they enter at a reception centre, usually via the Police. Prosecution of traffickers appears bothersome because many victims do not wish to report or disappear with unknown destination.

Summary of findings

The average time between departure in the country of origin and entrance at a reception centre is about one year. Most of the victims were referred to the reception centre by the police or by the FATW. In nearly 60% of the cases, the procedure was still pending; in the other 40% it had been stopped or never started. Some victims decided not to report, sometimes the prosecution did not have enough evidence or leads for a criminal investigation, and in other cases the victim disappeared with unknown destination before the criminal investigation could be started. The most common reason for not starting or suspending criminal investigation was because the victim had disappeared with unknown destination.

Conclusion 12

The majority of the victims try to learn the Dutch language and some victims are highly motivated to educate themselves more.

Summary of findings

Nearly two third of the victims participated in a Dutch language course. The degree of participation varied from following a few classes to the victim obtaining diplomas of lower and higher secondary education, spread out over a few years. Furthermore one-fifth followed other courses. The subject and content of these courses also show much variation.

The probability of a victim being able to follow extra vocational and educational courses, all depends on her own initiative and the support and supervision of the social workers involved, seeing that it is not a fixed part of the provisions for THB victims.

A woman from a Baltic country, who had studied law for two years in her home country learned Dutch in no time. She could not stand doing nothing all day long, and wanted to

contribute to society. An underage Bulgarian victim nearly had finished secondary school before she was trafficked to the Netherlands. She loved to learn and study. When she enrolled in a Dutch course at the community centre, she moved up in learning levels quickly. Soon, she had to leave the centre and registered at the Regional Education Institute. In the future, she wants to study law and become a lawyer”

Conclusion 13

As could be expected, due to the B-9 regulation the majority of the victims did not have work during their stay in the reception centre. A minority tried to fill the gap with voluntary or illegal work. The impossibility to work appeared to lead to much psychological strain.

Summary of findings

Slightly more than 20% of the victims did find some sort of work, voluntary or illegal, only a few had a paid job. Some of the women turned to prostitution in the period between escaping the trafficker’s network and filing an official report at the police and being admitted into a reception centre. A group of women, who are THB victims, but who are for some reason not eligible for the B9 residence permit did find illegal work, and another group works on a voluntary basis.

Only three of the victims had a paid job. Under the B9 ruling, victims are not allowed to work. The three women had obtained a permanent residence permit (on humanitarian grounds or on the basis of partnership). Only slightly more than 20% of the victims did find some sort of work, voluntary or illegal. Some of the women turned to prostitution in the period between escaping the trafficker’s network and filing an official report at the police and being admitted into a reception centre. A group of women, who are THB victims, but who are for some reason not eligible for the B9 residence permit (victims statement insufficient, suspects left the country, not enough evidence to base a criminal investigation on etc.) did find illegal work. Yet still another group works on a voluntary basis. Examples cited were shop assistant in a chemist, apprentice of a lawyer, aid in an old people’s home. The social and psychological significance of being able to work was underlined by practically every interviewed victim.

One victim felt ashamed when she was asked by Dutch friends and acquaintances why she did not work and had to admit her dependency on the state for her income. She finds enormous fulfilment in doing the voluntary work, because it renders meaning to her life. Many victims feel ‘trapped’, they are not allowed to work, but have hardly any alternative activities with which to fill their days. A Bulgarian victim would like to do voluntary work with babies or old people, but it takes a long time before these things can be arranged. After being in the Netherlands for five years, a Ukrainian victim started a voluntary job working as an accountant. It gave her a sense of belonging and self esteem. Finally she could give something back and could make herself useful and practice the profession she was trained for.

Conclusion 14

It is difficult for victims to establish social relationships during their stay in the reception centre. Together with the absence of a job this means that victims live in relative social isolation. Especially for women with children – who sometimes are more integrated but have no legal status – this is difficult.

Summary of findings

Many of the interviewed women have boyfriends, but cannot or choose not to live with them. A noticeable aspect in this respect is the role the so-called ‘client-saviours’ play. Very often the victims left or escaped forced prostitution with the help of clients. Six of the fifteen interviewed victims got out of forced prostitution with the help of a customer, two of which started a relationship with him. Social workers admit the position of the ‘client-saviour’ is ambivalent. While there is a danger of the development of yet another dependent relationship with the danger of abuse, on the other hand, the clients are in a good position to communicate with the victims.

Eventually, by establishing a trusting relationship, they could be best positioned to get her out of forced prostitution.

A Bulgarian woman experienced difficulties in a relationship with a boyfriend in the Netherlands when he found out she had (involuntarily) worked as a prostitute. She was beaten up and that was the end of the relationship. Twelve victims had children in the Netherlands. In most cases they had taken their children with them when they migrated; sometimes these children were born in the country of destination. Children pose specific problems to the victims, because they have no legal status. This has been recognised by social workers as well.

Conclusion 15

Many women are threatened seriously and for that reason do not wish or dare to return to their home country. In some cases their wish to stay in the Netherlands is also on the ground that they see better prospects for themselves or for their children.

Summary of findings

By far the largest group of victims (up to 60%) wants to settle in the Netherlands. Some want to start a relationship or family life and go on to apply for a residence permit based on partnership. Sometimes children play a role.

A Czech woman considered having her child adopted if she were forced to return. She claims her son has grown up in the Netherlands, speaks better Dutch than the Czech language and thus has better opportunities in this country.

A Colombian victim has economic reasons for wanting to stay in the Netherlands, but also because she has lived in the Netherlands for over six years now. Her son has grown up here and he speaks Dutch fluently. She has become accustomed to the country and has integrated. A Baltic victim considered the Netherlands as her home country now.

Many found their wish to stay in the Netherlands, on the fear they have of returning to their country of origin. A Bulgarian victim states she cannot go back to Bulgaria. Her family is being threatened and her mother has moved to Greece because of it. The court case against her traffickers has been pending for the last four years. It is substantially based on her reports and statements. She testified at the court case and was confronted with the traffickers. Half a year ago, she saw them hanging round her flat. An Albanian victim fears return to her country as well. She was followed and threatened. The traffickers knew exactly where she was staying and they talked to her relatives and threatened them. She suspects her own mother being involved in the trafficking network.

In Nigeria, the situation of one of the victims is pretty much the same. Her mother knows what has happened to her and is afraid, men come to visit her, asking her about her daughter and threatening her.

A Nigerian victim was trafficked to France and was forced into street prostitution and severely abused by her traffickers. She fled to the Netherlands, but she has no grounds to stay in the Netherlands, because, although she is a genuine victim of trafficking, the crime was not committed on Dutch territory. She has to report in France, but dares not return. The traffickers have a huge network and she does not know her way around the country, has no money and does not speak the language. She also has a fear of returning to Nigeria. Her mother was beaten so fiercely by the traffickers that she ended up in hospital.

4. Pressure points in the combating of trafficking in Human Beings (THB), based on the report of the rapporteur on trafficking in human beings

It is not the aim of this chapter, nor is it feasible, to analyse extensively all pressure points in the laws, policies and practice in the field of THB in the Netherlands. Within a limited time frame and the available space, this chapter attempts to introduce a selection and summary of the pressure points as analysed and presented by the National Rapporteur on Trafficking in Human Beings (NRT) in her first report⁵⁶. The bureau of the NRT interviewed a broad and representative selection of experts who work in the field of THB (social workers, prosecutors, judges, police officers civil servants and such). On the basis of the interviews and their investigations, they formulated several pressure points in the laws, policy and practise. Approximately 25 experts have been interviewed in the framework of this current research. They were asked (among other things) to respond to the pressure points as formulated by the NRT. They have added comments to the signalled pressure points, brought new problems to the forefront, rejected the existence of certain pressure points and suggested solutions to specific problems and obstacles, based on their work experience. The aim of this chapter is therefore to illustrate the already available facts and analyses with individual comments and suggestions and not to present a representative and authoritative overview of the problems in the field of THB in the Netherlands.

With respect to the structure of this chapter, the pressure points in the field of police investigation, prosecution proceedings and trial, legislation, the B9-ruling, the reception of victims and other pressure points in assistance and support of victims will be dealt with, followed by a brief conclusion. The paragraphs will have the following structure: first the pressure point as formulated by the NRT will be presented. Thereafter the comments and suggestions of the respondents will be dealt with and the paragraph will end with the comments made by the government in its official cabinet reaction to the report of the NRT⁵⁷. Hopefully, this last part will provide an idea of the plans of the Dutch government in the field of combating THB. A list of the respondents has been attached as an annex⁵⁸.

⁵⁶ Bureau National Rapporteur Trafficking in Human Beings, First report of the National Rapporteur Trafficking in Human Beings, NRT, The Hague, March 2002.

⁵⁷ Reaction of the cabinet on the report of the National Rapporteur Trafficking in Human Beings, 5191934/AC, 15 October 2002

⁵⁸ See annex 4

4.1. Pressure points in law enforcement

4.1.1 Police investigation

4.1.1.1. Lack of capacity and priority at the police and judiciary

Explanation: the police do not take up many trafficking cases. Police investigation into trafficking in human beings is very difficult and time-consuming. Other cases are left unattended out of sheer necessity due to time and capacity constraints. If THB is categorised as a problem of organised crime instead of a sex offence, it will lead to increased attention for the issue. For that matter, according to the indications of the Procureurs-Generals, signs of THB should in any case lead to investigation and prosecution.

Nearly all of the interviewed public prosecutors and police officers agree to the pressure point of lack of capacity. Vollebregt points towards the so-called ‘shelved cases’⁵⁹ as an unwanted consequence of the lack of capacity in the police force. However, the capacity problem is not only caused by a lack of personnel. All the interviewed police officers stated they are involved in finding a place for the women in a shelter home or crisis centre, which is formally not a task assigned to the police. The time spent on these activities is not spent on the criminal investigation.

The exception to the rule of the capacity problem was the region IJsselland. Although they did acknowledge that police officers spend their time finding a place in a shelter home for the victims, police officer Bouwer and public prosecutor Duijts stated that they had otherwise no capacity problems in the investigation and prosecution of trafficking cases. An explanation for this divergence, as Korvinus also points out, could be found in the fact that the ‘kernteam Noord – en Noord-Oost Nederland’ a national task force team that focuses on THB and human smuggling, is situated in the region. Although it is not involved in any regional investigations into THB, it could have an effect in the region IJsselland on the general awareness and dissemination of information regarding THB. Also, the fact that the commissioner of police of the region IJsselland, J. Wilzing has the portfolio THB in the National Council of commissioners of police, probably has a positive effect. In short, the investigation and prosecution of THB is prioritised in the region IJsselland⁶⁰.

Capacity issues and issues of priority are interrelated. The national rapporteur suggested a transference of THB from the field of sex offence to that of organised crime. The nature of the crime of THB demands a more thorough and prioritised approach of the investigational police and judicial system, as is practised with regard to the investigation and prosecution of organised crime. An additional effect of this transference could be the increased capacity in the police and judiciary, the rapporteur states.

The public prosecutors seem to differ as to their opinion on categorising THB as organised crime instead of under sex offences. General prosecutor van Hilten argues in favour of it by remarking that the public prosecutor concerned with organised crime has a better reputation and status in this specific field than the prosecutor concerned with juvenile and vice cases. Van Ling and Vorrink take the position that it is crucial the two departments work together in combating THB. The expertise of officers and prosecutors in the field of vice crimes should not be done away with. Van Gelder underlines the necessity of uniform proceedings in all public prosecutors offices in the country. THB should fall under the auspices of a THB prosecutor, and should be in the hands of one

⁵⁹ Shelved cases are defined by the National Police Agency as: "cases where there are sufficient facts or circumstances present, but there is insufficient capacity and/or insufficient means to proceed to the arrest of the suspects. Or cases are shelved when delay is necessary for strategical reasons."

⁶⁰ The police team in the region IJsselland made 121 checks on sex businesses, there were 13 reports of THB and 8 police investigations during the period January 2002 – September 2002.

person or team (in some offices THB cases fall partly under the juvenile and vice officer and partly under the prosecutor of organised crime).

In their official reaction to the report of the rapporteur, the cabinet recognises the importance of experienced vice police officers. Although it agrees with the recommendation of the rapporteur to transfer THB from sex offences to organised crime, it underlines the need to co-operate with the vice officers that execute the checks on brothels and sex clubs. This is a practise that has become standardised in most regions⁶¹ since the sex industry has been legalised and subjected to a system of permits. These police officers should always be involved in the investigation and prosecution because of their expertise and experience in the field of prostitution and care for victims.

4.1.1.2. Communication

In THB cases, communication is often very difficult and time-consuming and the location where a victim is housed is often so far away that the police have to spend a lot of (travelling) time in order to speak to the victim in the context of the investigation. Moreover, the availability of witnesses is usually a problem because the nature of the offence is frequently often transnational, but also because of their 'transience'.

The interviewed police officers complained about having to find a place for the victim in a shelter home, but not so much about the time spent on travelling to talk to the victim. Wiebing, whose shelter home (blijf van mijn lijfhuis Leeuwarden) receives THB victims from over the whole country, notices a difference in the contact with police officers of different forces. Some tend to be more sensitised to the plight of the women than others. Kern, De Jong and Ter Horst comment that police officers try to place victims in the vicinity of the police station, so they don't have to travel long distances for the interrogation. This goes against the interests of the victims, who are supposed to be placed somewhere out of reach of the traffickers. Korteweg wonders whether the police communicate all possible THB victims to the social care organisations. Maybe some cases are not looked into⁶².

The availability of witnesses is a separate issue. In this respect, two elements of the inaccessibility can be discerned. Firstly, victims return to their country of origin. Getting hold of them when they have returned is acknowledged as a pressure point. Of the five interviewed public prosecutors, three had travelled abroad to retrieve witness statements. A major problem in this field is the requests for mutual legal assistance. The procedures are slow, in the Netherlands and abroad. More often than not, the authorities in the source countries do not co-operate satisfyingly. Once the whereabouts of the witnesses have been traced, it is difficult to retract a statement from them, because they are often still very afraid, according to Duijts and Vorrink. Secondly, the victims disappear 'with unknown destination' (met onbekende bestemming, MOB). There are no figures on how many disappear, but the police officers, public prosecutors and social workers involved all confirmed that a certain amount of women disappear after they

⁶¹ Exception to this rule is the province of Groningen. Not the police, but public servants of the local council perform the checks.

⁶² She made this comment during the interview, but also at the thematic meeting organised by the GG&GD Amsterdam (public health services Amsterdam) on the 3rd of October 2002, during which the sweeping actions of the Amsterdam police force were discussed. Approximately 100 illegal prostitutes were deported as illegal immigrants, but there were no official reports of forced sexual exploitation filed by the women at the police, and none of the women were referred to the social care organisations or shelter homes. Parliamentary questions, Kamerlid Halsema, Tweede Kamer, 2020301100. Algemeen Dagblad, *Stoyanka werd nooit serveerster*, 26 september, 2002, press release of interest organisations for prostitutes and THB victims, 26 september 2002, 'Protest tegen politieactie tegen illegale prostituees op de Amsterdamse tippelzone.

have contacted police or social care institutions. Van Hilten said that improving the work and educational possibilities of victims with a B9 residence permit would lead to fewer women disappearing and thus to fewer missing witnesses. Van Ling agrees with him and suggests allowing the victims to work during their stay in the Netherlands, so that they do not disappear as easily. Korteweg confirms these findings. According to her, 13 of the 58 clients (22,4 percent) who stayed at refuge center in 2002 disappeared with unknown destination. Korver disagrees with the proposition that the women who disappear with unknown destination create problems for the judiciary. After the women have officially reported on the crime, the judiciary doesn't really need them anymore, the perpetrators can still be prosecuted if the evidence is convincing. Other prosecutors did complain about the witnesses going missing during the process. Korvinus reacted to the comments by stating that it depends on the additional evidence the prosecutor has in every case. If he has strong additional evidence, it is true that the disappeared women are not indispensable from the point of view of the prosecutor. Korvinus adds however, that the bureau NRT does advocate a right to work for victims of trafficking.

4.1.1.3. Reporting

Reporting suspicions of THB to the police is not always easy. Explanation: The step of actually going to a police station is sometimes difficult, possibly also for witnesses/informers. Furthermore, it is sometimes difficult to get in touch with a contact person for THB via the general telephone number of the police area concerned. Others are put off by the fact that they have to report aloud at a desk what they have come for.

As signalled by the rapporteur, the police in many source countries have a reputation of being corrupt and sometimes even involved in trafficking themselves. This works against the police in the Netherlands, because the THB victims and witnesses/informers will tend not to trust the police. Besides that, the women have to deal with the fear of retaliations against them. Many of the interviewees agree that women therefore do not make the step to the police office easily. The police officers noted that many potential THB victims are reached during the checks of the police on the brothels and sex clubs, a standard procedure after the legalisation of prostitution in 2000. Wiebing and Kern however, added to the proposition the comment that getting women to report THB to the police depends on the experience with and sensitivity of the Dutch police towards the victims. If they improve their behaviour and reputation in this field, women will tend to report more frequently. Kern adds that increased capacity in the police force will also lead to better practises in the field of anti-trafficking. Oviawe and van Gelder add that young girls who are under the influence of voodoo have an extra obstacle to report the crime committed against them.

The cabinet reacted to the signalled pressure point by stating that it is *prima facie* a problem that has to be solved by the police force itself. It did mention the option of a central reporting telephone line for THB, thereby repeating a point already made by the rapporteur.

4.1.1.4. Obligation to identification

For prostitutes, the obligation to identify themselves consists only of the entitlement to ask for proof of identity, without the accompanying obligation to carry or display such evidence. In practice the entitlement does not mean much. Another objection to the duty to identify oneself is that out of fear of being confronted with a form of police registration, reports of dubious practices are no longer freely given to the police.

On the whole, the interviewees did not indicate they encountered any practical problems with regards to the identification obligation. Bouwer stated that it did not result in any practical problems, because prostitutes would usually hand over their proof of identification if he asked them to during the police check-ups. Korvinus points out that it can create practical and legal problems. The judge recently decided that a police offer lacked the competence to enter the workplace of a prostitute with the aim to check her identity documents or validity of the residence permit⁶³.

4.1.1.5. National cooperation in the investigation

Explanation: At the police level there is a well-running consultation of THB contact officials or project managers in the police force (viz. PPM/DNP), but some regions are consistently without them. The co-operation between for example the police and the support groups and between the Public Prosecutor and the Immigration and Naturalisation service is not ideal: they do not always know where to find each other and on both sides they are inadequately informed. Moreover, until recently, there was little (structural) exchange of information and experience between contact officers themselves. It is expected that this will change with the work of the national prosecutor (van Gelder), who has a co-ordinating role. The publication Office of Information & Analysis at the border (by de Kmar) at Schiphol, for example, often contains (operational) information, which can be important for police forces. Purveying this information does not always go smoothly.

Certain regions are not represented in the national consultations of the team contact officials or project managers in the police force (PPM/DNP). Moreover the legislation of prostitution has led to decentralised police regions, each local council can formulate its own prostitution policy, within the boundaries of the Act. It has led to a fragmented and partly ineffective approach at some local and at the national level, according to Vollebregt.

Kern points out that the decentralisation of the police forces poses many problems for the victims and their social workers. If the woman has reported the crime in another region than where she is staying, it more often than not creates confusion and needless bureaucratic paperwork. Moreover, the fact that Rotterdam has been divided into divisions and has thus been decentralised on the city level has created a lot of problems. Not only are the police checks executed by a large amount of different officers (the force being more susceptible to turnover and a change of face), there are many uncertainties regarding their competencies. As a result, the co-operation and communication with and within the police is not very satisfying. Korteweg mentioned the police do not always turn up at the meetings of the local integration network due to understaffing.

The cabinet acknowledges the pressure point by promising to improve the co-operation between public prosecutors offices and the Immigration and Naturalisation Service.

4.1.1.6. International police and judicial cooperation

⁶³ The authority to enter and check the papers of prostitutes did not fall within the so-called 'surveillance competence' of the police. Rechtbank Amsterdam, 03-06-2002, parketno 13/020857-02.

International co-operation is very difficult. This is partly due to the fact that foreign authorities do not always have the same interests as the Dutch. The lack of uniform legislation in (West) Europe also plays a role in the field of investigation entitlements.

Van Hilten agrees the process of international co-operation is slow, he claims defence lawyers tend to protract the proceedings. He advocates a more active role for the Joint Team of Eurojust in the field of European police co-operation. Van Ling says there is no view on the women who eventually return to their country of origin. There's a major problem with the reliability of the Eastern-European police forces, they're underpaid and corrupt. She suggests founding a combined Western and Eastern European police team that has structural and regular consultations.

Vollebregt states that the policy of Europol is counter-productive. In its recent Crime Assessment it indicated it will investigate THB under the umbrella of the battle against illegal immigration⁶⁴. Europol defines THB as if it were smuggling in human beings. The threat assessment of Europol leads to the conclusion Afghanistan is one of the biggest source countries and that THB victims chose their destination. This is an incorrect conclusion in the case of THB, says Vollebregt. Equating smuggling with trafficking in human beings leads to mistaken policy.

Requests for mutual legal assistance are an inadequate tool, say all the interviewed prosecutors. Van Ling wishes the procedures for mutual legal assistance could be shorter. When a suspect leaves for Italy, she wants direct contact with the Italian prosecutor to inform him, but these communication lines are non-existent. Van Gelder suggests drawing up a separate treaty that regulates the competencies of police and the judiciary in THB cases. Vorrink points out that there are no bilateral treaties in the field of mutual legal assistance with Albania and several African countries.

On a police level, there should be more bilateral investigations on THB, says Vollebregt, seeing that it is transnational crime. Gerritsen, who operates near the German border, claims the operational contacts with the bordering regional German police ('Polizeikreisen') are good. He has direct contact lines with police officers in the neighbouring regions.

4.1.2. Prosecution proceedings and trial

4.1.2.1. Readiness to report on THB⁶⁵

Explanation: THB can also be prosecuted without an official report. According to police officers, filing a report is a big step for some victims and it would be less threatening and thus better to urge them to make 'witness statements'. In practice, reports made by victims and witnesses are of great importance for the investigation and prosecution proceedings. 'Supporting evidence' is often difficult to find. Possible victims are quickly thrown out as illegal immigrants. Furthermore, for various reasons those involved have little inclination to make witness statements. Diverse factors play a role here: the image of the police in the country of origin is often very bad, as a result of which there is also very little faith in the integrity of the police in the Netherlands. The perpetrators play on this and put victims under pressure. Often, the victims are too frightened to make a statement or, because of pressure of threat or blackmail to them or to members of their families, they withdraw their statements, or rephrase them in a less incriminating way. Some victims do report the matter or make a statement, but disappear during the B-9 procedure, for example to work, whether or not in prostitution.

⁶⁴ Annual Report 2001 of Europol, the Hague, 16-04-2002, 7267/01 Europol 23.

⁶⁵ Out of a total of 608 Dutch and non-Dutch victims of HBT with whom the institutions had contact in 2000, 239 of them made statements. That is not even 40%. What is striking about this is that the figures show that the readiness to report of non-Dutch victims is greater than that of Dutch victims (220 of the 470 victims, or nearly 47% or 19 of the 138 victims or nearly 14% respectively). Source: Report NRT, 2002: 108.

Van Hilten underlines the fact that reports by the victims are crucial, partly because of the difficulties in finding supporting evidence. Vollebregt strongly advocates the use of so-called victim statements. According to her, the victim will be less intimidated if she has to merely 'tell her story', instead of officially reporting on the suspect of the crime to the police, due the above mentioned fears. Nearly all prosecutors however, claimed it would not make any difference if the woman files an official report or a victim statement. The psychological burden of recapitulating the events, telling the police of what happened, is the same in both cases. Gerritsen stated that he does not consider the B9 residence permit to offer the women a lot of perspective⁶⁶. He also points out that defence lawyers can hold the permit against the victim in a court case stating she filed a report just because of the residence. Huls advocates prosecuting the crime of THB ex officio, it would offer better protection to the women involved. A judge, however, will not be convinced of the evidence without an official report or victim statement of the witness, says Korver. Legally, it makes no difference whether the women decide to file a report or make a witness statement, but offering the option accommodates for the needs of the victim, Korvinus reacts.

4.1.2.2. Interrogation

The whole procedure and the fact that witnesses and victims repeatedly have to be interrogated are very upsetting for them, especially when they are confronted with the suspects at the trial. In addition, the co-operation in investigation and prosecution of those involved does not have much long-term effect: the chance of getting permission to stay in the Netherlands after the termination of the criminal procedure is very small.

The confrontation between the victim and the suspect can be avoided by having a confirmed and lengthy hearing of the victim at the examining judge. The suspect is not present at this hearing, only his lawyer. Korver, van Hilten and van Gelder suggest using this legal option more often to protect the women from threats and other dangers involved in testifying at the trial.

Van Gelder argues for more witness protection provisions in the B9-ruling. Bleeker advocates using existing witness protection programmes for THB victims.

Korvinus comments that it is possible to protect the victim to a certain extent by a lengthy hearing at the examining judge. But, she points out, the suspect has rights too. He has a right to hear and, if necessary with regards to credibility issues, also to see the victim.

The cabinet commented on the issues of protection of THB victims by stating that the B9-regulation is a provision that regulates primarily residence issues, and not witness protection. It is to the discretion of the Public Prosecutor to decide in individual cases on witness protection programmes.

⁶⁶According to the report 'Illegaliteit, onvrijwilligheid en minderjarigheid in de prostitutie een jaar na de opheffing van het bordeelverbod' (M. Goderie, F. Spierings, S. ter Woerds, Verwey Jonker Instituut, WODC, juli 2002, page 106), police officers of the region Limburg-Noord, Rotterdam, Groningen and Twente state they often advise the THB victims not to report and enter into the B9-ruling because they consider it a poor arrangement for the women.

4.1.2.3. Repatriation

Return to the country of origin can and will be indicated and desirable in specific cases, but victims can run unreasonable and unacceptable risks by making a statement against persons who were involved in selection and transport, for example, and who often came from the same region as the victim. In weighing up whether or not a victim is eligible for a permanent (residence) status, any possible risks in returning will have to be considered.

Bleeker advises to invest in legal and other assistance to prove the risks the victims run when they return. She stresses that return risks should be assessed under article 3 of the ECHR⁶⁷. She also points at the fact that the Immigration and Naturalisation Service hardly receives any requests for permanent residence permits from THB victims.

Gussenhoven and Brons point out that the IOM can provide information regarding the various procedures to obtain (replacing) travel documents. Though it remains the responsibility of the person and consulate concerned, IOM can offer (financial) support with regard to individual applications. (mediate in contacting embassies and consulates, for the relief and refuge centres that assist THB victims in these matters.) Spell argues in favour of the legal regulation of the return programmes offered to the victims, to should be part of the B9-ruling. Korteweg, Wijdgraaf and Thijen think the current laws and policy do not offer sufficient protection for the returning victim.

The cabinet reinforced the remark made by Bleeker that the IND has received very little requests for permanent residence permits. It says NGO's and the police could help the victim in proving the risks involved in returning. It further expresses its wish to investigate the minimum guarantees for victims in the source countries.

4.1.2.4. Complicated charges

Explanation: the Public Prosecutor found Art 250a of the Criminal Law complicated from the point of view of charging. The qualification 'trafficking in human beings' is not enough. Art. 250a Criminal Law contains several elements which must be included in the indictment and explained in the factual description. This will lead to very extensive indictments. Also a term like 'abuse of actual relations ensuing from preponderance'// requires a breakdown of factual conditions that could make a charge vulnerable from the point of view of evidence.

Van Hilten, Korver, Duijts, van Ling and Vorrink said they had no problems with the indictment and formulating the factual circumstances. Van Gelder executed a national survey and interviewed the regional prosecutors responsible for THB cases. She concluded there were no real problems concerning the text or interpretation of Article 250a of the Criminal Law. She did add that inexperienced prosecutors would have a problem formulating the charges. Korver and Duijts confirmed this observation, they stated that it was time-consuming formulating all the factual circumstances in the indictment that support the charge of THB. They observe that experience in prosecuting suspects of trafficking could lead to fewer problems in interpretation of the text and in formulating the charge. Korver added that he did encounter problems proving and prosecuting subs 5 and 6 of Article 250a: realising the confiscation of illegally obtained profits or advantages. This topic will be dealt with under point 3.

4.1.2.5. Charging attempted THB

It is further not clear whether the formulation of Art. 250a Criminal Law makes the separate charging of an attempted THB legally possible. The article seems to be

⁶⁷ European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)

formulated in such a way that, in line with former jurisprudence of the Supreme Court, an attempt constitutes the completed offence. The text in the Instructions in approach to trafficking in human beings of the Board of the Procurator General (1999) elaborates further on this theme. In fact, in the ancillary Appendix 1 it is actually stated that for the completion of the offence it is not a requirement for the victim to actually end up in prostitution. In practice, it has occurred that attempts have been prosecuted and tried.

Vorriink and Duijts agree that attempted THB will in most cases lead to a charge of the completed offence.

4.1.2.6. Confiscations

For various reasons it is difficult in practise to realise the confiscation of illegally obtained profits or advantages.

Explanation: In general, with the necessary effort, it is possible for the Public Prosecution Service to discover what funds are involved, but the proceeds often disappear directly abroad, as a result of which they are almost impossible to discover. Problems which occur in this respect are limited or missing// non-existent powers// authority, lack of clarity about or the impossibility of tracing the right persons or bodies, lack of co-operation in the country in question and a difficult process with rogatory letters. In some cases it is decided not to proceed with a demand for confiscation against the perpetrator, in order to spare the victim, for example when it is to be expected that this would lead to extra pressure on and threat to family of a victim in the country of origin.

According to Korver there are two ways of getting illegally obtained money or goods back from the traffickers: firstly on the basis of subs 4 to 6 of Article 250a. He acknowledged that it is relatively easy to establish the amount of money that can be claimed, but confiscating the proceeds is very difficult, due to the above mentioned obstacles. He underlined the necessity to nevertheless attempt to take away the illegally obtained profits, because even if the proceeds cannot be confiscated, it can be a grounds for prolonging the prison sentence of the perpetrator. A second option is for the victim to join in the action as a third party applicant for a compensation order. Korver stated he always offers this option to the victims. Duijts on the contrary never discusses this possibility with the victim and has never had a case where the victim joined as a third party applicant because it does not lead to any concrete results and poses dangers to the victims involved. Van Ling pointed out that the only way of finding and proving illegally obtained profits was by tapping telecommunications and this will very quickly lead to the ban on letting through people. The obligation to interfere and prosecute then arises. In depth financial investigation into the illegally obtained profits is therefore hampered. All prosecutors agree however, that the only effective way of combating THB is by taking away the huge financial profits the trafficking networks make.

The rapporteur made a general recommendation in her report to transfer the investigation and prosecution of THB from the vice department to organised crime. One of the underlying considerations was that the approach from an organised crime perspective would enable the police and judiciary to invest more time and effort into the confiscation of illegally obtained profits or advantages and the financial investigations. The cabinet agrees with the changed approach towards THB. It points to the policy plan of the Dutch police 1999-2002 (Beleidsplan Nederlandse Politie 1999-2002), THB is already mentioned in the chapter on organised crime. Besides that, the cabinet promised to list and investigate the problems and changes in the structure of the police and judiciary that will be necessary to realise transfer of THB to organised crime. It specifically mentioned financial investigations as a valuable part of the overall approach. There was no mention in the official cabinet reaction, however, to concrete governmental actions in this respect.

4.1.2.7. Credibility of statements

The defence sometimes asserts that declarations of witnesses are 'bought' with the B-9 regulation.

Explanation: The facilities provided for possible victims in the context of the B-9 regulation are reason for the defence of suspects of THB to cast doubt on the credibility of the statements. In any case, on consideration on the one hand of the facilities offered and on the other hand of the weight of the burden for a victim to have to appear as a witness in a criminal process, this defence fails in most cases for want of reality value.

Nearly all the interviewed prosecutors said the defence lawyers would and did use the above stated argument that the witnesses were 'bought'. Duijts and Vorrink state that quite a lot of time goes into refuting the accusation. They add that giving the victims a right to work during their stay in the Netherlands would reinforce the idea that victims are 'bought' with the B9-regulation, because reporting on the perpetrators would become more of an attractive option. Gerritsen stated he is therefore often cautious in telling the women about the B9 ruling, once they have stated they are a victim and willing to report. He is aware of the defence lawyers line of reasoning and wants to prevent the argumentation having any success. He adds that he thinks the B9-regulation does not offer many guarantees and protection for victims.

4.1.2.8. Difficulties in considering victims

It is not always easy to establish whether someone can be considered to be a victim of THB.

Explanation: There is a list of signals which may possibly indicate the state of being a victim of THB, yet there is a twilight zone between clearly having to work under pressure or threat and those cases in which for those involved there is a completely free choice or some light pressure (pressure of circumstances) to work in prostitution. Whenever the investigating officer on duty is confronted with someone who may possibly be a victim of THB, he will have to make the first consideration on the basis of the facts and circumstances. The extent to which the circumstances that determine pressure or free choice are known at that moment play a role in this, as well as the question of whether there was or is the possibility for the person concerned to withdraw from the situation. The reticence of (possible) victims in providing information about their position, however, contributes to the difficulty of assessing their situation. Not everyone who, in one way or another, other than on the basis of free choice or totally voluntarily, is recruited for prostitution activities feels that they are victims of exploitation. Some are well aware of what is waiting for them and they choose such a life in preference to the life they can lead in their own country. Even if not all the circumstances under which they have to work can be called ideal, from their viewpoint it does not have to be a case of exploitation with or without permission.

Corba confirms the above stated proposition that it is not always easy to establish if a woman is a victim of THB or not. In her opinion, specifically highly educated women in the escort branch cannot be forced into prostitution.

Prosecutors complain of vague and unclear reports of the women. They are often not suitable as convincing evidence. Korver and van Ling have experience with women who file a report after they have completed the asylum procedure. It is then difficult to establish if the woman has been a victim of THB and their credibility is at stake. Van Ling goes on to state that the situation wherein the women knew she was going to work in prostitution before she left her country can complicate matters, as police officers, prosecutors and judges can be prejudiced in assessing the facts of the case.

Van Gelder mentions the discrepancy between criminal and asylum law. On the basis of asylum and immigration law, a person with no or invalid documents – as is the case with most THB victims - has to leave the country. On the basis of criminal law, no or invalid documents could be an indication of THB and the authorities would have to grant the woman a period of time during which she can reflect on the option of filing an

official report at the police. The officer in charge can be influenced by these conflicting considerations of treating the victim as an illegal immigrant or as a THB victim.

The cabinet clarifies any uncertainties in this field by stating that in the case of a woman reporting THB at a police station, the police should give her the benefit of the doubt, until proven otherwise by the prosecution.

4.1.2.9. Lack of specific expert knowledge in judges

Explanation: It is sometimes difficult to convince judges of the distressing nature of forced prostitution. There is not a special section for the handling of THB in any single district court, while that would certainly advance the expertise of the judges in the field of TBH. At the jurisdictional level there is, as far as is known, only one Appellate Court with a section set aside for the treatment of THB cases. In view of the extraordinary complications that may occur in the handling of these cases, particularly in weighing up the interests of the suspects and the victims as witnesses protected by conventional law, such a concentration should have priority.

An often heard complaint of the prosecutors, police officers and social workers was that judges view the victims who knew they were going to work in prostitution as less victimised. Van Ling thinks suspects who have trafficked this category of women get a lighter sentence. Van Gelder acknowledges a lack of expertise of the magistrates, also among the prosecutors. She will be designing a course or training for this professional group. Duijts agrees that the judges seem to be inexperienced in the matter, she thinks they often motivate the sentence very poorly and minimal. Korver, van Ling, Duijts and Vorrink all think the determination or duration of the punishment by the judge is too low. This is not due to the terms that stipulate the punishment, but to the assessment of the facts by the judge.

Korvinus comments by saying that it is the task of the prosecutor to provide the judge with the necessary information and to thus eliminate all prejudices.

4.1.2.10. Lack of lawyers and interpreters

Explanation: There is a lack of (competent in this field) lawyers for victims and the availability of (reliable) interpreters necessary to communicate with the victims is limited.

According to Duijts there are several problems with competent lawyers in the field of THB. Their level of knowledge of the relevant rules and regulations is minimal. Besides that there is a problem with the availability, the victims have problems finding a lawyer. She suggest organising a defence counsel rota scheme specifically for the THB victims, this should be included in the B9-regulation.

With regards to interpreters, police and social workers admitted there was a problem with the availability and sometimes also with their reliability⁶⁸. Van Gelder confirmed there was a lack of interpreters in the courtroom, based on the national survey among prosecutors and police officers she executed.

The cabinet, in its official reaction, promises to look into the matter. It points at several international obligations of the Netherlands that guarantee legal assistance for victims⁶⁹. With regards to the alleged lack of reliable and available interpreters, the cabinet denies there is a problem in this field.

4.1.3 Legislation

4.1.3.1. 'Ban on letting people through'

Explanation: The parliament found that it was unacceptable to allow the continuation of serious crimes in which human dignity is directly at issue (including women trafficking), after they have been ascertained in the context of the investigation, also not with a view to substantial investigation interests// (Rouvoet Motion, TK 1998-1999, 25 403, no 30).

Korver, van Ling, van Hilten and Duijts point out that the ban on letting people through seriously obstructed the investigation of the crime and the prosecution of THB suspects. When police or prosecutors are aware of the fact that people are being trafficked, they are obliged to interfere and arrest the suspects, free the women. But it complicates rounding up the criminal network effectively. Both Vorrink and Huls stated there was no such problem in Amsterdam.

Van Hilten⁷⁰ proposed a solution to the problem. He suggested that in a case where there were women being trafficked and exploited for sexual purposes, the Aliens Department should check up on the brothel or sex club and take the women away. The Public Prosecutors Office is then still free to continue its investigation and prosecution of the suspects.

Vollebregt and Gerritsen advocate weighing up the interests of applying the ban against the interests of the investigation and prosecution in every individual case, because some situations are worse than others and it is not always imperative to free the women and 'blow up' a police investigation. Vollebregt sees the advantages in having the regular police prostitution teams take the women away during or after their checks on the sex clubs while the public prosecutor continue the investigation into the criminal network.

⁶⁸ There have been specific problems with the reliability of interpreters in Asja Leeuwarden, this information is based on interviews with victims and talks with social workers at Asja.

⁶⁹ The UN Protocol holds an obligation to provide for legal assistance for THB victims, as does The Hague Declaration on the European guidelines for effective measures for the prevention and combating of trafficking in women for the purposes of sexual exploitation, 1997.

⁷⁰ Van Hilten was the prosecutor in the 'Strever' case, where the ban on letting people through was applicable. He had to take action and arrest the suspects when he heard via a telephone tap that a girl was being driven to a German airport, Arrondissementsparket Roermond, 28-29-30 May 2001, partketno 04/610083-99.

Bouwer agrees, but points out this construction could result in *detournement de pouvoir* on the side of the police. Spel stated that the interests of the victim should always be paramount and the obligation to interfere in the ongoing investigation is therefore imperative.

The cabinet agrees with Spel and states with regards to the ban that it was formulated with regards to THB because human dignity is at stake if and when one knowingly lets a situation of forced sexual exploitation continue. When humans are smuggled an exception to the rule is, under certain circumstances, thinkable. When people are trafficked, there will always be a demonstrable victim and an inhuman situation that must inevitably lead to interference by the police.

4.1.3.2. Limitations with respect to being able to register and exchange information

Explanation: Victims and perpetrators are in general very mobile. A good national and international exchange of information about possible perpetrators of THB and about potential victims often gained at the cutting edge// of supervision and preparatory investigation is important but liable to judicial restrictions. Preliminary investigations in the sense of art. 126 gg Code of Criminal Procedure can, under legal conditions described in this article, be used as preparation to police investigation. It is expected that a more information-driven investigation in this field will pay off. In this respect it is important, for example, that indications of THB, which appear out of other criminal investigations, are taken up.

Van Ling underscores the problems that exist in exchanging information regarding criminal cases on any level higher than regional.

One of the areas that could be explored under the terms formulated in Article 126gg, that stipulates the terms under which explorative investigations in criminal law can be executed, could be the issue of underage asylum seekers who disappear from asylum seeker centres, according to Korver. He adds though, that it will most probably not lead to any concrete results. Van Ling and Vorrink however, see no benefit in operationalising Article 126 gg because any concrete indication of THB should lead to a full-blown investigation and prosecution.

The cabinet points to recent activities of the Project Prostitution team of the Dutch Police in the field of registration of THB victims. There are currently measures being taken that should lead to a national univocal system of registration.

4.2. Pressure points in reception and assistance

4.2.1. The B9-ruling

4.2.1.1. Interest of investigation

The B-9 ruling appears to be more geared to the interests of investigation and prosecution than to the reception of and assistance to victims of THB.

Explanation: Only if the victim or witness is prepared to co-operate in the investigation and prosecution of the person against whom a report of THB has been made does the B-9 ruling offer facilities for reception and – temporary – residence. Moreover, the ruling is formulated in such a way that, with the exception of the reflection period, it should be a case of actual investigation and prosecution or trial. Otherwise, the facilities from the B-9 ruling in principle do not apply.⁷¹ According to welfare workers in many cases this

⁷¹ Because it is assumed that witnesses themselves will not be confronted as victims with sexual violence, there is no reflection time allowed for them. They should decide immediately whether or not they want to file a report. If that is the case, the Minister of Justice, via the Public Prosecutor, will determine whether it

*ruling does not offer any protection against the risks the victim runs in making the statement.*⁷²

Kern encounters THB victims in her work who are victimised, but who have not reported the crime, because they are afraid or because there is no sufficient evidence of the crime. The protection of this group of women is insufficient, according to Kern. They are in danger and being threatened by their traffickers and they need social and legal assistance. But because they have not reported, they receive no social benefits from the state. Social organisations like PMW Rotterdam cannot pay for all the costs involved. Kern thinks in these cases the local council should take responsibility and finance the care for these victims.

Wijdgraaf and Thijen both agree that the B9-ruling offers hardly any protection for the victims involved, it is too much focussed on the interests of investigation and prosecution. They advocate an extension of the B9-ruling to include protective provisions, specifically geared toward protection against the dangers in the direct environment of the victim (threats made by traffickers) and in the country of origin.

Van Gelder and Oviawe argue that the reflection period of three months should be extended to at least 6 months if not a year, so that any mistakes in establishing if the woman is a THB victim or not could be prevented. The victim will have more time to think over her decision to file a report or not and she will be able to assess the dangers involved.

Korteweg adds an extra problem with regards to the B9-ruling. She warns that children are not mentioned in the ruling, while many of the women do have children. This is a gap in the law, leading to many children of THB victims having an insecure or unclear status within the framework of the Dutch aliens law.

The cabinet points to the existing witness protection schemes the Public Prosecutors Office can decide to offer to an individual. Furthermore it refers to the possibilities of claiming damage under civil and criminal law and to the possibilities of appealing to the Criminal Injuries Compensation Funds. It did not, however, address the general issue involved, namely that the group of women whose case is not taken up by the prosecution, still run a risk. There are no guarantees for their safety.

4.2.1.2. Deportation policy

It turns out that possible victims of THB have already been deported from the country, before they have been recognised and acknowledged as such.

Explanation: Although in principle the Netherlands views and treats victims of THB as victims and not as illegal immigrants, it does happen that in the first instance they are treated as undesirable foreigners, without the required papers for residence. That may mean that they are only recognised as possible victims in the second instance and that they are made aware of the possibilities that this status offers them. On the other hand it may mean that they are deported as illegal immigrants before they are recognised as victims of THB. This does not only frustrate the policy focussed on the reception and assistance of victims, but also the tracing and prosecution of possible perpetrators of THB.

is desirable that the person concerned should stay in the Netherlands with a view to the investigation and prosecution is. If that is so, the departure of the witness is delayed by the statement. If not, then deportation follows, unless the foreigner can make an appeal for other reasons for (temporary) residence in the Netherlands. The latter, of course, also applies to (presumptive) victims who decide not to make a statement during or after the time for thinking things over.

⁷² 154 victims from the NRT made use of the B-9 ruling (estimate 59 and registration 95). 70% of the victims, who ultimately filed a report, only did that after making use of the reflection period, 30% of the victims did not make use of the reflection period. This could have been because they were prepared to file a report immediately, yet it is also possible that they were uninformed or not adequately informed about the existence of the reflection period. It cannot be excluded that, although they were victims, they filed a report as a witness and for that reason were not eligible for a time to think things over.

A recent and striking example of the aforementioned pressure point with regards to deporting possible victims of THB, is the police operation on the streetwalkers district (tippelzone) in Amsterdam end of September 2002. The police rounded up nearly one hundred illegal prostitutes from Eastern Europe and sent them back home⁷³. Not one of them was referred to social care or shelter homes or were read their rights as a THB victim. Korteweg⁷⁴ criticised the police and council for their conduct during the operation. Four organisations⁷⁵ that are active in the field of support for THB victims condemned the action and pointed at the official governmental policy on this point, as is reiterated in the cabinet reaction to the report of the rapporteur. The police should, when they come into contact with possible victims of THB, give the victim the benefit of the doubt. In the case of even a minimal suspicion of THB, the police should grant her the reflection period of three months.

Besides the recent action of the Amsterdam police, the deportation of potential THB victims is widely recognised as a general problem. Kern is of the opinion that some members of the police are prejudiced toward the women and see them firstly as illegal prostitutes and have no awareness or respect to the fact that they are victims of violations of human rights.

Spel complains that the police deports presumable victims of THB as illegal immigrants instead of announcing them, in accordance with the B9-regulation, at the Foundation Against Trafficking in Women (FATW). Still, caused by lack of shelter facilities, announced victims can not always be sheltered immediately, especially when the police does not properly perform their tasks (B9, reflection period).

According to Duijts improved communication between the local authority, the heads of police and the Aliens Service could in the future prevent potential THB victims from being deported as illegal immigrants. Kern stresses that currently the communication between the different governmental agencies is far from ideal.

Korvinus has sent a letter to the mayor of Amsterdam, requesting clarification on the matter of the deportation of illegals from Amsterdam. The bureau NRT wanted to know if there were any possible victims of THB under the deported illegals and if so, if the required national rules and procedures were observed. It still seems to be an unresolved matter⁷⁶.

The cabinet reinforced the official governmental stance, that when the police comes into contact with a THB victim, it will have to believe the victim, until proven otherwise by the prosecutor.

4.2.1.3. Conditional permits

Victims who decide to make a statement about THB are allocated a residence permit for a stipulated time, only in the case that there is a criminal investigation into, or a trial in the fact-finding instance of, the suspect of the offence of which a statement has been made. The statement is officially deemed to be an application for the awarding of that residence permit. From the NRT survey it emerged that in more than a quarter of cases, making a statement does not lead to the allocation of a temporary residence permit for victims. The reason for this is unclear, but will on the one hand be connected with the manner in which the application is evaluated, partly in relation to the criteria set for allocating the permit and which evidently sometimes lead to a rejection and on the other

⁷³ See Algemeen Dagblad, *Stoyanka werd nooit serveerster*, 26 september, 2002, and press release of interest organisations for prostitutes and THB victims, september 2002.

⁷⁴ During the thematic conference of the GG&GD, the Health services in Amsterdam, 3rd of October 2002, main offices of the GG&GD, Amsterdam.

⁷⁵ Women's shelter HvO Roggeveen, Bonded Labour in the Netherlands (BlinN), Mr. A. de Graaf Stichting and the Foundation Against Women Trafficking (Stichting Tegen Vrouwenhandel, STV)

⁷⁶ A member of the Dutch Lower House asked the minister of justice in a formal letter if the women could have possibly been THB victims and if so, why they weren't informed of their rights. The minister had not yet reacted as of November 2002, Kamervragen 2020301100, vergaderjaar 2002-2003.

hand undoubtedly is connected with the ignorance of the implementing authority (authorities) with the B-9 ruling.

Korver complained of the many non-specific reports he has to deal with in his work. Often the women cannot recall the essential facts that indictment will be based on. Reports that are not well defined will not lead to prosecution and trial, because it will not be viewed as usable evidence in court proceedings.

4.2.1.4. Work permits

Victims who make use of the facilities of the B-9 ruling are not allowed to work, which also applies to the reflection period of three months.

Explanation: Other possibilities for worthwhile ways of spending the day are also not extensive. On the one hand this leads to some women, although being a victim or witness of THB, abandon filing an official report at the police and, on the other hand that during the period in which they are making use of the B-9 ruling women 'drop out' and thereby also disappear from sight of the investigating authorities and the welfare services. In the experience of the social workers, the ban on working, because the necessity to be available for the investigation and conducting of the case lasts for such a long time, has a negative effect on the victim and risks arise of falling back into the old situation. These are increased because the pressure to pay off the burden of debts and the necessity of earning money to do this remains. This pressure does not only exist in the perception of the victim but exists in actual fact. If the (alleged) victim continues to work in prostitution or is once again discovered at a later period in prostitution that can have an influence on the credibility concerning her victim status and consequently also the estimated reliability of any of her (previous) statements// evidence.

Nearly all the interviewed social workers and some police officers agreed that the fact that THB cannot work during their stay in the Netherlands creates numerous problems.

Van Ling and Spel, Vollebregt, Gerritsen, Kern, van der Helm, Grimmus, Wiebing and Korteweg are advocates of the right to work for THB victims. They propose to open article 3 of the Law on Labour for Foreigners⁷⁷ for foreign prostitutes. The women often have high debts to the traffickers and often still feel compelled to pay it off. Besides, in many cases the family expects the woman to send money home. In the case of other professions, this provision has been relaxed⁷⁸, so why not for prostitution?

Wiebing and Korteweg point to the situation that many victims are often emotionally affected by the fact that they have nothing useful to do during the day. Wiebing thinks it is one of the causes of the high amount of women that leave the shelter home or relief centre and disappear. Kern points to the situation that asylum seekers were recently granted the right to work for 12 weeks a year, THB victims should at least be enabled to work for this period.

Duijts and Bouwer are against granting the victims a right to work and point to the fact that if it possible to work with a temporary residence permit, it will attract economic immigrants, who will abuse the B9-ruling.

Bleeker points out that granting victims a right to work will lead to practical problems. Based on the procedure of the Law on Labour for Foreigners an employer will have to prove that there was no Dutch or EU candidate to fulfil the vacancy, in order for a work permit to be granted. Besides, she points out that the usefulness of work possibilities is questionable. The victims have a temporary residence permit, so it serves no purpose to offer them activities that are geared to integration.

⁷⁷ Wet Arbeid Vreemdelingen

⁷⁸ On the basis of Art 3 WAV migrants from outside the EU can be employed in the Netherlands if the employer can prove that he cannot find any suitable candidates from the Netherlands or the EU. Prostitutes from non-EU countries, however, are categorically excluded from employment in the Netherlands.

Kern, Gerritsen and Korteweg are advocates of allowing THB victims to work as an independent prostitute. Gerritsen and Korteweg base their convictions on pragmatic considerations. Many women return to prostitution, after reporting and being admitted to a social organisation, as a means of survival. If they do so as an independent prostitute, it would give them a better legal position and protection and it might prevent them from falling into the hands of traffickers a second time. The European Court of Justice took the position, in an advisory opinion⁷⁹, that on the basis of the association agreements between EU-countries and candidate membership countries⁸⁰ and the freedom of establishment, prostitutes who work independently should be granted a right to work in the Netherlands. Grimmus and Vorrink oppose this solution. They say the women would still be in a vulnerable position, open to abuse by owners of brothels or sex clubs.

The cabinet stated, in relation to the argument that the women face a burden of debt they often still have to pay off while not being allowed to work, that it would not be acceptable to allow the victims to work. Tolerating the paying off of debts would boil down to the government being an accessory to the crime of THB.

The cabinet clarified why article 3 of the Law on Labour for Foreigner holds a ban on prostitution work. It stated that the performance of sexual acts is not in the interest of the Dutch State as such. But it did not categorically reject the option of lifting the exclusion of the profession of prostitution from Article 3. The cabinet will look into the issue of foreign women working as an independent prostitute in the Netherlands further when it has received and reacted to the evaluation reports of the legalisation of prostitution. With regards to lifting the exclusion of the profession prostitution from Article 3 of the law on labour for foreigners, it states that it is important to make sure it will be possible to verify the woman will be working in prostitution on a voluntary base. The risk of THB should still be examined.

4.2.1.5. Reflection period

In practice, possible victims of THB are often not alerted to the possibility of filing a report or making use of the reflection period. Extension of the reflection period is not possible and this time is only granted on one single occasion

As stated under point 1, van Gelder and Oviawe support a lengthening of the period during which the victim can think if she wants to report or not to 6 months or a year, to avoid any mistakes being made. As to THB victims who are not alerted to the possibility of filing a report, see the remarks made under point 2a. With regards to police not warranting the right amount of time to think things over, Kern and Korteweg alluded to several examples of victims who were told they had to report within two weeks and even some cases where no reflection period at all was granted.

The cabinet reacted to the recommendation of the rapporteur to prolong the reflection period in certain individual cases and for possible victims who have not worked in prostitution in the Netherlands, with the comment that it does not support the recommendation. It did leave open the option that this period could be prolonged for individuals who suffer from harrowing circumstances.

4.2.1.6. Permit time laps

A long time often elapses between awarding a victim the B-9 status and the actual allocating of proof of this. All this time, the victim concerned is not in a position to

⁷⁹ *Aldona Malgorzata Jany and others versus the state secretary of Justice*, European Court of Justice, case C-268/99, 08-05-2001.

⁸⁰ In this case two association agreements are in issue: between the European communities and their member states on the one side and Poland, and the European communities and their member states and the Czech Republic.

demonstrate her status, as a result of which difficulties are experienced in arranging facilities via implementing authorities.

Kern acknowledges the problems signalled by the rapporteur. A chain of bureaucratic obstacles originates when the proof of the residence permit is late: no registration in the municipal basis administration, no allowance of the local welfare department, no housing. Bureaucracy is a big obstacle for the social workers who deal with THB victims. Wiebing, Kern, Korteweg, Sosef and Grimmus all agree to this proposition. Wiebing and Kern refer to the registration in the municipal basis administration, a prerequisite for receiving allowance from the state. To be registered a person has to produce a birth certificate. The THB victims have a hard time getting the birth certificate from their country of origin, for numerous reasons. All the while she is not registered however, the woman will not get any financial support and the shelter home will have to pay for the expenses.

4.2.2. Reception of victims

4.2.2.1. Financial problems

Explanation: Victims who, for whatever reason, do not wish to co-operate in the course of investigation and prosecution of suspects, cannot make any claim on provisions and facilities on the basis of the B-9 ruling. The social care organisations, which in principle are prepared to provide the necessary assistance for these victims, are also confronted with financial problems; for victims and witnesses who do not 'come in the B-9 ruling' receive no financial assistance.

As has been mentioned before by Wiebing and Kern, the shelter homes have a problem with the financial support of THB victims if and when they have not reported or their case is not being investigated or the proof of the residence permit is taking a long time. Kern advised the local council to contribute toward the financial support of this category of women.

The cabinet reacts by expounding on the budget of the ministry of health. An extra 6 million euro's will be spent on relief centres for women in 2002. The local authorities will be primarily responsible for the financing of the relief centres. Besides that, the cabinet refers to the guidebook 'manual in Aliens land'. This book provides information on the position of holders of the B9 residence permit. The cabinet does not, however, venture into the subject of victims, who for one reason or another, cannot claim social security, due to their residence permit.

4.2.2.2. Shortage of reception places

In practice, it turns out that it is not always easy to find accommodation for a victim. Not only because of inadequate reception capacity, but there is also often not a clear picture of places that are available. Because there is no central overview of available places, it often takes a lot of time to house a victim. The lack of reception capacity is partly caused by poor transfer facilities within the shelter. This is again connected with the long duration of investigation and prosecution, the long duration of the application procedure for a permanent permit of residence (at the end of the B-9) and the shortage of follow-up accommodation. A victim who is housed in a reception centre can only stay there for a limited period. The restricted period of reception is inherent to the character of the women and emergency reception in which the majority (of adult) victims are housed. The lack of follow-up accommodation for victims of THB, such as sheltered independent accommodation or individual accommodation, is partly caused by local authorities not knowing about the B-9 ruling.

As referred to under point 1 under paragraph a, the police spend a lot of time in finding a place in a shelter home or relief centre for the women. This is partly due to shortage of

reception places and partly to the fact that, according to the interviewees, the Foundation Against Trafficking in Women (Stichting Tegen Vrouwenhandel, STV) is not functioning accordingly. A main task of the FATW is to co-ordinate the assigning of places in reception centres. Based on the B9 ruling, reception centres should consult the FATW before placing victims. This pressure point will be dealt with later on.

Corba adds a point of concern by pointing the fact that many organisations in the field reception and accommodation of THB victims close at 5 o'clock in the afternoon. But the problem of finding a place for the victims is a 24-hour problem.

Gerritsen, Bouwer and Wiebing signal that the women's refuge centres (Blijf van mijn lijfhuizen) are not necessarily the appropriate reception centre for THB victims. Wiebing says these centres are often not equipped for the 'heavy' and complex caseload of THB victims, they often have multiple problems (i.a. sexual, psychological, physical, documentation and registration) and the women often do not speak Dutch. These refuge centres sometimes therefore refuse THB victims.

Wiebing, Huls, Korteweg and Kern conclude there should be specialised assistance and support for THB victims. There should be specific attention for the possible psychological and physical traumas the victims have suffered, Kern further clarifies.

Kern adds that shortening the B9-procedure could solve the frictions that arise due to the long duration of B9-procedures and the limited periods of stay at the refuge centres, and to grant permanent residence permits at an earlier stage. This would allow the women to work and to find housing for themselves. Grimmus agrees with this proposition and advocates shorter procedures, especially if one takes note of the fact that the B9-residence permit is a temporary, geared to the return of the woman to the country of origin.

Bouwer has put forward a solution to the problem of shortage of reception places for THB victims. He suggests to transfer the role and tasks of the Foundation Against Trafficking in Women (FATW) to the Central Organ for Asylum (COA) seekers. He founds his argumentation on the premises that the FATW is not functioning accordingly to its task as set out in the B9-ruling. It is not registering and placing the victims to the satisfaction of the concerned and involved parties (like social organisations and police officers). The victims already fall under the care of the COA during the reflection period (it co-ordinates practical matters such as allowances and the finances of the reception of the victims). Although asylum seekers and THB victims can by no means be equated to one another, some of the organisational activities are similar. With regards to both groups, it is important to be able to interact with people who speak a foreign language and are from a different culture and who have had traumatic experiences. Among other tasks, the COA currently has to co-ordinate matters such as housing, supervision, education and assisting in the return to the country of origin. Bouwer concludes the COA is well-equipped for the task of registering and supervising THB victims, especially seeing that there is a decreased asylum flow to the Netherlands in the past few years, so the COA will have the capacity to house and supervise this group.

Bleeker reacted to Bouwer's proposition by stating that if the COA takes over the task of housing and supervising THB victims, the ministry of Justice will be responsible for the reception of the victims, while it first fell under the responsibility of the ministry of health. She remarks that the ministry of Justice finds the proposition an interesting one and is currently considering its merits. Bleeker notes that it still is not a given fact that the government will want to invest the money gained by the decreased costs in the reception of asylum seekers in the group of THB victims.

Korvinus notes that the interests of assistance and support for the THB victims should be safeguarded if and when the COA takes over in regulating the housing and reception of THB victims. Spel endorses the comment by pointing to the problems the Asylum Seekers Centres have had in the past, with regard to guaranteeing the safety of specifically Underage Asylum Seekers. Victims have been recruited from the centres in the past few years. THB victims need to be received and housed in small-scaled anonymous centres, the COA is ill equipped for these purposes.

4.2.2.3. Reception for underage victims of THB

Explanation: Because of the specific characteristics and inherent problems for the young persons involved in being a victim, this category of victims deserves special attention, reception and guidance. The UASs (Underage Asylum Seekers) constitute a separate category in this group. On the one hand they are involved in a foreign legal procedure with the associated conditions and regulations, on the other hand their vulnerability as (possible) victims of THB deserves a focussed and adequate from the perspective of being a victim. There are hardly any reception facilities at all for boys.

This pressure point is recognised by Korteweg, Wiebing, Kern and van Weerd. They underline the necessity of providing separate relief and assistance for underage THB victims. Van Weerd alerts to the fact that the majority of underage THB victims are of Nigerian nationality. It is important with respect to this specific group to be aware and knowledgeable of the problems related to voodoo practises as well. She also signals a gap in the anti-trafficking policy and activities in that there are hardly any awareness and educational activities geared to the group of underage THB victims. There should be prevention and awareness campaigns for this group. The danger for the UASs who arrive in the Netherlands via the asylum procedure, and then are recruited by traffickers is underexposed in the current anti-trafficking efforts in the Netherlands, claims van Weerd.

The cabinet has taken notice of the pressure point as formulated by the rapporteur. In its reaction to the report, it acknowledges the need to accommodate and assist underage THB victims separately from the THB victims of age. It stresses the need not to focus solely on the UASs that are victims of THB but also other underage victims. It then goes on to state that two campuses specifically for UASs are being set up, to facilitate and assist in their return to the country of origin. This would be a means of preventing the minors from being recruited from the asylum centres. Besides that, the cabinet announces it will instruct the ministry of health to pay extra attention to the group of underage THB victims. It goes on to state that half a million Euros has been awarded to the relief centre for underage (former) prostitutes ‘Asja’.

4.2.3. Other pressure points in assistance and support of victims

4.2.3.1. Lack of perspectives

For most of the victims and witnesses of THB, the B-9 ruling does not offer any perspective in the longer term and does not prepare them for return.

Explanation: The chance of definitely staying permanently in the Netherlands on the termination of the criminal proceedings is small. The (sometimes slow-moving) B-9 ruling does not prepare for a possible permanent stay in the Netherlands, after the criminal proceedings: a social structure, focussed on integration in Dutch society does not exist. Although the majority of victims and witnesses will thus finally have to return to their country of origin, the system of the B-9 ruling is also not set up for this. The lack of work and leisure opportunities does not equip them for their return, as a result of which there is the risk that, through a lack of perspectives, when they return to their country of origin they again become prey of the people traffickers. Many victims in the first instance have gone to another country because of the poor financial and social prospects in the country of origin. Without money, training, work experience or family to fall back on, it is in many countries (of origin) difficult to build up a new existence. When they return to their country of origin, victims remain vulnerable to the persons who recruited them, or who otherwise played a part in trafficking them and who often lived in the same region, town or village as the victim.

According to Corba, the integration course for immigrants in Amsterdam that has been made accessible for THB victims is not an appropriate training for this group. It would be better to design a specific course that is focussed on the return to the country of

origin of the woman, seeing that the B9-ruling results in a temporary residence permit, the holders of which are supposed to return when it expires.

Korteweg disagrees to the proposition that opening the integration course for immigrants for THB victims is not appropriate. She claims it will empower the women and make them more independent during their stay in the Netherlands. She points to the fact that many women stay in the Netherlands for a long period: sometimes up to six years.

Spel advocates setting up educational courses in co-operation with the International Organisation for Migration (IOM) that are geared to the return possibilities of the woman. These courses and the actual assistance in the return and reintegration of the victim should be legally regulated. Gussenhoven notes that the IOM is often contacted at the very last moment in the procedure of voluntary return. Contact with the victim and co-operation between IOM and partners involved in an earlier stage, could contribute to an adequate and more effective assessment regarding the individual returnee. Through education and training programmes the women will be better prepared for their return. Mediation and support in finding a job or a training after return would also help to prevent a second round of trafficking. The IOM missions in countries of origin could be of help in this regard. However, extra funding would be essential. (Bleeker agrees as well that there should be more attention to the return and reintegration possibilities of THB victims in the training and courses they are offered. She points out that the victims should be given the (educational) tools with which they will not be prone to the traffickers/recruiters again when they return and lapse back into the criminal environment in the home country.

Wiebing suggests teaching the victims English instead of Dutch while they are in the Netherlands, because Dutch is not an international language and it will most probably be of no use to the victims when they return. She criticises the current policy as being a two-track policy. The women are integrating into Dutch society by learning the language and getting to know the society and culture, but at the same time, they have to prepare for their return.

Kern advocates granting permanent residence permits on humanitarian grounds if and when the victim has assisted in rounding up a criminal trafficking network, when she runs a considerable risk if and when she returns to her country of origin. The fact that the procedures take a long time result in a situation where the social workers are not able to offer the victim adequate support. The return option is insecure, as are her chances of staying in the Netherlands. Granting a permanent residence permit on humanitarian grounds would enable the woman to establish herself in the Netherlands and build up a life. The current situation obstructs adequate social care and counselling. Van der Helm points out that she encounters mainly women who do not want to return to their country of origin. If they are offered educational and practical tools with which they will be able to set up a better living in their home country, this might influence their motivation to return. She adds that in cases where the women are seriously endangered, a permanent residence permit on humanitarian grounds should be granted more often.

Van Weerd adds the comment that the victims who return should be assisted and monitored once they have arrived and settled in. This point was reinforced at the thematic conference of the GG&GD in Amsterdam: the participants stressed follow-actions should be employed after a woman has returned. What happens to the victims when they return to the country of origin, how safe are they?

Grimmius accentuated the economic aspects involved in the return of a THB victim. Care should be taken that the victim will have means of survival once they have returned⁸¹. Besides that, she stressed the importance of shortening the length of the procedures. If the B9-ruling is truly meant to be a temporary residence permit, then the

⁸¹ Grimmius quoted an example of a Yugoslavian girl who will be returning to her family. The team of Toevluchtsoord is in the process of buying a cow for her, with the financial support of the organisations Humanitas and Novib.

procedures should be geared more to a short stay in the Netherlands and more attention should be given to the return to the country of origin.

All of the interviewed social workers think THB victims should be granted a right to work during their stay in the Netherlands. This would offer them a daily routine and a sense of being useful and would be a means of preparing them for the return to the country of origin of improving their (economic and social) situation in their home country.

The cabinet rejected the possibilities allowing the women to work, as was stated under point 3. It does make a very general comment stating that it will look into the possibilities of integrating provisions that regulate educational and vocational training geared toward the return of the THB victim to its country of origin in the B9-ruling.

With regards to the risks that occur when the victim returns to the country of origin the cabinet makes a very general undertaking that it will look into the possibilities of including the IOM in a more prominent way in the process of return and reintegration of THB victims. Also, it mentioned calling the source countries to account for their obligations based on the UN-Protocol, according to which they have to offer minimum guarantees to returning THB victims.

4.2.3.2. Non-optimality of B9 discretion

The knowledge and experience displayed in the bodies responsible for the execution of the B-9 ruling and the facilities provided in it are not in all cases optimal. Explanation: This leads on the one hand to delays in pointing out the existence of the ruling in cases eligible for it and on the other hand to delay in the allocation of the facilities provided in it. The victim can then come into an unclear position, which is detrimental, both for the progress of the procedure and for the ruling of financial aspects.

Corba alerts to the fact that the local welfare departments often know nothing of the B9-ruling and this leads to unnecessary bureaucratic obstacles.

Wiebing relates the uncertainty with regards to the interpretation of paragraphs 5.1 and 5.5 of the B9-ruling: which municipality is responsible for the financial allowance of the victim?

Sosef mentions an example of a woman who was registered at the local authority under her 'work name' during the period she was forced to work in prostitution. When she later wanted to change her name, it was very difficult for her to arrange this. Sosef suggests starting up a so-called buddy project for the victims of THB, with volunteers who will help the woman with these and other bureaucratic proceedings. Such a project will start in Amsterdam in the near future.

Kern talks about an 'island mentality' that seems to pervade the institutions and organisations that are involved in assisting the THB victim with a B9 residence. She relates an example of a woman with a B9 residence permit who was investigated by the Social Security Fraud Department. The investigating officer was not familiar with the B9-permit and caused the permit to be terminated. Later on, it had to be reinstated again. Kern goes on to point at the fact that some women are summoned by the employment exchange bureau to apply for jobs, while they are legally not allowed to work.

Bleeker acknowledges that bureaucratic institutions like the Public Prosecutors Office and the social welfare department seem to be ill informed at times about the B9-ruling. She points out that the ministry of Justice sent all the involved organisations and departments the 'handbook on the lifting of the ban on brothels' at the time of legislation of prostitution. The different aspects of the B9-ruling are elucidated in the handbook, so in theory there should not be any ignorance in relation to the provisions of the B9-ruling. The fact that this does exist leads Bleeker to conclude the B9-ruling needs more publicity.

Wiebing already mentioned under point 5 of paragraph a (the pressure points with regards to the B9 ruling) the problems that evolve due to the registration in the

municipal basis administration and financial consequences for the refuge centres. She adds to this pressure point the situation that Friesland has no central co-ordinator for the reception of THB victims.

There are specific problems with regards to the ignorance and lack of expertise with regards to the background problems of women with a B9 permit of the regional institutes of mental welfare (RIAGG). Wiebing and Kern alert to the problem of women who suffer from psychological traumas or other psychological problems and who are sent to the institutes for support and assistance. The consultants however, often send the women away stating they lack the specific knowledge or experience to handle such cases. Also they claim therapy is of no use for holders of temporary residence permits, seeing that there is no long term perspective.

4.2.3.3. Functioning of FATW

The Foundation Against Trafficking in Women (FATW) is not functioning effectively. In the B9-ruling a central role is assigned to FATW in the registration, reception and accommodation of the THB victims. The FATW should find a place for them. However, social workers and police officers complain they cannot be reached by phone easily, are often not present or do not react to a call or react too late. These facts obstruct the effective and accurate support and care for THB victims.

It is not the purpose of this research report to evaluate the method of working and operating procedures of The FATW. Nor does it purport to point the accusing finger at the FATW. However it can not be totally ignored that during our research many respondents ventilated critical remarks about the functioning of the FATW. Practically all the respondents agreed to the above formulated proposition. The FATW is supposed to be available for requests and information four days a week. Many interviewees complain this is not the case. Based on the B9-ruling they have to register the THB victims and arrange for the placement of THB victims in a shelter home in the country. Corba signals that the council (Amsterdam) does not consult with the FATW on a regular basis.

Vollebregt claims the fact that there is an obligation to refer all THB victims to the Foundation creates a huge obstacle for the police and reception centres, because the FATW is not functioning effectively.

Gerritsen, Kern, Korteweg, van der Helm, Huls, Sosef and Wiebing claim the communication and co-operation with the foundation is not satisfactory. Sosef qualifies the proposition by stating they cannot be reached by phone easily and they have too little time to execute their main task accordingly: being a national reception and registration centre. Otherwise the communication and co-operation between SHOP (Stichting Hulpverlening en Opvang Prostituees; the Foundation for Assistance and Reception for Prostitutes) and the foundation is satisfactory, Sosef claims. Kern is of the opinion that the problems with regard to the accessibility and functioning of the FATW can be solved by an adequate budget and less tasks assigned to the FATW (specifically their task as the central registration point for THB: it is assigned in the B9-ruling, but it is not financed sufficiently). Korteweg mentions the fact that as a regional care co-ordinator she does not have the time to inform herself on the national and international developments in the field of anti-trafficking, this gap in information could and should be filled in by the FATW.

Spel counters the criticism by claiming that the foundation needs 3,5 extra full time employees to execute the assigned tasks as formulated in the B9-ruling. Approximately 14 hours in every registration are not sufficiently financed (based on an average of 300 registrations per year). He claims that the national registration and referral of THB victims is only one of the tasks the FATW has to carry out. It also concerns itself with return, reintegration and prevention projects in the source countries⁸², it is supposed to be a national information centre on trafficking in women and it has to provide training

⁸² The FATW has set up the so-called La Strada network in several Eastern European countries that facilitate and support the return and reintegration of THB victims

and courses to professionals. He goes on to state that the problems in the field of registration and reception of victims cannot be solely attributed to the FATW. The foundation is a second-line organisation and the general lack of places in reception centres plays a predominant role in this field as well. Spel underlines that the current priority lies in maintaining the regional integration networks that are involved in the care and support for THB victims. To be able to execute all the assigned tasks accordingly, the FATW needs extra subsidies of the government. If this does not materialise, the FATW will have to drop the task of registering THB victims. Bleeker reacts to the comments by stating that as long as the FATW does not have a conspicuous budget, the ministry of justice will find it difficult to enlarge the subsidy.

4.2.3.4. Asylum-seekers centres

Explanation: The lack of safety in asylum seekers' centres. These are often located in remote areas, but easily accessible because of the proximity of major roads. They are often difficult to monitor because there is no segregation by sex or cultural background and also because of their vast dimensions. Specifically with relation to underage asylum-seekers, it is often stated as a factor in this respect that UASs (Underage Asylum Seekers) are not usually housed separately from adult asylum seekers and refugees.

Oviawe recognises the problems of the asylum seekers centres with regards to underage female Nigerian asylum seekers who are recruited from there by traffickers in the Netherlands. He adds, however, that Nigerian traffickers have changed their modus operandi due to increased awareness of safety aspects of the asylum seekers centres. Oviawe claims the girls are now being trafficked into the Netherlands with forged passports.

Van Weerd suggests a means of increasing the safety of UASs in the centres is by informing them about the dangers of traffickers and by offering lessons in sexual counselling, and self esteem. Awareness of these issues could prevent the UASs falling into the hands of recruiters.

The cabinet has promised to look into the situation of UASs in asylum seekers centres, as was stipulated under point 3 under paragraph b. It did not venture into the subject of the general safety of asylum seekers centres, while it did state that when a woman has left the ASC to (forcibly) work in prostitution, it is not a good idea for the woman to return to the ASC, seeing that the anonymous and protected refuge of the relief centres is more appropriate for THB victims.

4.2.3.5. Prevention and information

Explanation: In the field of THB there is little attention for preventive activities. Potential victims and their acquaintances should be warned in good time about the risks they are facing. Both in the Netherlands and beyond, more and better information should be given to risk groups, taking into account the prevailing circumstances and the underlying motives leading potential victims to end up in prostitution. Merely shocking, for example, by means of a film, will not always have the desired effect. The risk is that potential victims will assume that what is shown in the film will not happen to them. Victims of THB who work in prostitution under duress are often isolated and incorrectly informed about their position, their rights and obligations by their traffickers. They often do not know where they can find help, or are not in a position to look for help. Operators in the prostitution sector should be better informed about matters such as punishable forms of operating prostitution, signs of THB and the modus operandi of traffickers. Clients of prostitutes are not sufficiently aware of the fact that not everyone who is providing sexual services for payment is adult or someone doing the work of their own free will.

Bleeker reinforced the recommendation made by the rapporteur and states that preventive campaigns in the source countries should be strongly supported.

Van der Helm stresses the importance of informing embassy personnel, police and aid workers from the source countries. Oviawe illustrates this necessity by relating an example of a Nigerian official travelling to Europe, who issued 200 visas at the embassy. The official did not take 200 staff members with him, however. Oviawe argues for a visa quota in these cases.

He goes on to state that the Dutch authorities, especially the police, and the social reception organisations should be well informed and sensitive toward the phenomenon of voodoo. Even when the traffickers are in prison, the girl can still feel she is under his spell and power. Also, there should be information provided in Nigeria about the legislation of prostitution in the Netherlands. It has given off the wrong signal to traffickers, Oviawe argues. They now think it will be easier for them to exploit the girls in the Netherlands. They tell the victims that prostitution is a legal profession and a lot of money can be earned.

Corba underlines the necessity of informing possible victims of THB through open information evenings of the option of reporting to the police.

Van Weerd remarks that not only the immediate social workers, police officers and such should be informed about THB and the B9-ruling, also street workers should be informed on what THB constitutes and what the signals are. Wiebing adds that public health doctors should also be informed about the signals of THB.

Van Weerd is setting up an information campaign for UASs in Asylum Seekers Centres, warning them of the dangers of recruiters and forced prostitution. She adds that telling Nigerian girls of the dangers of THB will not always be an effective measure, seeing that they're under the Spel of voodoo.

Grimmius points out that THB victims will have similar behavioural patterns as to battered women, some want to return to 'the scene of the crime' and frequent bars where recruiters go to as well. They fall into the hands of traffickers a second time. This group should be timely informed about the risks involved.

The cabinet explicitly mentions the necessity of information and prevention. Within this framework, the interest group for prostitutes the Red Thread (de Rode Draad) is awarded a subsidy for three years to invest in the supply of information and prevention activities.

The rapporteur recommended, besides the input of the civil society, an active involvement of the government in an information campaign, specifically addressing the prostitution customers. The cabinet rejected the recommendation by stating that it expected the legalisation of prostitution to have sorted effect in a few years. The branch would have a self-regulating process and make the customers aware of the distinction

between legal and illegal prostitution. The cabinet does not esteem it to be an expedient move at this place in time to start a governmental awareness campaign.

4.3. The legalisation of prostitution, lifting of the ban on brothels

It is not the aim of this publication, nor is it feasible, to analyse extensively the effects of the legalisation of prostitution on the issue of THB, based on the work experience of the interviewed experts. As in the previous paragraphs, the aim is to illustrate already available facts and analyses with individual comments and suggestions.

4.3.1. Brothel permits

When prostitution as a profession was legalised in October 2000, the brothels, window prostitution and sex clubs were subjected to a system of permits, granted by the local government. One of the pressure points mentioned by the NRT is the omission of the escort bureaux from this system in some regions, notably in Amsterdam.

Huls agrees with the proposition, the escort branch should fall under the local system of permits. She points out the main problem with respect to controlling the escort sector is that of enforcement. Corba therefore suggests a national approach and enforcement, instead of a local approach, to the escort sector. Gerritsen reinforces Corba's argument by alerting the fact that some escort bureaux operate nationally.

The cabinet reacts to the pressure point by stating that it falls within the discretion of the local authorities to include escort bureaux in the local prostitution permit system. It then refers to the national 'escort pilot' executed in three municipalities⁸³ and expresses its wish that this sector of the sex industry would in the future be reorganised and cleaned up. The municipalities that have now chosen to exclude escort services from the permit system should reconsider their decision and in the future subject the escort bureaux to the new rules.

4.3.2. Driving back illegal prostitution

One of the aims of legislation that regulates the lifting of the ban on brothels is to drive back illegal prostitution. Recently evaluation reports have been published, relating the changes and effects that have occurred since the legalisation of prostitution⁸⁴. The legalisation could have caused illegal prostitution to shift from the visible part of the prostitution branch, to the more underground areas. Whereas it used to take place in window prostitution and brothels and such, nowadays it could have moved underground to the streetwalkers district, private houses, home workers and to the Internet. This subject matter is dealt with in a separate evaluation report⁸⁵ and is mentioned as a pressure point by the NRT and the respondents. The prostitutes and possible THB victims would be less accessible for the social workers and police.

The evaluation report deals thoroughly with the issue of the shift of illegal prostitution from the visible parts to the underground areas of the prostitution branch. One of the observations in the report is that the enforcement policy after the new laws has had an effect on the behaviour of prostitutes, the licensee, the social workers and the police officers. It goes on to state that the decentralisation of the prostitution policy has led to local authorities formulating their own policy and thus there are differences in policy

⁸³ These are Amsterdam, Eindhoven and the Hague

⁸⁴ The general report: Het bordeelverbod opgeheven, onderzoek en beleid, prostitutie 2000 – 2001, A. Daalder, WODC, 2002. On illegal prostitution: Illegaliteit, onvrijwilligheid en minderjarigheid in de prostitutie een jaar na de opheffing van het bordeelverbod, M. Goderie, F. Spierings, S. ter Woerds, Verwey Jonker Instituut, WODC, juli 2002.

⁸⁵ On illegal prostitution, M. Goderie, F. Spierings, S. ter Woerds.

and practise in each location. The researchers have determined there have been shifts in the forms of prostitution as well as in the location where it is conducted. However, this transience was also a characteristic of the prostitution branch before the legalisation. On the basis of the conducted investigations, the researchers come to the conclusion that it is the speed with which these shifts take place has intensified since the legislation. The use of mobile phones and the Internet play a role in this development.

In short, the main conclusion of the report is that there has been a shift of illegal prostitution (with a majority of prostitutes being possible THB victims) to the less visible sectors and areas of the prostitution branch. A second form of shifting is the fragmentation of prostitution activities. Illegal prostitution will manifest itself in so-called grey circuit (massage parlours, 'erotic beauty parlours' etc). The main undesired effect of these developments is that the communication with social workers and the police has become increasingly difficult. The accessibility of the possible THB victims for social workers and police has diminished. The researchers make the comment though, that one has to distinguish between effects caused by the lifting of the ban on brothels and the autonomous developments in the prostitution sector.

Gerritsen claims that after the legalisation, the police force in his region had a less clear overview of the situation in the prostitution sector than before the lifting of the ban.

Spel, on a general note, mentions the fact the reports that evaluate the effects of the lifting of the ban on brothels, seem to focus on the legal sector, the visible forms of prostitution and much less so on the illegal forms of prostitution, outside the regulated sectors.

Wiebing comments that she has encountered more cases of THB victims who have been locked up and physically abused since the legalisation.

Van der Helm has noticed a shift of illegal prostitution from the more visible scene of window prostitution, brothels and sex clubs to the underground scene in private houses in the suburbs of Amsterdam. It is becoming increasingly more difficult for public health doctors to reach the women, she claims.

Wijdgraaf and Tijen point to the specific situation in the province of Groningen, where the prostitution checks are now executed by the civil servants of the local council, instead of the police. Both claim the civil servants are ill equipped for such a task.

The cabinet in a general statement claims that the local prostitution policy should be executed adequately. If the administrative and criminal enforcement function accordingly, there should be a decrease of the risk of encountering THB victims in the prostitution enterprises. If forced sexual exploitation is encountered in non-regulated forms of prostitution, it is a criminal offence and criminal investigation and enforcement should be brought into action. Regular communication and co-operation between the administrative bodies, the police and the judiciary is therefore required, the cabinet concludes.

The cabinet furthermore agrees with the NRT when it points out that it is difficult to measure the exact effects of the amendment to the act. This is due to the fact that many municipalities already had a policy and practise in place similar to the new laws long before the new legislation was introduced. Comparison between municipalities is complicated. It is therefore impossible to obtain a well-defined view on the before mentioned effects on the prostitution branch.

4.3.3. Increased intermediaries

Another effect of the legalisation, signalled by the respondents is that it has resulted in a rise in intermediaries who perform (semi) legal dealings for the traffickers and the women, such as requesting a residence permit.

De Weerd draws attention to the fact that legal thresholds create the need for mediators. In other words, the legalisation has lead to the existence of middlemen and intermediaries. They will, for example, arrange a 'business plan' for the women to

prove she's an independent prostitute⁸⁶. Wijdgraaf and Tijen state the lawyers who arrange the documents often ask extortionate prices.

The cabinet state they will look into the issue of foreign women working as an independent prostitute in the Netherlands further when it has received and reacted to the evaluation reports. With regards to lifting the exclusion of the profession prostitution from Article 3 of the law on labour for foreigners, it states that it is important to make sure it will be possible to verify the woman will be working in prostitution on a voluntary base. The risk of THB should still be examined.

4.4. Conclusions

Chapter 4 represents an overview of pressure points and individual comments, opinions and views of experts in the field of anti-trafficking measures and practise. No authoritative or general conclusions can therefore be drawn for the Netherlands. However, there are several pressure points that elicited remarkably similar and interesting reactions and propositions by the respondents.

4.4.1. Law enforcement

4.4.1.1. THB is considered as an issue of illegal immigration

Possible victims of THB have been deported from the country by the police. The B9-ruling states however, that police officers have to offer the women the option of reporting THB to the police, even when there is a shadow of a doubt. Especially social workers and the FATW complained this practice obstructs the effective protection of the victims of THB in the Netherlands, some of whom live under the threat of the traffickers, in the Netherlands and in their country of origin. Regular and effective communication between the local authority, the heads of police and the Aliens Department could prevent potential THB victims from being deported as illegals.

4.4.1.2. Lack of capacity in the police force

The police, in general, are understaffed and lack the capacity for the complex THB cases. The fact that the police is often involved in finding places for a victim in reception centres, complicates matters. Due to a general lack of places in refuge centres for women, this task becomes very time-consuming. This bears down on the already strained available capacity in the police force for the investigation of the criminal cases. All interviewees, except the officer in the region IJsselland, agreed to this proposition.

4.4.1.3. Ban on letting people through

This measure seems to be an essential pressure point in anti-trafficking laws and practise, pointed out by respondents. All the interviewed prosecutors and police officers, except for those in Amsterdam, experience problems with regard to the ban on letting people through. Once it is known to the police that people are being trafficked and forced to work in the sex industry, there is an obligation to act on the side of the police and prosecution. They claim, however, that it obstructs a thorough and effective investigation and prosecution of the traffickers and their criminal networks, while the complicated and complex nature of the crime demands a lengthy and thorough police and judicial investigation. The situation of the women involved, however, demands swift actions. There is broad consensus among the respondents to the proposition of

⁸⁶ A Dutch lawyer will apply for a residence permit. While the request is under consideration, the woman thinks she can legally work. She registers at the Chamber of Commerce as an independent prostitute. The lawyer appeals against any negative decisions and the woman is enabled to legally stay in the Netherlands. See also the 'Jany' case, note 23.

executing an individual weighing up of the interests in each case, before interfering and taking the women away and arresting the suspects. The FATW, however, stresses the necessity of the guarantees for and protection of the women involved. A solution to the problem is offered by several prosecutors and police officers. In their view, once possible THB is signalled, the Aliens Department could be responsible for the women and take them away from the brothel or sex club. The vice squad or criminal investigators could then continue their investigation of the criminal network. This solution is not so clear cut as it seems. Several legal and practical issues remain unresolved, such as, for example, the risk of *detournement de pouvoir* on the side of the police.

4.4.1.4. Bias

Public prosecutors, police officers and social workers claim there is a widespread preconception among judges, police, and the general public that a woman who knew she was going to work in the sex industry before she left her country can never become a victim of THB. This can lead to a prejudiced assessment of the facts of a case. They are viewed as less victimised. Some of the prosecutors claim it leads to low sentences for the traffickers.

4.4.1.5. Lack of interpreters and lawyers

There seems to be a broad consensus regarding the lack of well-informed and competent interpreters for victims of THB. The Zwolle district public prosecutor, Mrs. Duijts adds that she encounters problems with ill-informed lawyers in the field of THB as well.

4.4.1.6. National cooperation

Many respondents complain the communication between the different institutions and organisations in the field of THB, such as the Immigration and Naturalisation Department, the police forces, public prosecutors and the reception centres is far from ideal. This has a detrimental effect on the interests of the victims.

The co-operation and communication between regional police forces was criticised as well. Some regions are absent at the national consultation of THB contact persons or project managers of the police force (PPM/DNP). Besides that, the legalisation of prostitution has led to decentralised police forces and enforcement policy. It obstructs the reception and care for the victims, especially when a woman is staying in a different region than where she has reported. The decentralised policy and practise and the lack of co-operation and communication between the regional police forces leads to an uncertain situation for the women and an unnecessary amount of bureaucratic paperwork.

4.4.1.7. International cooperation

Requests for mutual legal assistance are considered an inadequate tool by all the interviewed prosecutors. The respondents suggest investing more energy into establishing a more European approach to mutual assistance in the investigation and prosecution of THB.

The policy of Europol was criticised. Europol investigates trafficking in human beings under the umbrella of the fight against illegal immigration. This approach leads to conclusions that do not stroke with the Dutch policy in the field of anti-trafficking activities. In Dutch law and practice, a distinction is made between THB and human smuggling.

Informal and practical contacts between prosecutors and police officers in different destination countries were considered as valuable contacts and desirable in many instances. The prosecutor from the district Kennemerland, Mrs. Ling, indicated she would have liked to have contacted her Italian colleague in one of her cases. Gerritsen, a police investigator of the prostitution team in Twente, claims the contacts he has with his German colleagues in the bordering region are good.

4.4.2. Victim protection and assistance

4.4.2.1. Instrumentality of B9 ruling

The B9-ruling is instrumental to the interests of criminal prosecution and less to the interests and protection of the women involved.

The victims are viewed predominantly as witnesses in a criminal process. When the stated facts of a filed police report are not considered convincing evidence or when

women who were trafficked to another (European) country, but eventually end up in the Netherlands, there is no legal or other protection for the women involved. The respondents - among them also police officers - underline the fact the lives of the victims might be severely endangered. They alert to the fact that the human rights of the women involved are not safeguarded or guaranteed sufficiently. Police officers agree to this proposition and advocate an extension of the B9-ruling to include witness protection provisions, specifically focussed on the protection against the dangers in the direct environment of the victim and in the country of origin.

4.4.2.2. Disappearances

Many respondents alert to the fact that victims/witnesses disappear with unknown destination while they are in reception centres. Simultaneously, valuable witnesses are lost. Not a lot is known as to why the victims disappear with unknown destination. A general explanation, according to some respondents, could be the fact that the B9-ruling does not offer sufficient protection of the human rights of the victim involved. The B9-ruling offers hardly any protection to the victims for the risks they run when they report on the traffickers. Besides that, the B9-ruling is classified as a 'two track' policy by the interviewed social workers and police officers. The women integrate into Dutch society, by learning the language, but at the same time, they are being prepared for their return to the country of origin. The women hardly ever obtain a permanent residence permit on humanitarian grounds. Another aspect mentioned in this respect is the circumstance that B9 residence permit holders are not allowed to work during their stay in the Netherlands. These factors could all lead to the women disappearing with unknown destination.

4.4.2.3. Victim and/or witness protection

The lack of witness protection provisions in the B9-ruling is considered to be a lacuna in the law by social workers, police officers and prosecutors. Victims can be confronted with the traffickers at the court proceedings, this is a consequence of general rules and regulations of criminal law. This disturbing and dangerous event for the women can be avoided by conducting a confirmed and lengthy hearing at the examining judge. There should be additional witness protection or existing witness protection schemes could be used more often, some of the respondents stressed.

4.4.2.4. The FATW

The majority of respondents quoted problems with the role of the Foundation Against Trafficking in Women in the care and reception for THB victims. The FATW is assigned a central role, on the basis of the B9-ruling, in the care and reception of victims. The police are legally obliged to refer all victims to the FATW. However, due to financial and capacity restraints, there are problems in executing all the assigned tasks properly.

4.4.2.5. Shortage in reception places

The shortage in reception places for victims of THB is seen as a major obstacle by most respondents. The lack of reception capacity is partly caused by poor transfer facilities within the shelter. The problem has a wide range: not only the reception centres cannot function effectively, police officers encounter time-consuming problems as well when they are involved in finding a place to stay for the victims.

4.4.2.6. The right to work

There seems to be broad support among the interviewed respondents with regard to granting a right to work for the THB victims. Several circumstances were mentioned to substantiate the claim. The women feel pressured to pay off the debts to the traffickers.

Secondly, being able to earn their own money will increase their independence. Also, the simple fact of having something to do during the day is considered valuable by the respondents and the women involved. Moreover, granting the women a right to work during their stay in the Netherlands, would also improve their prospects when they return to their country of origin.

4.4.2.7. Risk at return to the country of origin

On a general note, many respondents claim the B9-ruling is not an effective measure for preparing the woman for her return to her home country. There seems to be consensus to the proposition that the B9-ruling is a two track policy, preparing the woman for her return while the women are simultaneously integrating into Dutch society by learning the language. Not enough attention is paid to the risks the woman faces at return to her home country. Many respondents agreed to this proposition. Reprisals by traffickers and the threats made to the families are not to be underestimated. Moreover, once a victim has testified against the traffickers during court proceedings, these risks intensify.

4.4.3. Other

4.4.3.1. Legalisation of prostitution

It seems that the law that abolishes the ban on brothels has not eliminated illegal prostitution from the sector. This observation is corroborated by several recent research reports. Illegal prostitution and possible THB has shifted from the now legal to the illegal areas. It has lead to a strongly decentralised practise and policy on the enforcement level, according to the accounts of the interviewed police and social workers and recently published reports.

Chapter D. Recommendations

Many problems and pressure points were signalled in this report. On the basis of the research findings and the interviews with experts, several recommendations have been formulated. The recommendations have been structured according to the different phases that occur in a typical cycle of events when a person is trafficked and forced to work in the sex industry. Five phases have been distinguished; recruitment, travel, exploitation in the Netherlands, reception and judicial process and return to the country of origin.

1. Recruitment

- Information and prevention and the role of the IOM and NGO's

Prevention in the countries of origin should be directed specifically at women at risk; underage, coming from dysfunctional families or with no family ties.

The seemingly trustworthiness of traffickers is an important consideration. Traffickers make use of time pressure, in combination with relatively small social distance - same nationality, same gender, friends or acquaintances, family relations – to influence the victim's choice.

For prevention of trafficking, these findings can be used in information campaigns. Information about trafficker's strategies might have preventive effects.

2. Travel

- Period of time between recruitment and travel

Once a woman has been contacted by a trafficker, the next step in the cycle of events is arranging her documents and travelling to the country of destination. On the basis of the research results a remarkable finding is the short period of time between the victim meeting the recruiter and her leaving the country. The victim meets the trafficker only one or two times before her departure. It could very well be purposive tactics employed by the traffickers. Many victims do not have enough time to thoroughly verify or investigate the offer that was made to them. Some form of an early warning system should be set up in the countries of origin, in order to duly notify the women and girls of the dangers of THB. A hotline, as is set up by NGO's in some source countries⁸⁷ could prove to be such an early warning mechanism.

- Travel documents

Intensified efforts should be made by police and border control personnel to signal and track down false or forged documents. As emerges from the conducted research of victims' files, in most cases the trafficker arranges travel documents for the woman. In half of the cases the victim reached the Schengen territory with a regular visa; false passports with Schengen visa or regular passports with forged Schengen visa. However, it cannot be stressed urgently enough that holders of false or forged passports and visas can be victims of THB. As was notified in both the research and the chapter that deals with the pressure points in law, policy and practice, THB victims have been deported from the country by the police. They were treated as illegal immigrants. Therefore, there is an urgent need to further investigate holders of false or forged travel documents for signs of THB.

⁸⁷ The La Strada network in Kiev, Ukraine, received nearly 12.000 calls since it set up a telephonic hotline for questions about job offers and other THB related matters.

- Method of transportation and trafficking routes

When a trafficker has arranged travel documents for the woman, the next step will be to leave the country. When traffic routes are known to the police, transnational and international police and judicial co-operation can be instrumental in persecuting the traffickers. It appears from the research, for instance, that two notable routes have evolved. Nigerian victims seem to be entering through Mediterranean countries and Bulgarian victims travel directly to the Netherlands. If and when police forces are enabled to co-operate efficiently and swiftly in this field, trafficking networks can be dealt with before they have the chance to exploit the victims.

3. Exploitation in The Netherlands

- Role of police, signalling THB

Since the legalisation of prostitution, it has become a widely held practise for the police to regularly check up on brothels and sex clubs. All police officers in the relevant department should be well-informed and trained in the field of anti-trafficking. Culture sensitive practices such as voodoo should be included in the training. As has been stated, the police sometimes view THB victims as illegal immigrants and deport them from the country without giving them a chance to reflect on the possibility of reporting to the police. Besides that, there is the complicating factor that the women often do not find their way easily to the police station because of bad experiences with the police in their country of origin. If police officers enhance their experience with and sensitivity towards the victims, this would improve matters.

The police should keep a central role in the enforcement of regulations concerning the exploitation of prostitution. If not, they will be able to signal and investigate possible cases of THB.

4. Reception and judicial process

- Communication, co-ordination and information

With regard to information in the destination countries, the Netherlands in particular, the dissemination of information concerning the provisions of the B9-ruling to all parties concerned, needs to be focussed on. If and when the police, the judiciary and the victims themselves are correctly informed, it will result in a more effective prosecution of the perpetrators and a more proficient legal protection of the victims. Mistakes made due to a lack of information do occur and can be prevented. Cooperation and communication with various parties involved is essential for an effective victim assistance program. Coordinating facilities for the reception of victims, cooperation and agreement between IND and police departments to avoid premature deportation, and a central point for reporting are needed.

It is strongly recommended to offer specific information and training to the judiciary and police in matters related to THB.

- Disappearances

The disappearances of victims of THB after they have come into contact with the police or other organisations, needs to be registered and thoroughly investigated. This investigation should clarify how many women disappear and why they disappear. It should be established if there is any correlation between the (lack of) witness protection provisions of the B9-ruling and their motivation or the explanation of why the women disappeared.

- B9-ruling

The dualistic character of the B-9 regulation, aiming at return to the country of origin and simultaneously at integration into Dutch society, needs to be solved. For humanitarian reasons some victims of trafficking should be granted better opportunities for integration and - after judicial review to avoid improper use - a prolonged or permanent permit of residence. It deserves recommendation to judicially review the merits of an individual case in an early stage, and to inform the woman involved if she will obtain a permanent or temporary residence permit as soon as possible, so as to create a more transparent and clear system. It will then be possible to make a distinction between, and on the basis of that distinction, provide support to women who can integrate into Dutch society and women who will return to their country of origin.

Besides that, the provisions of the B-9 regulation should also be available to persons who have not yet been working in prostitution in the Netherlands, but are possible victims because of their exploitation in other (EU) countries. The legal and practical merits of a European (EU) temporary residence permit for THB victims should be investigated.

- The right to work and education opportunities

It is strongly recommended that victims are offered better facilities for a meaningful structuring of daily activities by enabling them to work or follow courses.

The B9-ruling should also be made more effective in preparing the woman for her return to her home country, by granting better educational and (vocational) training facilities.

- International co-operation

Many expert respondents complained about the lengthy and bureaucratic procedures that have to be employed in requests for mutual legal assistance. From the interviews with the experts, it appears there is still a lot to improve in the field of transnational and international co-operation. For an effective approach of traffickers, information about traffic routes needs continuous monitoring and updating. More energy into investigating a more European approach to mutual assistance in the investigation and prosecution of THB. The policy of Europol in the field of anti-trafficking should be reconsidered.

- The criminal process

The lack of witness protection provisions in the B9-ruling is considered to be a lacuna in the law by some of the respondents. Concerted efforts should be made by the judiciary to avoid a direct and physical confrontation between the victim and the traffickers during the trial. This can be achieved by having a confirmed and lengthy hearing at the examining judge.

5. The return to the country of origin

- The risk of return and permanent residence permits

There should be an early judicial review that precedes the granting of a permanent residence permit on humanitarian grounds, wherein the personal risks at return should be evaluated thoroughly. The criteria as set out in Article 3 of the ECHR⁸⁸ could be instrumental in this respect. If and when a victim and/or her family runs a serious danger of being threatened and abused when she returns, the grounds on which a

⁸⁸ European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)

permanent residence permit can be obtained in the Netherlands should be extended. If the women have children, this should also be classified as an aggravating circumstance in the risk assessment. Furthermore, when a victim has children, it underlines the necessity of reviewing the THB case as early as possible.

- Role of the IOM

The IOM should be involved on a more permanent and legal basis in the return and reintegration of the woman who voluntarily decides to return to her country of origin.

- Follow-up activities

If and when a woman chooses or has to return to her country of origin, there should be monitoring activities with regard to her safety situation. A recurrence of events that lead to her enslavement should be prevented by all means. Structured co-operation and communication between the Dutch authorities and the IOM and anti-trafficking NGO's in the countries of origin could prove to be an effective means to an end in this respect.

- Training for the returned women

The Dutch government should support local organisations in the countries of origin that provide courses, training and work for the returned victims. Providing a viable economic and social perspective for the women in their home countries will prove to be a truly effective weapon in combating trafficking in human beings.

EXECUTIVE SUMMARY

Research based on case studies of victims of trafficking in human beings (THB) in three EU Member States i.e. Belgium, Italy and the Netherlands.

The Hippokrates programme; a research project of European Commission, DG Justice and Home Affairs; under the coordination of Payoke (NGO, Belgium): JAI/2001/HIP/023

This project was carried out in Belgium, Italy and the Netherlands concerning trafficking for the purposes of sexual and/or labour exploitation in countries other than the origin as well as victims of smuggling. The outset of the project was: to identify the practices and mechanisms of transnational crime related to trafficking, to contribute towards recommendations policy and to defines durable solutions for preventing and combating THB.

The research is primarily based on case file analysis of 481 victims, on the framework of witness cooperation programs and on investigative procedures in order to identify organized crime groups and to prosecute the traffickers. Special attention was paid to victims of smuggling in human beings as under the Belgium legislative framework.

The latest European Commission Communications pointed out that there is a lack of reliable data on the phenomenon of THB. Although various NGO's and social services (law enforcement bodies, immigration services and other concerned government authorities) are working on issues related to trafficking. The research presented in the report provides exactly that kind of data; detailed information on individual characteristics, status of the judicial case, degree of integration, social background in the country of origin, motives of the victim, characteristics of recruitment, pressure, coercion, violence and characteristics of the criminal network.

The data this research was able to gather through case file analysis showed to be very specific for each country. The dossiers of assisted victims of THB are designed to function as a basis for the country specific assistance programs for victims of THB. Belgium, Italy and the Netherlands each still use distinct definitions of THB as well as distinct witness protection and victim assistance programs. This has made it impossible to draw scientifically sound general conclusions, although research in those three countries did come up with statistics, patterns and specific conclusions.

With the necessary caution due to the methodological limits of the research, the findings indicate the following.

- Law enforcement officers showed to be by far the most important referents of victims to centres of assistance.
- The largest group of victims when leaving the country of origin is between 18 and 25 years of age. A substantial part of them has received education, and the majority did have work experience. The motive for accepting offers from recruiters are financial improvement and better living conditions.
- Only the assistance programs in Italy seem to be able to get the victims of THB a legitimate job alternative while Belgian and the Netherlands are not.
- In the majority of the cases, the recruiter was a stranger to the victim, he arranges travel documents and often appears as investor of travel expenses, leading the victims to a debt bondage.
- The initiative of the contact is on the side of the recruiter. They use time pressure to get the victim's consent for the departure.
- There is very little contact between victim and perpetrators during the whole trafficking process.
- Nationalities of victim and perpetrator are correlated primary when perpetrator was the recruiter, secondary for 'passeurs', and least for exploiters. Albanian and Nigerian victims seemed to be far more recruited, passed and exploited by the same ethnic criminal group, namely their own.

With no exception victims who ended up in sexual exploitation, have suffered physical and mental abuse, had their documents taken away, were given no money at all, were allowed no freedom and were continuously threatened.

An important finding was that there are significant differences in victim's and perpetrator profiles between victims of sexual exploitation, economical exploitation and smuggling. Belgian data are very symptomatic.

- In the 'smuggling module' one finds explicitly more victims out of the age category above 30 than in the modules 'sexual and economical exploitation'.
- In case of the module 'sexual exploitation' almost 60% of the victims can be found in the age category of youngsters between 18 and 24.
- In case of the module 'economical exploitation', almost half of the victims can be found in the age category of youngsters between 18 and 24.
- The prostitution victims are all women; the smuggling victims equally of both genders, and victims of economical exploitation consist two thirds out of men.
- Striking is the high score of the smuggling victims with a partner, while this percentage lies much lower for victims of economical and sexual exploitation.
- The victims of economical exploitation are focussed on finance; they refer to the political instability in the country of origin as a motive to leave.

General recommendations are provided in 14 clusters. However, in each country report, the researchers offer an assessment of national laws and policies on THB as well as their assistance programs. The researchers plead for witness assistance and protection programs at European level, as well as further harmonisation of trafficking laws in the European Union. This should certainly result in more comparable data and insights in patterns/mechanisms concerning THB.

GENERAL RECOMMENDATIONS

These general recommendations are a collection of compiled conclusions and recommendations from the national reports. However, each national report contains substantial conclusions and recommendations key to improvement of policy in their respective countries.

Trafficking and exploitation of migrant persons is an unacceptable violation of human rights, if only because of the violence, deceit and crime involved. It is a growing phenomenon and its main feature is complexity, from different points of view:

- Degree of deception, physical and psychological violence and exploitation, dependency victims are subject to in the recruitment and trafficking process in the origin, transit and destination countries;
- Degree of victims' awareness in undertaking such a "migratory project" and degree of coercion they are subject to by their exploiters;
- Different purposes of trafficking and forms of exploitation (prostitution, sex industry, pornography, domestic work, "black" labour, begging, slavery...);
- Different types and shapes of criminal organisations running the trafficking and exploitation system;
- Different and inhomogeneous responses given by the receiving countries.

1. Due to the multifaceted and sophisticated structure set-up to run such a criminal business, a wide-ranging and systemic strategy has to be implemented - both on a short and a long-term perspective - to tackle the ever-growing phenomenon of trafficking. Within this framework, it is important to highlight that a human rights-centred response and a gender sensitive approach are conditions *sine qua non* institutions and agencies must take into account in order to efficiently guarantee the protection and empowerment of victims of human traffic to support their full acquisition and fulfilment of "citizenship rights".

2. Due to the short period of time between the recruiter's offer and the victim leaving the country, information about trafficker's strategies might have preventive effects. Promoting hotlines could serve that purpose in countries of origin. At the same time, hotlines in the country destination could prove to be an early warning mechanism. Also, informing victims about their rights and possibility to access a programme of social assistance and integration is a first step into regaining citizenship rights for victims.

3. For an effective approach to traffickers, information about traffic routes needs continuous monitoring and updating. More energy into investigating as well as a more European approach to mutual assistance in the investigation and prosecution of THB should be established.

To do this, international police, judicial and social cooperation should be fostered with competent authorities in other countries of destination and in those of origin and transit.

Also, implementation of efficient data collection and collation system is a key issue. Information could be collected through standardised forms by interviewing all intercepted migrants to gather data on recruitment methods, travelling routes, means of transportation, services provided by smugglers and traffickers and prices paid, to be referred to a central database that can then be useful for efficient intelligence activities.

When traffic routes are known to the police, transnational and international police and judicial co-operation can be instrumental in persecuting the traffickers.

If and when police forces are enabled to co-operate efficiently and swiftly in this field, trafficking networks can be dealt with before they have the chance to exploit the victims.

The policy of Europol in the field of anti-trafficking should be reconsidered.

4. If police officers enhance their experience with and sensitivity towards the victims, this would improve matters. Mistakes made due to a lack of information do occur and but be prevented. Cooperation and communication with various parties involved is essential for an effective victim assistance program. Coordinating facilities for the reception of victims, cooperation and agreement between assistance centres and police departments to avoid premature deportation, and a central point for reporting are needed.

It is strongly recommended to offer specific information and training to the judiciary and police in matters related to THB.

Concerted efforts should be made by the judiciary to avoid a direct and physical confrontation between the victim and the traffickers during the trial.

5. The disappearances of victims of THB after they have come into contact with the police or other organisations, needs to be registered and thoroughly investigated.

For humanitarian reasons some victims of trafficking should be granted better opportunities for integration and/or permanent permit of residence.

The legal and practical merits of a European (EU) temporary residence permit for THB victims should be investigated

Guarantee an efficient and quick issuance of stay permit to victims.

Repatriate victims of trafficking only upon their voluntary request and with the assistance of specialised agencies

- 6.** The IOM should be involved on a more permanent and legal basis in the return and reintegration of the woman who voluntarily decides to return to the country of origin. If and when a victim chooses or has to return to the country of origin, there should be monitoring activities with regard to the victim's safety situation. A recurrence of events that lead to the enslavement should be prevented by all means. Structured co-operation and communication between the national authorities and the IOM and anti-trafficking NGO's in the countries of origin could prove to be an effective means to an end in this respect. If and when a victim and/or her/his family runs a serious danger of being threatened and abused when she/he returns, the grounds on which a permanent residence permit can be obtained should be extended. If the women have children, this should also be classified as an aggravating circumstance in the risk assessment. Furthermore, when a victim has children, it underlines the necessity of reviewing the THB case as early as possible.
- 7.** Providing a viable economic and social perspective for women in their home countries will prove to be a truly effective weapon in combating trafficking in human beings. At the same time, it is strongly recommended that victims be offered better facilities for a meaningful structuring of daily activities by enabling them to work or follow courses. Real opportunities for social and occupational insertion on a permanent basis must be ensured. At the moment many countries made their border controls more severe and their immigration rules more strict and therefore the possibilities for legal immigration have decreased. Meanwhile there is a continuous need for cheap labour forces in most countries of destination. This tendency exists as well at the official labour market as in the informal sector.
- 8.** Foster signing and ratification of UN Convention Against Transnational Organised Crime and Additional Protocols "to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children", and "against Smuggling of Migrants by Land, Sea and Air"; Endorse proper national legislative measures in all countries to punish traffickers and exploiters and support victims, that include the definitions and provisions incorporated in the above-mentioned UN Convention and Protocols;
- 9.** Ensure data collection and information exchange policies at the international level in order to ameliorate the knowledge on trafficking and, therefore, to implement more focused strategies and share common approaches. Support international collaboration among national and international law enforcement agencies and judiciary authorities.
- 10.** Appoint a National Rapporteur on human traffic. Implement the active participation into the policy-making process of the public and private agencies involved in the field through the establishment of a national consultation body that meets on a regular basis.
- 11.** Standardise identification and referral procedures of victims of trafficking at a European level.
- 12.** Allocate suitable financial resources to support anti-trafficking and victims' assistance programmes. Provide an adequate and regular fund to financially support the social assistance and integration programmes for trafficked people (male and female) managed by Ngo's and local authorities, whose role of services providers must be fully acknowledged.
- 13.** Establish a government fund using traffickers' confiscated proceeds to subsidize programmes aimed at supporting victims;
- 14.** The dossier analysis of this project confirms that hardly any research has been made into money laundering practices in trafficking in human beings. In many dossiers the victims

refer to connections with other criminal activities of their traffickers, which indicate the presence of organised criminal networks. But in practise no inquiry has been made. In order to combat the tangle of the world of organised crime effectively, it is necessary to audit these networks of trafficking in human beings financially and to fight the money laundry practices. Only in this way one can strike organised crime at the very roots. When combating trafficking in human beings is only oriented at the tracking down of go-betweens such as traffickers, there will always be many substitutes ready to fill up the empty gap and the carrousel will continue to turn, even in a more effective way. The network gets the opportunity to learn from its mistakes, to adapt itself and to reinforce. In that case combating trafficking in human beings threatens to become merely a treatment of the symptoms, in which the focus lies on the hunt for illegal.

Annexes

Annex 1: Initial questionnaire dossier

Annex 2: Initial questionnaire interview

Annex 3: Differences with the general format of the questionnaire for file analysis

Annex 4: List of respondents

Annex 5: On The Road, activities and services

ANNEX 1 : Initial questionnaire dossier

PERSONAL NOTES

1. Birth-date

.....

2. Nationality

.....

3. Sex

Female

Male

STATE DOSSIER

4. First intake of the victim in the Centre: date.....

Start procedure: date.....

Send by: police

Justice

Asylum centre

Other reception centre

Other social organisation

Victim contacted self (or through avocat or friend)

Other

5. What is the state of the criminal investigation?

Running

Trial: First: date.....

Conviction for trafficking in human beings:

Yes

No

Appeal: date.....

Conviction for trafficking in human beings

Yes

No

The Procedure has been stopped: date.....

Unknown

6. In case the victim-procedure has been stopped, what was the reason?

Classification of the dossier or stopsetting of prosecution of the suspect

Reason unknown

Not a case of trafficking in human beings

The Testimony of the victim is insufficient

The Suspect can't be located

Suspect unknown

Other.....

Has the avocat made some critical notes on the ground of it in the dossier?

Yes

No

No conviction of trafficking in human beings

Procedure has been stopped by the organisation (On the Road)

The victim has recontacted the criminal milieu

The victim has refused to cooperate

Residence permit on humanitarian grounds

Commission of Regularisation

Obtaining nationality by:

Marriage or adoption

Naturalisation

Other

Send: to.....

Forced repatriation

Voluntary repatriation

The victim has left with unknown reasons

DEGREE OF INTEGRATION

7. How much participates the victim in the integration-programm of the social accompaniment?

Very motivated

Motivated

Less motivated

Not motivated

8. Has the victim found work in the country of residence? What sort of work?

.....

9. Has the victim in the country of residence created a new family life?

Living together

Plans for a marriage

Having a boyfriend or a girlfriend

Child born in the country of residence:

Living together in a family structure

Living alone

SOCIAL AND PSYCHOLOGICAL BACKGROUND IN THE COUNTRY OF ORIGIN

10. Was the victim living together or alone in the country of origin at the time of the recruitment?

Alone

With a partner

With parents or family

With friends or acquaintance

Other

11. What was the civilian state at the time of the recruitment?

Married

Living together

Divorced (for the law)

Living divorced but not for the law

Widow

Alone

12. Has the victim children in the country of origin? How many?

.....

13. At this moment, who's looking after the children?

Parents or parents-in-law

Home for children

Partner

Ex-partner

The recruiter has organised the reception of the child

Child came together with the victim to the country of residence

Others

SOCIAL-ECONOMIC BACKGROUND IN THE COUNTRY OF ORIGIN

14. What was the standard of life at the time of the recruitment?

None

Under the level of the subsistence minimum

At the level of the subsistence minimum

Above the level of the subsistence minimum

15. Has the victim working-experience in the country of origin?

Yes

No

16. Sort of work?

.....

17. Has the victim finished a schooleducation? How many years?

.....

RECRUTEMENT-METHODES

18. How many persons organised the mediation?

.....

19. How many times has the victim been approached by different recruiters?

In the country of origin

During the travel

At the place of destination

20. How many time was there between the first meeting of the victim with the recruiter and the victim's departure abroad?

.....

21. What age had the victim at the time of the departure?

.....

22. Who has taken the initiative to contact the recruiters?

The victim has approached the recruiter

The recruiter has approached the victim

The family of the victim has approached the recruiter

The recruiter has approached the family of the victim

Other

23. How has the victim been contacted by the recruiter(s)?

advertention

company

place of amusement

publicity by mouth on mouth

my family

acquaintance

other

24. What was the relation of the victim with the recruiter(s)?

Partner

Family

Friend

Acquaintance

Unknown

Other

25. What was the relation of the recruiter(s) with the family, partner or friends of the victim?

.....

.....

.....

26. What was the motivation of the victim to take up the offer of the recruiter?

Insufficient income to fulfil the first necessities of life

Money for family

Money for a more luxurious life

Adventure

Interesting work

Better future for the children in the West

Compulsion/kidnapping

Doing everything for the partner

Better conditions to work as prostitute

Political instability in the country of origin

Other

27. What has the recruiter arranged for the victim?

Travel-documents

Advanced money for travelling costs

Debt redemption for the victim

Debt redemption for the parents

Taking financial care for the child of the victim

Taking care for the child of the victim

Others

28. What kind of work has been promised to the victim?

Horeca

Marriage

Au pair

Prostitution

Entertainer (stripper, danser)

Kidnapped

Other

29. What are the agreements that have been made with the victim on the promised work? (work conditions, loan...)

.....
.....

30. When got the victim the first suspicion that the recruiter didn't keep him on the agreements?

Before the departure

During the travel to the place of destination

By arrival

A while after the arrival

After the police has runned in the victim and explained his rights

Others

31. How find the victim out that the recruiter didn't keep his promises and agreements

He didn't gave the documents back to the victim

The victim may not return home when wanted to

The victim didn't receive a retourticket at the departure

He abused the victim (fysically, mentally, rape)

Against agreement he told the victim that she must going to work in the prostitution

The victim received less money than agreed

He gave the victim no money

He sold the victim without her permission

He told the victim having high debts with him while it was not true

The victim has to pay each week a minimum wage to the recruiter without her approval

The victim may not go where she wanted

The victim has been watched continually

The victim received threats

The family of the victim received threats

The victim may not refuse clients

When the victim acknowledged in what conditions she had to work in the prostitution

Other

32. Has the victim debts with the recruiter? For what reason? Since when?

.....

.....

.....

33. Meanwhile, Has these debts been redeemed, stayed at the same level or grew?

.....

.....

.....

NETWORK

34. What was the trafficking route

.....

.....

.....

.....

35. Is there a link in the dossier with another criminal delict?

No

Yes

Wich?

False, forged or stolen documents

Moneylaundering

Drugs

Weapons

Cigarettes smuggling

Theft

Violence

Finacial-economical (fraude)

Other

ANNEX 2: Initial questionnaire interview

1. What was the standard of life at the time of the recrutement?

.....

2. What was the standard of life at the time of the recrutement?

None

Under the level of the subsistence minimum

At the level of the subsistence minimum

Above the level of the subsistence minimum

3. Has the victim working-experience in the country of origin?

Yes

No

Sort of work?

.....

4. Has the victim work at the time of the recrutement?

.....

5. Has the victim finished a schooleducation? How many years?

.....

6. How many years have you been to school? What sort of education and how have you finished it?

.....

.....

.....

7. How many times have you doubled a year?

.....

LIVING-SITUATION IN THE LAND OF ORIGIN

8. How was your living-situation in the country of origin at the time of the recruitment? How did you live?

Independent housing accommodation

Living in

Homeless

9. With whom was the victim living?

Alone

With a partner

With parents or family

With friends or acquaintance

Other

10. what was the seize of the community, the village or the city where you lived at the time of the recruitment?

Under 10.000 citizens

10.000– 50.000 citizens

50.000- 100.000 citizens

100.000- 500.000 citizens

more than 500.000 citizens

SOCIAL AND PSYCHOLOGICAL BACKGROUND IN THE COUNTRY OF ORIGIN

11. With whom are you grewed up? Father, mother or both?

.....

12. Are you grewed up with your own father

Yes

No Since what age anymore? Sinceyear

13. How is the relation with your father?

No contact with father; since what age? Since.....year.

Father abused me fysically. He's violent/agressive.

(explain).....

.....

Father abused me psychologically. (explain).....

.....

The relation with my father is superficial

The relation with my father is good

Other, namely.....

14. Are you grewed up with your own mother

Yes

No Since what age anymore? Sinceyear

15. How is the relation with your mother?

No contact with mother; since what age? Since.....year.

Mother abused me fysically. She's violent/agressive.

(explain).....

.....

Mother abused me psychologically. (explain).....

.....

The relation with my mother is superficial

The relation with my mother is good

Other, namely.....

16. Worked father at the time of the recrutement?

Long without a payed job

Recently but without a permanent appointment

Interim

Permanent appointment

17. Worked mother at the time of the recruitment?

Long without a paid job

Recently but without a permanent appointment

Interim

Permanent appointment

18. Have your parents debts? With whom?

Yes, with the recruiter

Yes, with other people than the recruiter

No

19. What was the civilian state at the time of the recruitment?

Married

Living together

Divorced (for the law)

Living divorced but not for the law

Widow

Alone

20. Has the victim children? How many?

.....

21. At this moment, who's looking after the children?

Parents or parents-in-law

Home for children

Partner

Ex-partner

The recruiter has organised the reception of the child

Child came together with the victim to the country of residence

Others

22. At this moment, who's paying for the care of the children?

Parents or parents-in-law

Home for children

Partner

Ex-partner

The recruiter has organised the reception of the child

Child came together with the victim to the country of residence

Others

TRAFFICKING ROUTE

23. What was the travelling route to get here?

.....
.....
.....

24. Have you on your way stayed in another country? How long? Have you there also been forced to prostitution or illegal work?

.....
.....
.....

25. How many persons organised the mediation?

.....

26. How many times have you been approached? Afterwards, in what time have you left for the country of destination?

.....
.....

.....

27. What was your age at the time of the departure?

.....

RECRUITING METHODES

28. How got you know the recruiter?

.....
.....
.....

29. Who has taken the initiative to contact the recruiters?

The victim has approached the recruiter

The recruiter has approached the victim

The family of the victim has approached the recruiter

The recruiter has approached the family of the victim

Other, namely.....

30. How has the victim been contacted by the recruiter(s)?

advertising

company

place of amusement

publicity by word of mouth

my family

acquaintance

other, namely.....

31. What was the relation of the victim with the recruiter(s)?

Partner

Family

Friend

Acquaintance

Unknown

Other, namely.....

32. What was the relation of the recruiter(s) with the family, partner or friends of the victim?

.....
.....
.....

33. What was the motivation of the victim to take up the offer of the recruiter?

Insufficient income to fulfil the first necessities of life

Money for family

Money for a more luxurious life

Adventure

Interesting work

Better future for the children in the West

Compulsion/kidnapping

Doing everything for the partner

Better conditions to work as prostitute

Political instability in the country of origin

Other, namely.....

34. What has the recruiter arranged for the victim?

Travel-documents

Advanced money for travelling costs

Debt redemption for the victim

Debt redemption for the parents

Taking financial care for the child of the victim

Taking care for the child of the victim

Other, namely.....

35. What kind of work has been promised to the victim?

Horeca

Marriage

Au pair

Prostitution

Entertainer (stripper, danser)

Kidnapped

Other, namely.....

36. What are the agreements that have been made with the victim on the promised work? (work conditions, loan...)

.....
.....

37. When got the victim the first suspicion that the recruiter didn't keep him on the agreements?

Before the departure

During the travel to the place of destination

By arrival

A while after the arrival

After the police has runned in the victim and explained his rights

Other, namely.....

38. How find the victim out that the recruiter didn't keep his promises and agreements

He didn't gave the documents back to the victim

The victim may not return home when wanted to

The victim didn't receive a retourticket at the departure

He abused the victim (fysically, mentally, rape)

Against agreement he told the victim that she must going to work in the prostitution

The victim received less money than agreed

He gave the victim no money

He sold the victim without her permission

He told the victim having high debts with him while it was not true

The victim has to pay each week a minimum wage to the recruiter without her approval

The victim may not go where she wanted

The victim has been watched continually

The victim received threats

The family of the victim received threats

The victim may not refuse clients

When the victim acknowledged in what conditions she had to work in the prostitution

Other, namely.....

39. Have you tried to verify the offer?

No, I trusted the persons who did the offer

No, I had no opportunity verify (kidnapped)

Yes, I checked with my friends, family

Yes, I checked through some authorities in my country

Others, namely.....

ANNEX 3: Differences with the general format of the questionnaire for file analysis

Replaced question:

“To what extent does the victim participate in the social integration program?”

Replaced by:

“Does the victim participate in Dutch language courses?” And “What are the victim’s future plans?”

Additional questions:

- If the victim had children at the time of recruitment: “How old was your oldest child?”, “How old was your youngest child?” and “Who pays for the children?”
- “Did you grow up with your own father?”
- “What is the relationship like with your own father?”
- “Maltreatment by father?”
- “Sexual abuse by father?”
- “Did you grow up with your own mother?”
- “What is the relationship like with your own mother?”
- “Maltreatment by mother?”
- “Did your father work at the time of recruitment?”
- “Did your mother work at the time of recruitment?”
- “Do your parents have debts?”
- “Was the victim working at the time of recruitment?”
- “Which kind of work at the time recruitment?”
- “How many years of school education?”
- “Did the victim follow vocational training?”
- “Which vocational training?”
- “Did the victim complete vocational training?”
- “Number and nationalities of recruiters?”
- “Number and nationalities of traffickers during the trip?”
- “Number and nationalities of exploiters?”
- “How big is your village or town?”
- “Did the victim try to check up on the offer beforehand?”
- “How did the victim try to check up?”
- “Is the victim religious?”
- “Did the religion influence the decision to accept the offer (of the trafficker(s))?”
- “Did you remain in another country before arriving in the Netherlands?”
- “For how long did you remain in another country?”
- “Were you forced into prostitution there?”
- “Did the victim reach the Schengen territory with a regular visa?”
- “Which consulate granted the visa?”
- “How much did you have to pay for your visa?”

ANNEX 4: List of respondents

E. Bleeker, policy making official for the Ministry of Justice

B. Bouwer, police officer in the prostitution team Zwolle

M. Brons, Policy Officer Program Development of the IOM, the Hague

S. Corba-Stanojlovic, Policy making official of the department of public order and safety of the council of Amsterdam

E. Duijts, Zwolle district public prosecutor's office

J. van Gelder, national policy prosecutor in the field of THB

H. Gerritsen, police officer in the prostitution team, Twente

J. Grimmius, head of social work of Toevluchtsoord, a refuge for women in Groningen

F.M. Gussenhoven, program officer of the IOM, the Hague

T. van der Helm, prostitution co-ordinator of the public health services of Amsterdam

P. van Hilten, Roermond district public prosecutor's office

M. ter Horst, co-ordinator for the care for THB victims in Groningen

M. Huls, project manager of the team trafficking in human beings and prostitution of the police force in Amsterdam

I. de Jong, trusted representative for migrant prostitutes in Groningen

S. Kern, Coordinator of Prostitution Social Work Humanitas, Rotterdam

E. Korteweg, care co-ordinator THB victims, Amsterdam

W.P.A. Korver, Breda district public prosecutor's office

M.J. van Ling, Haarlem district public prosecutor's office

P. Oviawe, head of the Nigerian Platform in the Netherlands, Amsterdam

W. Sosef, social worker for the Foundation for Assistance and Reception Prostitutes (SHOP: Stichting Hulpverlening en Opvang Prostituees)

D. Spel, policy staff member of the Stichting Tegen Vrouwenhandel (Foundation Against Trafficking)

J. Thijen, police officer of the prostitution team, Groningen

J. Vollebregt, policy advisor of the National Criminal Intelligence Department Trafficking in Human Beings of the National Police Agency

R. Vorrink, Amsterdam district public prosecutor's office

K. de Weerd, chair of the Foundation Entrepreneurs Window Owners, Amsterdam

C. van Weerd, developer of information training for Underage Asylum Seekers, Scharlaken Koord, Amsterdam

I. Wiebing, social worker at the blijf van mijn lijfhuis, a refuge centre for women in Leeuwarden

D.J. Wijdgraaf, police officer of the prostitution team, Groningen

The Bureau NRT:

A.G. Korvinus, National Rapporteur THB

M. Smit, researcher for the Bureau NRT

ANNEX 5: On The Road, activities and services



ON THE ROAD

**Voluntary Association
ONLUS**

Registered Office:

Via Campania n. 132
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C.F. 91009900670

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ACTIVITIES AND SERVICES

MISSION AND ACTIVITIES' OVERVIEW

The On the Road Association has been operating since 1990 through intervention in prostitution and the trafficking of human beings for the purpose of sexual exploitation, with a particular focus on street prostitution of migrant women and minors, often victims of trafficking organised and managed by criminal organisations.

ON THE ROAD intervenes in cases of discomfort and/or cases of risk stemming from prostitution, and therefore also addresses issues faced by Italian prostitutes (including drug addicts) and Italian and foreign transvestites and transsexuals. The association has also widened its fields of action to other and new issues such as marginalization and poverty.

ON THE ROAD develops structured activities and services directly addressed to the people affected by such forms of exclusion, with an approach based on the promotion and protection of individuals' rights.

Simultaneously, ON THE ROAD, from a local, national and trans-national perspective, contributes to the promotion of the policies in the field, to the elaboration of models of intervention, of professional profiles and of training curricula; it carries out research-intervention projects and issues a variety of publications.

The volunteers of the Association began the work – which is still being done onsite – in the streets, in particular the Strada Provinciale Bonifica, which begins at the Adriatic coast of San Benedetto del Tronto and Martinsicuro and moves towards the inland, running along the two Provinces of Teramo, in the Abruzzo region, and Ascoli Piceno, in the Marche region.

Transvestites and transsexuals (above all Italian and Latin-American) and some autochthonous prostitutes (“historical” sex workers or drug addicts), a number of immigrant prostitutes from Nigeria, Albania, and countries of the former Soviet Union and Eastern Europe, and other countries of Africa and Latin America, were and still are present on the Bonifica, as well as in other areas to which *ON THE ROAD* has extended its interventions.

Over a long period, the Association has been widening its range of actions, beginning interventions in other areas of the Marche region where prostitution takes place (in particular on the coast along the axis San Benedetto del Tronto, Grottammare, Porto San Giorgio, Lido di Fermo, Porto Sant'Elpidio and Sant'Elpidio a Mare, Civitanova Marche), in the Abruzzo region (Martinsicuro and the coastal area especially along the axis Silvi Marina, Montesilvano, Pescara, Francavilla a Mare), and in the Molise region, in collaboration with local organisations. From direct intervention on the street and the first steps towards assistance and shelters, the action of the Association has developed into a real network of opportunities and aid structures including counselling, sheltering, social and job insertion, as well as building up an official network of different public and private institutions.

On the Road works directly with prostitutes to lower risks and to reduce the discomfort connected with prostitution and to increase prostitutes' possibilities for self-protection, liberation from various forms of violence and exploitation, and to offer programs of social and job insertion, of autonomy and self-determination.

Towards this end, stable and structured services managed by trained professionals have been established: outreach units; Drop-in Centres; various types of shelters; information sessions, orientation, counselling and training regarding sanitary, legal, educational, and psychological issues; vocational guidance and vocational training courses, “Practical Training in Enterprise” and job insertion programs are also offered.

Great effort has been invested in the following activities: networking, awareness raising, territorial and institutional involvement, promotion of the policies in the sector, training, research, and publications.

On the Road has, in fact, committed itself to promoting policies, strategies and interventions in the fields of prostitution and to fight against trafficking at the local, national and trans-national level.

In order to achieve this goal, the Association has contributed to developing a strong network throughout the areas where it works, which has contributed to the stable working relationships with various public institutions as well as the establishment of the Table of Coordination of the Marche Region on Prostitution and Trafficking in Human Beings for the Purpose of Sexual Exploitation.

The activity at the national and transnational levels are intense in addition to participation in the *Inter-ministerial Committee on Trafficking*, with the promotion of national networks such as the *National Coordination Table on Prostitution and Trafficking* and the *Ad hoc Group of the C.N.C.A. on Prostitution and Trafficking*, with projects of research, intervention and training (in Italy, Europe, Albania...), with the publication of books and reports, and with the organisation of conferences and various exchanges.

Furthermore, the work of elaboration is particularly relevant in the circular relationship practice-theory-practice regarding the various models of intervention in the field and the professionals involved: street workers, shelter operators, intercultural mediators, legal consultants, job insertion mediators, and so on. Innovative training activities developed at national level are underscored.

The approach to action-research is constant regarding phenomena both specific to as well as that related to prostitution and trafficking: immigration and illegal residence, drug abuse, new forms and places of prostitution and trafficking, and new areas of exclusion.

This has made *ON THE ROAD* to be a point of reference at the national level, not only for its networking, research and training activities, but also for its activities of technical support and scientific counselling for different institutions and projects. Particularly meaningful in this regard, for instance, is the implementation of the transversal measures of accompaniment to the *Oltre la strada* Project of the Emilia-Romagna Region and the scientific supervision of *Strada*, the Equal project of the Province of Pisa.

Such activities are carried out with the co-participation of European institutions, such as the Council of Europe and the European Commission, various Ministries (in particular, the Department for Equal Opportunities and the Ministry of Labour and Social Policies), Abruzzo Region, Marche Region and Molise Region, the Provinces of Ascoli Piceno, Teramo, Macerata, Pescara, a wide network of over 40 Municipalities, the Prefectures, the Precincts, the Police, the N.G.O.s', enterprises, a vast group of partners of European countries, countries of origin and transit of the victims of trafficking of human beings for the purpose of sexual exploitation.

Thus, it is a comprehensive work with the progressive involvement of the institutions and the territorial networks, which testifies to the possibility of activating sensibility and synergies in a meaningful integration between public and private sectors, at the local, national and transnational level.

Registrations and Recognitions

The On the Road Association was formally founded in 1994 and entered that same year into the *Abruzzo Region Register of Voluntary Organisations* with the Regional Committee Decree n° 1040 of 18/10/1994

In 1994 the Association also entered *C.N.C.A. (National Coordination of Care Communities)*, the widest Italian federation of non-profit associations and social cooperatives active in the field of social exclusion.

In 1998, On the Road registered in the *Provincial Register of Associations and Voluntary Organisations of the Province of Teramo* with decree professed on 12/07/1998 Prot. n° 21295. It is also enrolled in the *Register of the Free Associative Forms* of the Municipality of San Benedetto del Tronto (n° 9).

Since 1998, the Association has been a member of the "*Co-ordination Committee for the Government Actions Against Women and Minors Trafficking for Sexual Exploitation*" held at the Council of Ministers' Presidency, Ministry for Equal Opportunities and Ministry of Social Affairs, with the participation of the Ministry of Home Affairs, Ministry of Justice, and Ministry of Foreign Affairs.

In 2000, the Association entered the **Third Section of the National Register of the organisations carrying out activities for immigrant people** in accordance with art. 18 of the Consolidation Act on Immigration (D.Lgs. 286/98) and the art.54 of D.P.R. n.394/1999 (rules for the enforcement of D.Lgs. 286/98) with the number C/5/2000/AP.

The Association is a member of the **NOVA Consortium of innovative actions**, along with the following organizations: Cooperativa Lotta Contro l'Emarginazione (Sesto S. Giovanni, Milano), Associazione Parsec (Roma), Associazione Oasi 2 San Francesco and Cooperativa Compagni di Strada (Trani, Bari).

The **Woman of the year 1997 prize** was awarded to one of the Association's members, Sister Maria Rosario Bolanos (Sister Charo), by ANLAIDS.

The **Solidarity National Prize** was conferred upon the association in 1998 by the *Voluntary Italian Foundation* and by the *Voluntary Work Magazine*.

In 2000, the Association was awarded the Macerata Club's **Soroptimist International prize**.

Various national and European projects realised by *ON THE ROAD* have received recognitions and prizes; inter alia, the project *Prostitution Inclusion Network* in 2000, (P.O.M. 940026/I/1, promoted by Province of Teramo) was awarded by the Department of Social Affairs as a "project of excellence"; and in 2002 the project *New Women Empowerment* (financed by the art. 18 of the D.Lgs. 286/98) was presented by the Abruzzo Region at the "Forum of the Public Administrations", for the *Ragionando prize 2002, The Region and the Young People*, and won the category "Politics of Youth Discomfort and Against Social Exclusion" and awarded the prize and the Plaque for the Conference of the Presidents of the Regions and the Autonomous Provinces.

Areas of Intervention

ON THE ROAD's interventions currently being organised combine the work of professionals with the support of volunteers, and **are carried out in the Marche, Abruzzo and Molise regions, in both national and international contexts.**

□ OUTREACH UNITS

(outreach units of professional operators and volunteers with the support of intercultural mediators)

observation and mapping out of the phenomenon
contact, listening and needs analysis
information and health prevention
accompaniment to health services and educational training for access to local services
information and assistance in legal, psychological, and housing matters
list of services
offer of aid or aid in response to a request to leave prostitution and violent and exploitative conditions
awareness interventions and conflict management for local communities
mapping, contacting and awareness of territorial services
observation and monitoring of the dynamics of the phenomenon
production of information materials, in Italian and in the main languages spoken by the target population

□ DROP IN CENTER

(low demand centres of information, orientation and counselling, added filters between the street, the services of the Association, and of the territory)

information, orientation and counselling on health as well as social and legal issues
accompaniment to health services and educational training regarding access to local services
counselling and list of services
offer to or aid in response to a request to leave prostitution and violent and exploitative conditions
orientation on assistance and social integration programmes
thematic seminars and territorial animation

□ NUMERO VERDE CONTRO LA TRATTA

(local branch of the national Free Toll Number against Trafficking for the regions Marche, Abruzzo)

telephone information, guidance and counselling
listening and needs assessment
referral to local services providers, in particular to agencies running Art. 18 projects
networking with different local actors
information on and advertising of the *Numero Verde*

SHELTER AND FOSTERING
AUTONOMY
(in *residential* micro-structures: halfway houses and emergency care shelters, secondary care shelters, families)

co-creation of individualised plans towards social integration with the eventual goal of autonomy
shelter and protection
board and lodging
health services
psychological assistance
relationship support
support in denouncing criminals
legal assistance and legalisation
socialisation
educational and training activities
Italian language classes
creative workshops
vocational guidance
beginnings of social and occupational integration

□ VOCATIONAL GUIDANCE,
TRAINING, SOCIAL AND
OCCUPATIONAL INTEGRATION
(Diversified, individualised and flexible systems aimed at eventual employment insertion)

individual and group vocational guidance
basic training
the programme: "Vocational Training in Enterprise"
direct employment insertion and support
search, identification and contact with training agencies and enterprises

□ NETWORKING WITH SEVERAL ORGANIZATIONS REGARDING THE DIFFERENT TERRITORIAL CONTEXTS

Regions, Provinces, Municipalities, Ministries, Equal Opportunities Commissions, AUSL (Local Health Units), Prefectures, Police Headquarters, national police, Families, Volunteer Associations, Social Co-operatives, Ngo's, Religious bodies, Enterprises, Trade Unions...

□ INFORMATION, AWARENESS INTERVENTIONS, AND COMMUNITY WORK WITHIN THE LOCAL CONTEXT

Work with the agencies of the territory and the citizens in order to negotiate the social conflicts and to implement shared responses to emerging problems.

□ SUPERVISION of the TEAMS and EVALUATION of the ACTIVITIES

In order to maintain a constant high quality of work within and among the different areas of the Association, monthly supervision sessions are held by an external supervisor and systems of checks and evaluations for each sector of work are implemented and updated by this external evaluator.

□ INSTITUTIONAL WORK AND NETWORKING AT THE NATIONAL LEVEL

To contribute to the development and implementation of policies and strategies of intervention, in the field of prostitution and to fight against trafficking in human beings for the purpose of sexual exploitation, as described by national institutions, Local Authorities and private social agencies. To collaborate with projects of intervention in the same sector: transfer of women and minors within the programs of social protection, integration of the interventions...

□ RELATIONS WITH EUROPEAN ORGANISATIONS

Through research projects, intervention activity and exchange between N.G.O.'s and organisations, Universities and institutions at the European level.

□ RELATIONSHIP WITH THE COUNTRIES OF ORIGIN

Thorough investigation into the possibilities for immigrant women to be repatriated, contacts with families, search for documents, and local development interventions in the countries of origin...

□ ACTIVITIES OF RESEARCH, DOCUMENTATION AND PUBLISHING

In consideration of the complexity and continuous evolution of the confronted phenomena, projects of research and research-intervention are carried out in order to identify, in a purposeful manner, characteristics, interrelations and transformations. From such a perspective, in terms of prostitution and trafficking, *ON THE ROAD* has widened its range of analysis to include the different and connected forms of social exclusion.

Various publications on the phenomena, the policies and the interventions in such sectors have been produced.

Furthermore, at the headquarters, a Documentation Center has been set up for the themes of Prostitution and Trafficking and all correlated phenomena.

□ TRAINING OF OPERATORS

To conceive and develop strategies and social projects on dynamic and complex new phenomena, which means paying specific attention to the elaboration of models of intervention, to the professional profiles and to the relative training curricula, in a type of permanent laboratory.

Besides the initial training of the operators - educators, social assistants, psychologists, sociologists, and pedagogues – specialised training and continuous refresher seminars are necessary in order to work in the field of prostitution and trafficking. Since 1997, the Association has organised seminars and training courses for internal and external operators coming from all over Italy and Europe. The courses are developed according to a multi-disciplinary approach (i.e.: courses for street operators working in the field of drug abuse, prostitution, minors at risk, homelessness; courses for operators of the night world())

THE EXPERIENCE AND THE SUCCESSES, UNDERSCORED BY OPERATORS OF BOTH PUBLIC AND PRIVATE ORGANISATIONS AT THE LOCAL AND NATIONAL LEVELS, HAVE LED *On the Road*, WITH THE ENCOURAGEMENT OF THE ABRUZZO REGION AND OTHER LOCAL AUTHORITIES, TO CONCEIVE A LABORATORY OF PERMANENT TRAINING: **OPIFICIUM - SCHOOL FOR SOCIAL ADVANCEMENT**. THE SCHOOL PLANS TO OFFER: BASIC COURSES AND COURSES OF QUALIFICATION, MASTER'S DEGREES, STRATEGIC-POLITICAL LABORATORIES, SEMINARS AND EVENTS, DOCUMENTATION AND PUBLICATIONS.

PUBLICATIONS

Since 1998, the Association has produced several publications. In the year 2001, its editorial line was launched: *ON THE ROAD EDIZIONI*.

All past and present publications currently available are:

- *Rapporto di ricerca Osservatorio sull'applicazione dell'art. 18 del D.Lgs. 286/98 nel contesto delle norme di contrasto della criminalità contro i migranti*, Regione Emilia-Romagna and Associazione *On the Road*, *On the Road Edizioni*, Martinsicuro, 2002.
- *STOP TRATTA – Atti del Convegno Internazionale – Bologna 23 e 24 maggio 2002*, *On the Road Edizioni*, Martinsicuro, 2002.
- *LA TRATTA DI ESSERI UMANI: fenomeno, legislazioni, assistenza; PERSPECTIVES ON TRAFFICKING IN HUMAN BEINGS: phenomenon, legislation, assistance*, brochure published in French, English and Italian edited by CCEM of Paris in collaboration with Payoke, PagAsa and IOM (Belgium), *ON THE ROAD*, Differenza Donna of Rome and Ufficio Pastorale Migranti of Turin; Paris, 2002.
- *WOMEN EMPOWERMENT – Un progetto multiregionale a favore delle vittime della tratta finanziato ai sensi dell'art. 18 del D.Lgs. 286/98*, *On the Road Edizioni*, Martinsicuro, 2002.
- *DA VITTIME A CITTADINE – Percorsi di uscita dalla prostituzione e buone pratiche di inserimento sociale e lavorativo*, Ediesse, Rome, 2001, in collaboration with Ageform, Tampep and Parsec.
- *KALEIDOS – Materiali per la formazione e l'intervento sociale nella prostituzione e la tratta*, *On the Road Edizioni*, Martinsicuro, 2001.
- *ON THE ROAD - Manuale di intervento sociale nella prostituzione di strada*, Comunità Edizioni, collana Proposte del C.N.C.A., Capodarco di Fermo (AP), 1998.
- *TERRE DI MEZZO esperienze ipotesi nel Pianeta Prostituzione*, Capodarco di Fermo (AP), 1998.
- Information materials about prevention and rights addressed to migrant women, published also in their languages.
- Intermediate and final reports for all implemented projects.

THE FOLLOWING ARE UPCOMING PUBLICATIONS. BE AWARE THAT TITLES ARE SUBJECT TO CHANGE:

- *PROSTITUZIONE E TRATTA – Manuale di intervento sociale*, FrancoAngeli, Milano, 2003.
- *PORNEIA – Caleidoscopio sul mondo "oscuro" della prostituzione*, Il Poligrafo, Padova, 2003.
- *DIPENDENZE E PROSTITUZIONE – Un percorso di ricerca-intervento tra prostituzione e uso/abuso di sostanze, Vol.1 La ricerca, Vol.2 I Seminari*, *On the Road Edizioni*, Martinsicuro, 2003.
- *ENTI LOCALI, IMMIGRAZIONE E DIRITTI DI CITTADINANZA*, Conference Proceedings, Abruzzo Region and Municipality of Martinsicuro, *On the Road Edizioni*, Martinsicuro, 2002.
- *PERCORSI DONNA – Un progetto pilota di Drop-in Center per donne in difficoltà*, *On the Road Edizioni*, Martinsicuro, 2002.
- *GUIDA AI MODELLI DI ASSISTENZA GIURIDICA E SOCIALE ALLE VITTIME DI TRATTA*, publication in French, English and Italian edited by CCEM of Paris in collaboration with Payoke, PagAsa and IOM (Belgium), *ON THE ROAD*, Differenza Donna of Rome and Ufficio Pastorale Migranti of Turin; Paris, 2002.
- *PROSTITUZIONE E TRATTA – Una guida per operatori del pubblico e del privato sociale e per operatori delle Forze dell'Ordine*, Marche Region, *On the Road Edizioni* – Guide, Martinsicuro, 2002.
- *MEDIAMENTE – Una ricerca sulle rappresentazioni sociali e sulla mediazione nella prostituzione in Italia, Olanda, Messico, Argentina e Uruguay*, *On the Road Edizioni*, Martinsicuro, 2002.