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**“Ending Human Trafficking in Germany: Addressing Root Causes, Supporting Victims,  
and Providing Recommendations”**

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House Committee on International Relations, Subcommittee on Africa, Global Human Rights  
and International Operations: “Germany’s World Cup Brothels: 40,000 Women and Children at  
Risk of Exploitation through Trafficking”

Dear Chairman Christopher Smith and Members of the House International Relations  
Committee:

Thank you for your ongoing energetic leadership against human trafficking and for the opportunity to discuss how to bring an end to the suffering of the victims. This testimony will approach the issue from a human rights framework, including the legal definition, a brief overview of trafficking for sexual exploitation and forced labor in Germany, root causes of trafficking, and the need to support trafficking victims. It also will include recommendations and cautions for next steps.

**Introduction**

Amnesty International (AI) has opposed human trafficking for several years now. AI’s vision is of a world in which every person enjoys all of the human rights enshrined in the United Nations Universal Declaration of Human Rights and other international human rights standards. In pursuit of this vision, AI’s mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination within the context of its work to promote all human rights. A winner of the Nobel Prize, AI is independent of any government, political ideology, economic interest or religion. AI has more than 1.5 million members, supporters, and subscribers in more than 150 countries and territories in every region of the world.

AI approaches the issue of human trafficking through international law, as defined in the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons in Article 3, paragraph (a) where it states: “Trafficking in persons” shall mean the “recruitment, transportation, transfer, harboring or receipt of persons, 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Human trafficking is a worldwide abuse of human rights. It results in the abuse of the human rights of trafficked persons -- women, girls, men and boys -- including the rights to physical and mental integrity, life, liberty, security of the person, dignity, freedom from slavery,

slavery-like practices, torture and other inhuman and degrading treatment, family life, freedom of movement, privacy, the highest attainable standard of health, and safe and secure housing.

### **Human Trafficking in Germany**

We are focusing today on human trafficking to Germany, but it is impossible to disconnect this case from all the source and transit countries to which it is linked and the global problem in general. Amnesty International fears that there will be an increase in trafficking of women and girls for purposes of sexual exploitation during the FIFA World Cup in Germany this summer.

From June 9 to July 9, the World Cup in soccer for men will take place in Germany. In the 12 cities that will host matches [Berlin, Cologne (Köln), Dortmund, Frankfurt, Gelsenkirchen, Hamburg, Hannover, Kaiserslautern, Leipzig, Munich (München), Nuremberg (Nürnberg) and Stuttgart], it is expected that large numbers of men, possibly more than 1 million, will travel to Germany and that there will be an increase in demand within the German sex sector. The Parliamentary Assembly of the Council of Europe (PACE) has expressed its concern that between 30,000 and 60,000 women and girls might be the target of trafficking for the purposes of sexual exploitation during the World Cup. The organization calls on the European institutions and governments to use all legal means to prevent human trafficking.

While today's discussion is focusing on trafficking in Germany for sexual exploitation, trafficking in Germany in other spheres is also an important issue. The International Labor Office (ILO) in November 2005 released a revealing 95-page study, "Trafficking for Labor and Sexual Exploitation in Germany," by Norbert Cyrus. The ILO study finds that men, women, and children are trafficked into forced labor in a variety of industries in Germany, including domestic service, babysitting, agriculture and meat processing, restaurant and catering, sweatshop, construction, and sex work. The industries are often labor-intensive, dirty, and dangerous. According to the ILO report, forced labor takes place both in the context of illegal employment and behind legal facades of regular contract or seasonal work.

Germany has some of the severest restrictions in the European Union (EU) on labor migration. While people from the new EU member states can seek employment freely in countries such as the United Kingdom and Ireland, they cannot in Germany and will not be able to do so for at least another 5 years. These restrictions obviously encourage smuggling and trafficking for forced labor as people from desperate conditions are willing to go to Germany in search of a better life and take up employment in conditions which can only be described as forced labor in the sectors described in the ILO report.

The German Criminal Code contains specific provisions prohibiting human trafficking for purposes of sexual exploitation. Human trafficking for purposes of forced labor is criminalized under provisions regarding personal freedom. Germany provides a four week 'reflection period' for victims of human trafficking. If victims choose to testify in criminal proceedings against their traffickers, their deportation is suspended and they are granted a 'temporary toleration' period.

### **Addressing the Root Causes of Human Trafficking and Protecting Victims**

Why in this day and age are people being trafficked? It is impossible to end trafficking without ending the root causes that make people vulnerable to exploitation. Fulfillment of economic, social, and cultural rights such as the conditions necessary to meet basic needs,

including food, shelter, and gainful employment, would provide protections to make persons much less vulnerable to trafficking. According to international law, the right to work entails access to employment without discrimination, free choice of employment, and a supportive structure that aids access to employment, including appropriate vocational education.

According to Amnesty International research on trafficking into other countries in Europe, the majority of women, girls and boys trafficked come from poor source countries. Most have suffered from poverty, job scarcity, social dislocation. Many have also experienced high levels of violence in the family. Many of those trafficked are from minority communities, who suffer from social exclusion and a lack of socio-economic opportunities. This includes Roma communities and stateless persons all over Europe, as well as many national minorities in other parts of the world. Many women and girls have suffered gender-based discrimination that has limited access to education and have experienced gender-based violence.

In September 2002, the International Organization for Migration (IOM) published an analysis of the social profile of 168 women and girls from Moldova, for whom they had provided assistance, 6 percent of whom were girls under the age of 18. The IOM found that the majority of women and girls (57 percent) had only received a basic primary education, 24 percent had received secondary education, 15 percent had been educated to the age of 18 and 4 percent had attended university. More than 70 percent defined themselves as poor or very poor, those that were employed earning less than \$30US (€30) a month. Some 88 percent of these women and girls told the IOM that their main reason for leaving Moldova was to find work. Some 37 percent of these women and girls were mothers, often separated or divorced. Some were single mothers or widowed. Fewer than 10 percent were reportedly married or living in a stable relationship.

Many women in poor countries may see the chance to work abroad as a positive option. They believe work abroad can offer them a way out and the chance to earn what they expect to be many times more than what they can earn at home. A factor that makes persons more vulnerable to trafficking is that they may lack accessible frameworks for legal migration, which pushes them toward irregular channels to enter and work in Europe, putting them at higher risk for exploitation.

Additionally, the assertion has been made that prostitution encourages human trafficking, as there is not enough of a domestic supply of sex workers to meet demand for sex services. For the record, Amnesty International as an international human rights organization currently has no position on the legal status of buying and selling sex services. However, AI encourages a full and complete discussion of all points of view.

AI also wants to highlight the responsibility of the government of the destination and transit countries, in this case Germany, to protect the trafficked persons. There is a high risk that the rights of the trafficked person, after first being violated by the traffickers, are violated again by the authorities in the destination country. Trafficking survivors should not be detained, charged, prosecuted or punished for illegal entry or residence in a country of transit or destination and unlawful activities which are a consequence of their situation as a trafficked person. It is also important before returning victims of trafficking to their countries of origin to properly assess the risks they run if returned to their native country, such as the risk of being trafficked again.

This discussion leads us to recommendations: What steps can be undertaken to prevent an increase in trafficking to Germany before the World Cup?

**Amnesty International calls on the German authorities to:**

- prepare for the expected rise in human trafficking for purposes of sexual exploitation during the World Cup by giving extra support to relevant organizations such as NGOs running hotlines for trafficking victims, shelters for trafficked women, and public campaigns to inform the German public of the problem of trafficking; and
- allow trafficking victims to remain in Germany for a recovery and reflection period that should be at least 30 days, in accordance with the Council of Europe Convention on Action against Trafficking in Human Beings;

While the current discussion of efforts to halt trafficking in Germany may be productive, please note a few cautions. Well-intended actions can create human rights violations. AI calls on the German authorities:

- not to repatriate women who have been victims of human trafficking without first offering the victims substantial medical, psychological, and legal help. This help should not be conditional on their cooperation in legal proceedings against traffickers;
- not to harass any legal workers in Germany in anti-trafficking measures, or subject them to ill-treatment, detention, charge or possible deportation; and
- not to instrumentalize fears of trafficking and impose unnecessary and unproportionate limits to entering Germany for foreigners. The problem which needs to be addressed is not migration but human trafficking.

**Amnesty International calls on:**

- the European Community and the U.S. to sign and ratify the Council of Europe Convention on Action against Trafficking in Human Beings;
- the European Union to ensure that all existing and future measures related to trafficking in human beings provides at least the same or preferably stronger protection than the minimum standards set out in the Council of Europe Convention on Action against Trafficking in Human Beings;
- all states to support domestic NGOs offering advice and practical support to women who have been trafficked or are at risk of being trafficked;
- all governments to ensure that reliable information about safe and legal immigration options, as well as about methods used by human traffickers, is easily available to the public and government officials at all times, especially in the months and weeks preceding the World Cup;
- all states to facilitate a full and open discussion of all ways to end trafficking; and
- all governments to engage in analytical conversations about anti-trafficking tactics that cause human rights abuses, such a gender-discriminatory closing of borders, the detention and coercion of trafficked persons by law enforcement, and other measures.