

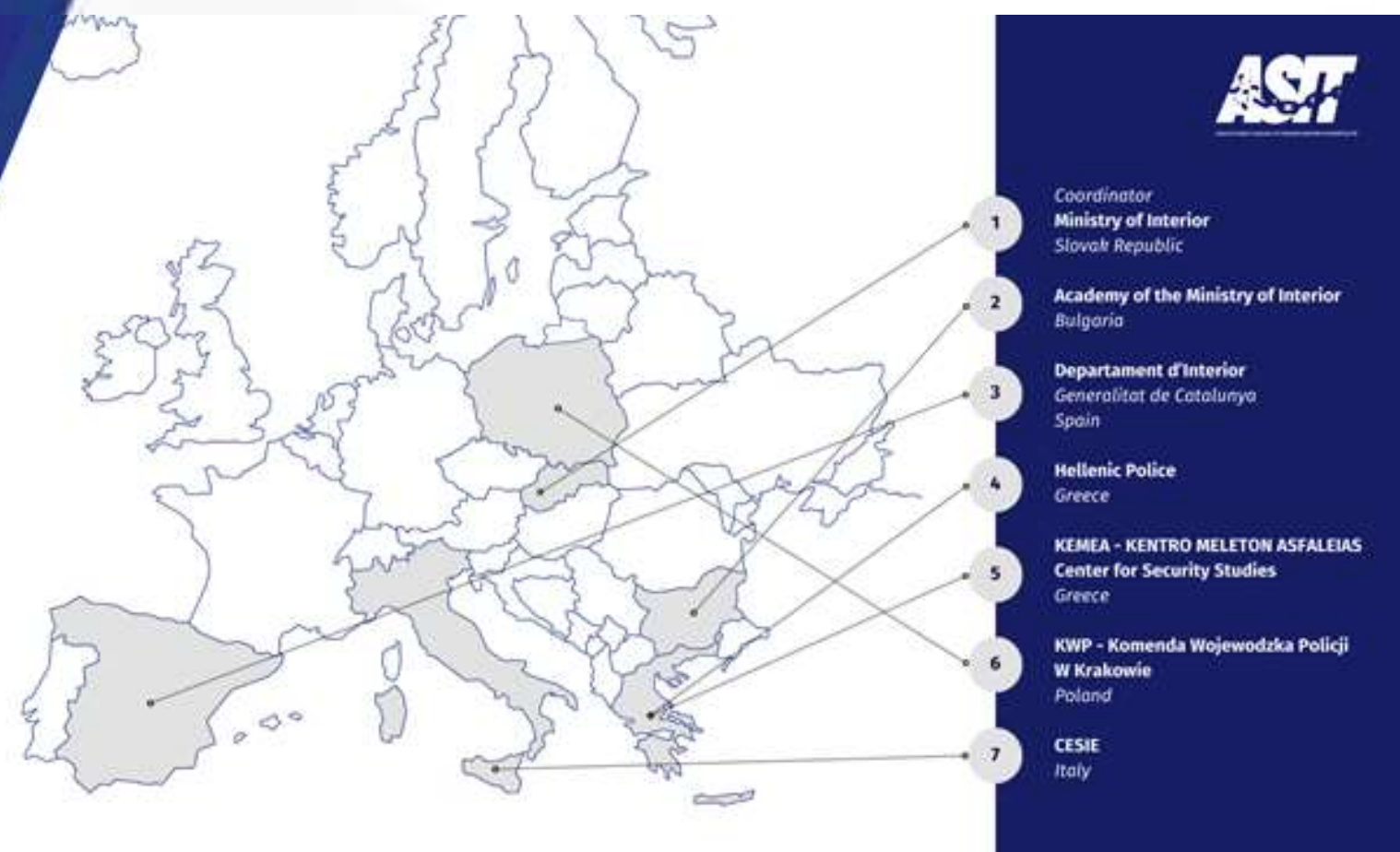


Adequate Support Measures and improved capacities in countering trafficking



Co-funded by
the European Union

TRAFFICKING IN HUMAN BEINGS SELF-LEARNING COURSE



ASIT Initiative

- The self-learning module is part of an inter-agency project and is available in various languages. Each language version also reflects on the national specifics.
- The international initiative ASIT aims to tackle new forms of human trafficking by promoting the ability to identify victims and uncover the modus operandi of perpetrators across a wide range of stakeholders.
- The seven European partners collaborate to create a network of collaborative intervention teams that share data and information supported by technological tools.
- The international actions support the improvement of identification and protection of victims of trafficking in human beings by networking frontline workers and LEA and **building professional capacities**, making available methodologies and digital tools to mitigate the risks of trafficking and protecting vulnerable groups by raising awareness and cooperation.

Course outline



The self-learning course is divided into four blocks.

- ✓ The introductory part defines the learning objectives.
- ✓ The second part provides insights about the international directives, agreements, protocols and examples of selected national legislations from 6 EU MS.
- ✓ The third part is dedicated to indicators per main forms of trafficking in human beings. Also, physical, behavioural and contextual indicators are outline to stress on the variety of “red flags” and their combinations.
- ✓ The fourth part refers to the international standards outlining the basic rules for establishing and maintaining of national mechanisms for effective reporting and protection of victims of trafficking in human beings. The national referral mechanisms of Poland, Slovakia, Bulgarian, Spain, Italy and Greece are presented.

1 INTRODUCTION

**2 DEFINITION
LEGISLATIONS**

3 INDICTORS

**4 REFERRAL
PROTECTION
MECHANISMS**

PART 1

INTRODUCTION

Adequate Support measures and Improved capacities in countering THB

The main self-learning objectives

By completing this course, participant will learn:

- ✓ knowledge of the **international and national legal framework** of human trafficking,
- ✓ knowledge of the elements of the internationally recognised definition of human trafficking and the meaning of the terms used,
- ✓ knowledge of the legal definition of human trafficking in national legislation,
- ✓ knowledge of indicators and red flags of human trafficking,
- ✓ international and national legislation concerning the coordination, cooperation and protection mechanisms also focused on prevention and early identification via awareness, education and helplines enabling **reporting procedures** in case of positive contact with a victim of human trafficking,
- ✓ the **possibilities of help and support** for victims of human trafficking, which result from international documents for countries and the link to the possibilities of help at the national level,
- ✓ important **national contacts** to entities involved in the country in the field of combating human trafficking.

Basic course benefits

- 1 raising awareness**
Education increases general awareness of human trafficking and its forms.
- 2 support for early identification**
Knowledge of the signs and indicators of human trafficking contribute to the early identification of victims.
- 3 ensuring timely intervention**
Conducting interviews enables early actions in assistance, support and protection for victims of human trafficking.
- 4 improvement of the reference mechanism**
Quality reporting methods and ethical procedures contribute positively to the cooperation of entities within the national referral mechanism for counter-human trafficking.

Human trafficking as a global problem



latent, hidden criminal activity of the perpetrators

to illustrate the dimension of human trafficking, the vast majority of publications and reports only provide estimates of the number of victims, or estimates of the profits of illegal groups of human traffickers



the most profitable illegal activities

human trafficking ranks among the top three most profitable illegal activities, along with drug and arms trafficking



49,6 milion victims worldwide

according to data published by the International Labour Organization (ILO), the International Organization for Migration (IOM) and the Walk Free organization, there are an estimated 49.6 million victims of human trafficking worldwide



236 billion US dollars

according to estimates by the International Labour Organization (ILO) from 2024, the annual profits of human traffickers represent volumes of illegally acquired funds amounting to 236 billion US dollars

PART 2

DEFINITION

Adequate Support measures and Improved capacities in countering THB

PART 2

International legal framework of trafficking in human beings

Adequate Support measures and Improved capacities in countering THB

International framework creates a basis also for national legislation and stipulates in particular:

Definition

- **The United Nations Convention against Transnational Organized Crime** supplemented by **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** (Palermo Protocol)
- **Council of Europe Convention on Action against Trafficking in Human Beings**
- **Directive European of the Parliament and the Council 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims**, which was amended **Directive European of the Parliament and the Council 2024/1712**
- **Convention of International Labour Organizations No. 29 on forced and compulsory labour** and Convention of International Labour Organization on the **Abolition of Forced Labour No. 105** from 1957 and the Convention of International Labour Organization on the **Prohibition and Immediate Measures for the Elimination of the Worst Forms of Child Labour No. 182** of 1999
- **Directive European Parliament and the Council 2012/29/EU establishing minimum standards in the area of rights, support and protection of victims of crime** and replacing Council Framework Decision 2001/220/JHA

The United Nations Convention against transnational organised crime

- was adopted by General Assembly resolution 55/25 of **15 November 2000**, is the main international instrument in the fight against transnational organized crime and entered into force on 29 September 2003.
- it is further **supplemented** by three Protocols, which target specific areas and manifestations of organized crime:
 - the **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**;
 - the Protocol against the Smuggling of Migrants by Land, Sea and Air; and
 - the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

The Protocol to prevent, suppress and punish trafficking in persons, especially women and children

- also known as the Palermo Protocol
- was adopted by General Assembly resolution 55/25 and entered into force on 25 December 2003
- is the **first global legally binding instrument with an agreed definition of trafficking in persons**

The definition aims to

- **facilitate convergence in national approaches**
- **establish the domestic criminal offences**
- support **efficient international cooperation** in **investigating** and **prosecuting** trafficking in person cases
- **protect and assist the victims** of trafficking in persons with full respect for their human rights

The Council Of Europe Convention on action against trafficking in human beings

- the Council of Europe has also made efforts to combat trafficking in human beings since the 1980s
- the adoption of the [Council of Europe Convention on Action against Trafficking in Human Beings](#) was in 2005 and entered into force in 2008.

Beyond the criminalisation of trafficking and the prosecution of traffickers, the Convention places positive obligations on states

- to put in place **effective measures to prevent** human trafficking,
- to **protect the rights** of victims of human trafficking and
- to engage in **international co-operation** and co-operation with civil society to these ends.

A [group of experts \(GRETA\)](#) and a [political committee](#) monitor how countries are applying the convention's standards.

Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims

- replaces Council Framework Decision 2002/629/JHA
- was amended by [Directive 2024/1712](#) of the European Parliament and of the Council of 13 June 2024
- is the main Union legal instrument on preventing and combating trafficking in human beings and protecting the victims of this crime
- sets out a comprehensive framework for addressing trafficking in human beings by establishing minimum rules concerning the definition of criminal offences and sanctions.
- includes common provisions
 - to strengthen the prevention of trafficking,
 - the assistance provided to victims, as well as their protection, taking into account gender, disability and children's perspectives, and using a victim-centred approach.

Directive 2011/36/EU – important changes made by amendment

- **Directive 2024/1712** deals with
 - the identified shortcomings of the criminal-law response requiring adaptation of the legal framework related to offences concerning trafficking in human beings that are committed in the interest of legal persons,
 - the data collection system,
 - the cooperation and coordination at Union and national level, and
 - the national systems aimed at the early detection and identification of, specialised assistance to, and support for victims of trafficking.
- **Directive 2024/1712** criminalises the use of a service provided by a victim of trafficking in human beings when the user of the service has knowledge that the person providing the service is a victim.

International Labour Organization (ILO)

The following important international legislation was adopted at the level of the ILO in relation to trafficking in human beings:

- [Convention No. 29 on Forced and Compulsory Labour, 1930](#)
- [Convention No. 1005 about Abolition of Forced Labour, 1957](#)
- [Convention No. 182 about the Worst Forms of Child Labour, 1999](#)

Additional important EU directives:

- [Directive 2012/29/EU](#) of the European Parliament and of the Council of 25 October 2012 [establishing minimum standards on the rights, support and protection of victims of crime](#), and replacing Council Framework Decision 2001/220/JHA is a important document at EU level for the protection of victims of crimes
- [Directive 2013/32/EU](#) of the European Parliament and of the Council of 26 June 2013 [on common procedures for granting and withdrawing international protection](#)
- [Council Directive 2004/81/EC](#) of 29 April 2004 on [the residence permit issued to third-country nationals who are victims of trafficking in human beings](#) or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities

PART 2

International definition of trafficking in human beings

Adequate Support measures and Improved capacities in countering THB

The Palermo Protocol

was the first to contain a generally recognized definition of the term **"trafficking in human beings"**:

- **Article 3 subparagraph a)** states: "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring 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 labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The Palermo Protocol

was the first to contain a generally recognized definition of the term "**trafficking in human beings**":

- **Article 3 subparagraph c)** states: **The recruitment, transportation, transfer, harbouring or receipt of a **child** for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article**

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims

based on the Directive 2011/36/EU, the definition of trafficking in human beings reads as follows: Member States **shall take the necessary measures to ensure that the following intentional acts are punishable:**

The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those 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.

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims

based on Directive 2011/36/EU, the definition of trafficking in human beings reads as follows: Member States **shall take the necessary measures to ensure that the following intentional acts are punishable:**

Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.

When the conduct referred above involves a child, it shall be a punishable offence of trafficking in human beings even if none of the means set has been used.

Directive 2024/1712 - amendment of Directive 2011/36/EU

states in its Preamble that **the exploitation of surrogacy, of forced marriage or of illegal adoption can already fall within the scope of offences concerning trafficking in human beings** as defined in Directive 2011/36/EU, to the extent that all the criteria constituting those offences are fulfilled.

DEFINITION of human trafficking by the Palermo Protocol

divides the concept of the definition into three essential elements, which need to be fulfilled cumulatively, in order to constitute the mechanism of human trafficking

ACT

recruitment,
transportation,
transfer,
harbouring or
receipt of persons

MEANS

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

PURPOSE

as a minimum, the exploitation of the
prostitution of others or other forms of
sexual exploitation, forced labour or
services, slavery or practices similar to
slavery, servitude or the removal of
organs

DEFINITION of human trafficking

Directive 2011/36 /EU (supplemented by Directive 2024/1712) expanded the definition of human trafficking given by the Palermo Protocol for other purposes as follows

ACT

recruitment, transportation, transfer, harbouring or reception of persons, **including the exchange or transfer of control over those persons**

MEANS

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

PURPOSE

as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, **including begging**, slavery or practices similar to slavery, servitude, **the exploitation of surrogacy, of forced marriage, of illegal adoption or the exploitation of criminal activities**, or the removal of organs.

Explanation of used terms

Abuse

- Abduction, kidnapping, verbal/physical/sexual/psychological abuse
- Unreasonable fines, threats, intimidation
- Withholding necessities, increasing workload

Creating Dependency

- Providing free alcohol/drugs, sole provision of food/accommodation
- Controlling identity documents, restricting mobility/access to services

Deception

- False promises of a better life, fake job/education placements
- Misleading job conditions, refugee offers with exploitative intent

Emotional control

- Threats to victim/family, manipulation into believing they're complicit
- Fear of authorities, deportation, or imprisonment
- Emotional attachment to the perpetrator's family



Additional control

- False earnings claims, withholding basic rights (food, sanitation)
- Exploiting cultural beliefs (e.g., debt obligation)
- Coercive spiritual threats (e.g., divorce, deportation)

Exploiting cultural beliefs

- Manipulating shame and moral obligation tied to family honour
- Threats of divorce, deportation, or spiritual rituals (e.g., witchcraft)

Financial control

- Creating insurmountable debt through inflated charges (visas, food, tools)
- Controlling bank accounts, confusion over earnings
- Debt bondage and financial manipulation

Grooming

- Establishing unhealthy relationships, showering the victim with gifts/praise
- Promises of future lump sum payment to create obligation and false hope

Isolation

- Locking victims in rooms, limiting communication with family or community
- Restricting access to personal freedom, phones, internet, and mobility

PART 2

Legal framework of trafficking in human beings in selected EU MS

Adequate Support measures and Improved capacities in countering THB

National legal framework in Bulgaria

Bulgarian law covers human trafficking in:

- Article 159a, para 1 of the **Penal Code**.
- § 1, item 1 of the **Supplementary Provisions to the Combating Trafficking in Human Beings Act**.
 - According to the Supplementary Provisions to the Combating Trafficking in Human Beings Act, trafficking in human beings means the recruitment, transportation, transfer, harbouring or receipt of persons, irrespective of their will, where such action is committed for exploitation.

National legal framework in Greece

- The exploitation, according to the Directive 2011/36/ EU (article 2 par. 3), includes, as a minimum, the exploitation of prostitution or other forms of sexual exploitation, forced labour or services, including begging, slavery, or practices similar to slavery, such as domestic slavery and servitude, the exploitation of criminal activities, or the removal of organs. In the Greek legal framework, the purpose of exploitation is linked to the “acquisition of unlawful economic benefit” Article 323A of the **Penal Code**. (p.17)
- The offences of impairing the morals of minors and forced presence before sexual acts between third persons are standardised in paragraphs 1 and 3 of Article 339 of the Penal Code.
- Indecent assault of minors is standardised in the first paragraph of article 342 of the new Penal Code.
- Article 323B of the Penal Code on sex tourism with child victims is standardised as an offence in the 2nd paragraph of article 348 of the new Penal Code.

National legal framework in Italy

- Art. 3 Law Merlin (1958): Criminalises the exploitation of prostitution.
- Law 269/1998: Combats child sexual exploitation and pornography.
- Law 46/2002: Ratifies protocols protecting children from trafficking.
- Law 228/2003: Establishes measures against human trafficking.
- Law 146/2006: Implements UN protocols on transnational crime.
- Law 38/2006: Targets sexual exploitation of children and child pornography online.
- Law 199/2016: Tackles labour exploitation, especially in agriculture.
- Main Laws:
 - Law No. 228/2003 Redefined trafficking offenses and increased penalties.
 - Legislative Decree No. 24/2014 Implemented Directive 2011/36/EU to strengthen victim protection.
 - Law No. 108/2010 Ratified the Council of Europe Convention against Trafficking.

National legal framework in Slovakia

- Act No. 300/2005 Coll. **Criminal Code**, as amended (Section 179 definition of trafficking in human beings, Section 40 possibility of non-punishment)
- Act No. 301/2005 Coll. **Code of Criminal Procedure**, as amended (Section 215, paragraph 2, letter d) possibility of suspension of criminal prosecution)
- Act No. 274/2017 Coll. **on victims of crimes** and amending and supplementing certain acts, as amended (Section 2, paragraph 1, letter c), point 4 particularly vulnerable victims; Section 28 accredited entities),
- Act No. 583/2008 Coll. on **the prevention of crime and other anti-social activities**, and amending and supplementing certain acts, as amended (Section 7, paragraph 1, letter b) focus on trafficking in human beings; § 7a information offices),
- Act No. 404/2011 Coll. on **the residence of foreigners** and amendments to certain acts, as amended (§ 58 tolerated stay; § 59 (10) accommodation),
- Act No. 480/2002 Coll. on **asylum** and amendments to certain acts, as amended (§ 22 rights and obligations within the framework of international protection),
- Act No. 327/2005 Coll. on the provision of **legal aid to persons in material need**, as amended (legal aid centres)
- Regulation of the Ministry of the Interior of the Slovak Republic on the programme of support and protection of victims of trafficking in human beings

National legal framework in Poland

- Art. 189a of the **Penal Code** – human trafficking.
 - Art. 189a § 1. Whoever commits human trafficking shall be subject to the penalty of deprivation of liberty for a term of not less than 3 years.
 - § 2. Whoever makes preparations to commit the offence specified in § 1 shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.
- The provision was introduced into Chapter XXIII of the Penal Code as an amendment to the Act of 20 May 2010 (Journal of Laws No. 99 item 626).
- The subject of protection in Article 189a of the Penal Code is the freedom of a person and their dignity in the impossibility of accepting such a state of affairs, which is an attempt to introduce a person into trade on an equal footing with things. Minors and adults cannot be the subject of any trade, regardless of whether it benefits anyone.

National legal framework in Spain

- **Organic Law 10/1995, of 23 November 1995, on the Criminal Code. Article 177 bis.** <https://www.boe.es/buscar/act.php?id=BOE-A-1995-25444>
- Spanish Criminal Code. Title VII bis contains Article 177 bis, which defines the criminal offence of trafficking in human beings.
- **Organic Law 4/2000, of 11 January**, on the rights and freedoms of foreigners in Spain and their social integration.
 - Article 59 bis. <https://www.boe.es/buscar/act.php?id=BOE-A-2000-544> Law on Foreigners. Article 59 bis is dedicated to foreign victims of trafficking who are in an irregular situation in Spain. It establishes a period of reinstatement and reflection of at least 90 days, as well as the non-initiation of the expulsion proceedings. During this period, the victim can decide whether to cooperate with the police and judicial investigation. If she is finally identified as a victim of trafficking, she will be declared exempt from administrative responsibility and may choose between returning to her country of origin or authorisation to reside and work in Spain due to exceptional circumstances (if she decided to cooperate) or due to her personal situation (if she did not decide to cooperate).
- **Law 4/2015 of April 2017** on the Statute of the Victims of Crime. <https://www.boe.es/buscar/act.php?id=BOE-A-2015-4606>
 - It constitutes a general catalogue of procedural and extra-procedural rights for all victims of crime, which provides a legal and social response to victims and their families, and also contemplates specific attention to the most vulnerable victims, such as victims of trafficking and minors. Specifically, the protection needs of victims of trafficking in human beings are taken into account in the individual assessment of victims to determine their special protection needs, and what measures should be adopted, which translates into access to specific protection measures aimed at preventing their secondary victimisation during the investigation and prosecution phases.

PART 2

National definition of trafficking in human beings

Adequate Support measures and Improved capacities in countering THB

National definition in Bulgaria

PENAL CODE

• Art. 159a.

- (1) Whoever recruits, transports, hides or receives individuals or groups of people to use them for depraved acts, for forced labour or begging, for the removal of a body organ, tissue, cell or body fluid, or to keep them in forced submission regardless of their consent, shall be punished by imprisonment for a term of two to eight years and a fine of three thousand to twelve thousand leva.
- (2) When the act under paragraph 1 has been committed:
 - against a person under the age of eighteen;
 - by using coercion or by misleading the person;
 - by kidnapping or unlawful deprivation of liberty;
 - by using a state of dependence;
 - through abuse of power;
 - by promising, giving or receiving benefits;
 - by an official in the performance of his duties or connection with the performance of his duties,

The punishment is imprisonment for three to ten years and a fine of ten thousand to twenty thousand leva.

- (3) When the act under paragraph 1 is committed against a pregnant woman to sell the child, the punishment shall be imprisonment for a term of three to fifteen years and a fine of twenty thousand to fifty thousand leva.

• Art. 159b.

- (1) Whoever recruits, transports, hides or receives individuals or groups of people and takes them across the country's border for the purpose under Art. 159a, paragraph 1, shall be punished by imprisonment for a term of three to twelve years and a fine of ten thousand to twenty thousand leva.
- (2) If the act under para. One is committed under the conditions of Art. 159a, paras. 2 and 3, the punishment shall be imprisonment for five to twelve years and a fine of twenty thousand to fifty thousand leva.

National definition in Bulgaria

PENAL CODE

- **Art. 159c.**
 - Whoever uses a person who has been a victim of human trafficking for depraved acts, for forced labour or begging, for the removal of a body organ, tissue, cell or body fluid, or to be held in forced submission regardless of his consent, shall be punished by imprisonment for three to ten years and a fine of ten thousand to twenty thousand leva.
- **Art. 159d.**
 - When the act under Art. 159a - 159c constitutes a dangerous recidivism or is committed on behalf of or in execution of a decision of an organized criminal group, the punishment shall be imprisonment for a term of five to fifteen years and a fine of twenty thousand to one hundred thousand leva, and the court may also order confiscation of part or all of the perpetrator's property.
- **Art. 160a.**
 - (1)An act committed by a person who is a victim of human trafficking shall not be considered culpable if he was forced to commit it in direct connection with his capacity as such.
 - (2)An act committed by a minor who has suffered from a crime under Art. 155, 156, 158a and Art. 188, para. 2, or by a minor who has been used to create pornographic material when he was forced to do so in direct connection with his capacity as such, shall not be considered a culpable act.

National definition in Greece

Article 323A of the Penal Code follows the “action- means – purpose” scheme in defining the crime of trafficking in human beings.

No. 1 par. 1 (a) of Law 4251/2014 also defines victims of human trafficking as the victims of other criminal offences.

National definition in Italy

Sexual Exploitation:

Recruitment, transport, or receipt of persons for prostitution or other forms of sexual exploitation.

Labour Exploitation:

Forced labour, servitude, or conditions of severe exploitation.

Organ Trafficking:

Removal of organs through coercion, deception, or abuse of power.

National definition in Poland

- Art. 189a of the **Penal Code – human trafficking.**
- Art. 189a
 - § 1. Whoever commits human trafficking shall be subject to the penalty of deprivation of liberty for a term of not less than 3 years.
 - § 2. Whoever makes preparations to commit the offence specified in § 1 shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.
- The provision was introduced into Chapter XXIII of the Penal Code as an amendment to the Act of 20 May 2010 (Journal of Laws No. 99 item 626).
- The subject of protection in Article 189a of the Penal Code is the freedom of a person and their dignity in the impossibility of accepting such a state of affairs, which is an attempt to introduce a person into trade on an equal footing with things. Minors and adults cannot be the subject of any trade, regardless of whether it benefits anyone.

National definition in Poland



Definition

The causative act in §1 consists in committing human trafficking.

The concept of human trafficking is defined in **Article 115 §22** of the Penal Code, which indicates that human trafficking is the recruitment, transportation, delivery, transfer, harbouring or receipt of a person using:

- violence or unlawful threats,
- kidnapping,
- trickery,
- misleading or taking advantage of a mistake or inability to properly understand the action being taken,
- abuse of a relationship of dependency, exploitation of a critical position or a state of helplessness,
- granting or accepting a material or personal benefit or a promise thereof to a person exercising care or supervision over another person

to exploit them, even with their consent, in particular in prostitution, pornography or other forms of sexual exploitation, in forced labour or services, in begging, in slavery or other forms of exploitation degrading human dignity or to obtain cells, tissues or organs in violation of the provisions of the Act. If the perpetrator's conduct concerns a minor, it constitutes human trafficking, even if the methods or means listed in points 1-6 were not used.

Art. 211a – Illegal adoption.

- To gain financial benefits, whoever organises the adoption of children in violation of the provisions of the Act shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

According to **Article 115 § 23** of the Penal Code, **slavery** is a state of dependence in which a person is treated as an object of property. Putting a person into slavery consists of any behaviour that causes a person to enter a state of slavery. Maintaining a person in a state of slavery seems to be a permanent crime.

National definition in Slovakia

§ 179 Trafficking in human beings of the Criminal Code (Act No. 300/2005 Coll)

(1) Whoever, by means of deception, trickery, restraint of liberty, abduction, violence, threat of violence, threat of other serious harm or other forms of coercion, the acceptance or provision of pecuniary consideration or other benefits to obtain the consent of a person on whom another person is dependent, or the abuse of his or her position or the abuse of his or her defencelessness or otherwise vulnerable position, entices, transports, transports, transfers, delivers or takes possession of another person, even with his or her consent, for the purpose of prostitution or any other form of sexual exploitation, including pornography, forced labour or forced servitude, including begging, slavery or practices similar to slavery, servitude, forced marriage, exploitation for the commission of crime, removal of organs, tissues or cells or other forms of exploitation, shall be punished by imprisonment for a term of between four years and ten years.

(2) As in paragraph (1), whoever entices, transports, possesses, transfers or takes possession of a child, even with the child's consent, for the purpose of child prostitution or other forms of sexual exploitation, including child pornography, shall be punished, forced labour or forced servitude, including begging, slavery or practices similar to slavery, servitude, forced marriage, exploitation for criminal purposes, illegal adoption, removal of organs, tissues or cells, or other forms of exploitation.

National definition in Spain



Point 1. of **Article 177** bis, the Criminal Code, lists the five purposes of exploitation under trafficking in human beings (except for labour exploitation). Offences are treated in other articles:

Definition

a) The submission to **forced labour or services, slavery or practices similar to slavery, servitude or begging**. The criminal code does not define the crimes of forced labour or services, slavery or practices similar to slavery and servitude. The precepts that can be applied in this type of exploitation for the crime of human trafficking, if accompanied by the actions and/or means (the latter only in the case of adults), are some of the crimes described in Title XV of the Criminal Code (crimes against workers' rights): in parts in Article 311, Article 312m Article 232.

b) **Sexual exploitation** pornography relates to human trafficking if crimes are accompanied by actions and means (the latter only in the case of minors) as per Chapter V (crimes related to prostitution and sexual exploitation and corruption of minors) of Title VIII (crimes against sexual liberty), Art 187, Art 188, Article 189.

c) **Exploitation for criminal activities**, including offences committed to exploit persons, relating to human trafficking (mainly theft on public transport or in shopping centres) as per art. 234, and crimes against public health (retail drug dealing, 'gardeners' of marijuana plantations) as per art. 368.

d) **Extraction of their bodily organs**. Crimes related to this purpose of exploitation can relate to the crime of trafficking human beings if they are accompanied by actions and means (the latter only in the case of victims who are over the age of 18). It is article 156 bis, which is found in Title III (of lesions).

e) **Forced marriages**. The offences related to this purpose of exploitation relate to the crime of human trafficking if they are accompanied by actions and means (the latter only in the case of adults) are found in article 172 bis, chapter III (coercion) of title VI (crimes against freedom).

When the perpetrator is a member of the family (usually the father), it is difficult to determine whether the typical actions of human trafficking (recruitment, transfer, harbouring) have taken place. The purpose of forced marriages in human trafficking is usually linked to other forms of exploitation (servitude, forced labour, sexual exploitation).

PART 2

Essential Terms

Adequate Support measures and Improved capacities in countering THB

Consent of victim

The consent of a victim of trafficking in human beings to the intended exploitation set forth shall be irrelevant where any of the means set forth have been used.

Child

any person under eighteen years of age

Non-punishment provision

the possibility of not imposing penalties on victims for their involvement in unlawful/criminal activities, to the extent that they have been compelled to do so

Non-punishment provision

- Criminal activities are such as the use of **false documents, or offences under legislation on prostitution or immigration, that they have been compelled to commit as a direct consequence** of being subject to trafficking.
- The aim of such protection is
 - to defend the human rights of victims,
 - to avoid further victimisation, and
 - to encourage them to act as witnesses in criminal proceedings against the perpetrators.
- This protection should not exclude prosecution or punishment for offences that a person has voluntarily committed or participated in.

Non-punishment provision

- the extension of the scope of the relevant Non-punishment provision to all unlawful activities that victims have been compelled to commit as a direct consequence of being subject to trafficking.
- Unlawful activities are such as administrative offences related to prostitution, begging, loitering or undeclared work, or other acts which are not criminal in nature but are subject to administrative or pecuniary penalties, in accordance with national law.
- The aim is to encourage the victims of trafficking
 - to report the crime,
 - to seek support and assistance, and
 - to reassure them of the possibilities of not being held responsible.

DON'T FORGET

Trafficking victims are frequently compelled to commit criminal offences as part of their exploitation. The principle of non-punishment recognises that victims operate without genuine autonomy of will, as traffickers employ methods that exclude or severely limit their freedom of decision-making through coercion, deception, threat, or abuse of vulnerability. Under these circumstances, victims lack culpability (a general element required for criminal liability) as they act under duress that negates or substantially diminishes free will.

Use of service of a victim

- Council of Europe Convention on Action against Trafficking in Human Beings in Chapter IV Article 19 **establishes the criminalisation of the use of services of a victim.** Each Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences under its internal law, the use of services which are the object of exploitation as referred to in Article 4 paragraph a of this Convention, with the knowledge that the person is a victim of trafficking in human beings.
- Directive 2024/1712 establish new Article **18a** for **Offences concerning the use of services provided by a victim of trafficking in human beings.** Member States shall take the necessary measures to ensure that, when it is an **intentional act, the use of services provided by a victim of an offence** referred to in Article 2 constitutes a **criminal offence, where the victim is exploited to render such services and the user of the services knows that the person providing the service is a victim** of trafficking in human beings.

Article 5 of the Directive 2011/36/EU as amended by Directive 2024/1712/EU

Liability of legal persons

(1) Member States shall take the necessary measures to ensure that legal persons can be held liable for the offences referred to in Article 2, Article 3 and Article 18a(1) committed for their benefit by any person, acting either individually or as part of an organ of the legal person, who has a leading position within the legal person, based on:

- (a) a power of representation of the legal person;
- (b) an authority to take decisions on behalf of the legal person; or
- (c) an authority to exercise control within the legal person.

(2) Member States shall also ensure that a legal person can be held liable where the lack of supervision or control, by a person referred to in paragraph 1, has made possible the commission of the offences referred to in Article 2, Article 3 and Article 18a(1) for the benefit of that legal person by a person under its authority.

(3) Liability of a legal person under paragraphs 1 and 2 shall not exclude criminal proceedings against natural persons who are perpetrators of, inciters to, or accessories to the offences referred to in Article 2, Article 3 and Article 18a(1).

(4) For the purpose of this Directive, 'legal person' shall mean any entity having legal personality under the applicable law, except for States or public bodies in the exercise of State authority and for public international organisations.

Article 6 of the Directive 2011/36/EU as amended by Directive 2024/1712/EU

Sanctions on legal persons

(1) Member States shall take the necessary measures to ensure that a legal person held liable pursuant to Article 5 (1) or (2) is punishable by effective, proportionate and dissuasive criminal or non-criminal sanctions or measures.

(2) Member States shall take the necessary measures to ensure that sanctions or measures for legal persons held liable pursuant to Article 5 (1) or (2) for the offences referred to in Article 2, Article 3 and Article 18a(1) shall include criminal or non-criminal fines, and may include other criminal or non-criminal sanctions or measures, such as:

- (a) exclusion from entitlement to public benefits or aid;
- (b) exclusion from access to public funding, including tender procedures, grants, concessions and licences;
- (c) temporary or permanent disqualification from the practice of business activities;
- (d) withdrawal of permits and authorisations to pursue activities that resulted in the relevant offence;
- (e) placing under judicial supervision;
- (f) judicial winding-up;
- (g) closure of establishments used for committing the offence;
- (h) where there is a public interest, publication of all or part of the judicial decision relating to the criminal offence committed and the sanctions or measures imposed, without prejudice to rules on privacy and the protection of personal data.

PART 3

INDICATORS

Adequate Support measures and Improved capacities in countering THB

Division the indicators **based on form of exploitation**

- indicators for sexual exploitation
- indicators for forced labour/ labour exploitation
- indicators for forced begging
- indicators for forced marriage

The evaluation of the indicators is carried out even before the planned interview with the potential victim based on the available information.

Sexual exploitation

- the victim is intimidated and has to provide sexual services of a different nature involuntarily,
- the victim wears eccentric clothing to appear provocative (sexually provocative),
- the victim has traces of physical assault or rape on his/her body,
- the victim may be under the influence of narcotic and psychotropic substances,
- the victim seems scared, withdrawn, or has mood swings, may self-harm,
- the victim is not paid a salary, or the entire salary must be handed over to the trafficker, or a larger part of it,
- the victim is forced to repay the debt for travel, accommodation, job placement, etc.,
- prohibiting free movement, isolating the victim from others, controlled movement,
- prohibiting communication with family, relatives, friends, or communication is very limited, or communication takes place on the basis of orders and in the presence of the trafficker,
- the victim doesn't have access to his/her personal documents,
- lack of food, lack of sleep, no access to medical treatment.

Forced labour/ Labour exploitation

- the victim is forced to work under the threat of physical and psychological violence,
- the victim is forced to perform work other than what was promised to him,
- the victim is not paid a salary, or the entire salary must be handed over to the trafficker, or a larger part of it,
- the victim is tired, tense, inattentive,
- the victim is forced to repay the debt for travel, accommodation, employment mediation, etc.,
- prohibiting free movement, isolating the victim from others, controlled movement,
- prohibiting communication with family, relatives, friends, or communication is very limited, or communication takes place on the basis of guidelines and in the presence of the trafficker,
- lack of food, lack of sleep, no access to medical treatment,
- the victim doesn't have access to his/her personal documents,
- the trafficker considers the victim to be his property.

Forced begging

- the victim shows signs of abuse, bruises, cuts or mutilation,
- the victim is forced to beg under the influence of physical or psychological harm,
- lack of food, lack of sleep, no access to medical treatment,
- the victim doesn't have access to his personal documents,
- the victim is forced to repay the debt for travel, accommodation, employment mediation, etc.,
- prohibiting free movement, isolating the victim from others, controlled movement,
- prohibiting communication with family, relatives, friends, or communication is very limited, or communication takes place on the basis of guidelines and in the presence of the trafficker,
- the victim is under the influence of narcotic and psychotropic substances,
- the victim must hand over the begged money to the trafficker,
- the victim is tired, tense, avoids eye contact, is wearing dirty clothes.

Forced marriage

- the victim is forced to enter into marriage with a person whom he/she doesn't know and doesn't want to marry, under the influence of physical or psychological harm,
- the victim doesn't have access to personal documents,
- the victim is being blackmailed, and his family, relatives, and loved ones will be harmed,
- the victim may be under the influence of narcotic and psychotropic substances,
- the victim's freedom is limited, he/she is isolated from others,
- the victim may become a victim of another form of human trafficking after a forced marriage, in most cases, a victim of sexual exploitation or forced labour,
- the victim may have bruises on the body, may be tight, frightened.

Signs of domestic servitude

- victims live with a family
- victims do not eat with the rest of the family
- victims have no private space
- victims sleep in a shared or inappropriate space
- victims can be reported as missing by their employer even though they are still living in their employer's house
- victims never or rarely leave the house for social reasons
- victims never leave the house without their employer
- victims can be given only leftovers to eat
- victims can be subjected to insults, abuse, threats or violence

Signs of petty crimes (forced criminal activities)

- children engaged in illicit drug trading or other organised crimes
- have physical impairments
- be children of the same nationality or ethnicity
- be part of large groups of children who have the same adult guardian
- be punished if they do not steal enough
- live with members of their gang
- travel with members of their gang to the country of destination
- there is evidence that suspected victims have been involved in committing petty crimes in another country

What factors influence the victim?

Factor Type	Characteristics/Factors
Socio-economic Characteristics	• Low education or learning difficulties and Language barriers • Poverty, high unemployment, lack of opportunities • Family dependence and cultural compliance or family ties to traffickers • Lack of social network, Homelessness • Emotional instability or disability, Unaware of rights or false information • Awaiting asylum decision or illegal status
Contributing Factors	• High unemployment rates, Irregular or illegal migration • Violence or abuse history, Lack of labour law knowledge, Emotional instability, disabilities, Dependence on employer's residence status • Threats to family, Stockholm syndrome
Social Factors	• Homelessness, addiction, disabilities, mental health issues • Lack of family support, weak social network, previous incarceration • Cultural practices (e.g., witchcraft), Limited knowledge of modern slavery • Lack of language proficiency, Debts in home country or illegal migration
Political/Legal Factors	• Living in conflict or persecuted areas, Residing in countries with weak legal protection or corruption • Illegal or no identification documents, Outstanding minor arrest warrants
Economic Factors	• Poverty or unemployment, debts • Limited job prospects, Desire for better education or opportunitie

PART 4

REFERRAL PROTECTION MECHANISM

Adequate Support Measures must be in place for countering THB

PART 4

International standards for National Protection Mechanism

Adequate Support measures and Improved capacities in countering THB

Who is acting in the coordinated approach to protection of victims



Protection mechanism

- Governmental institutions and agencies dealing with (potential) victims of THB
- Non-governmental organisations ensuring hotlines, protected and safe accommodation and/or integration, trauma-related, stabilisation, financial and/or social, and/ health activities/services.
- The mechanism ensures proper, coordinated, and accountable governance of preventive, protection, and assistance-driven actions, including annual funds for protection incentives.
- The parties provide information and data for analyses and information products such as reports, promotional materials, educational and dissemination deliverables.
- The parties of the national referral mechanism monitor, propose and empower legal amendments, action plans, strategies and policies to ensure justice for the victims and adequate penalisation of perpetrators, accomplices and businesses involved in the process of trafficking and exploitation.

Although not all EU MS have officially established a formal referral mechanism, the governance of the response and protection of victims is delegated to a specific ministry and/or agency.

What is a referral mechanism for protection of victims of trafficking in human beings?



Protection
mechanism

A National **Referral Mechanism for the Protection of Victims of the “modern slavery” crime of Trafficking in Human Beings** is a coordinating mechanism, which monitors all stages of victims' protection, beginning with their initial detection and identification, followed by the provision of protection services and support during the legal process, up to their voluntary assisted return to their country of origin or (re)integration in the country of arrival.

DEFINITION according to the Preamble of Directive 2024/1712 at paragraph 15 **regulates measures to establish one or several referral mechanisms in the Member States and enhance the national capability**

- to detect and identify victims at an early stage, and
- to refer them to the appropriate protection, assistance and support services.

Establishing formal referral mechanisms and appointing a national focal point for the cross-border referral of victims are essential measures to **enhance cross-border cooperation**.

Any mechanism for the protection and assistance of the victims



**Protection
mechanism**

- should be a transparent, accessible and harmonised framework
- should facilitate the **early detection and identification of, assistance** to, and support for the victims of trafficking
- should **facilitate referral of victims to the responsible national organisations** and bodies
- should **identify the participating** competent authorities, civil society organisations and other stakeholders and set out their respective responsibilities, including the procedures and the lines of communication and
- should **apply to all victims** and to all forms of trafficking offences taking into account the individual vulnerability of the victims.

Those referral mechanisms can be a set of established **procedures, guidelines, cooperation arrangements or protocols**.

EU MS are encouraged to have a single coordinated mechanism for protection and prevention.



**Protection
mechanism**

Decision-makers and governments of the EU MS are to respect

Directive 2024/1712 changed the Article 11 paragraph 4 of Directive 2011/36/EU and paragraphs 4 is replaced by the following:

Member States shall take the necessary measures to establish by laws, regulations or administrative provisions one or several mechanisms aimed at the early detection and identification of, assistance to and support for identified and presumed victims, in cooperation with relevant support organisations, and to appoint a focal point for the cross-border referral of victims.

The tasks of the protection referral mechanisms:

- establishing minimum standards for the detection and early identification of victims, and adapting the procedures for such detection and identification to the various forms of exploitation;
- referring the victim to the most appropriate support and assistance;
- establishing cooperation arrangements or protocols with the asylum authorities to ensure that assistance, support and protection is provided to victims of trafficking who are also in need of international protection or who wish to apply for such protection, taking into account the victim's individual circumstances.

Governance of the inter- sectoral approach:

Referral mechanisms in *Adequate Support measures and Improved capacities in countering THB* selected EU MS



Referral mechanism

The National Referral Mechanism for Support of Trafficked Persons in Bulgaria is an open document reflecting the changes in legislation and trends or new emerging forms and methods of exploitation, the new regions and groups at risk, and the current needs of the victims of human trafficking.

It consists of the following parts:

- **Definition** of 'Trafficking in Human Beings', which defines human trafficking in line with the existing international and European legal instruments and Bulgarian Law.
- **Institutional framework** presenting all participants to the NRM, with their roles and functions.
- **"Leading principles of work"**, elaborating on the rules and standards for work with victims of trafficking, as adopted by the participants in the NRM.
- **"Standard operating procedures"** describe the steps and measures supporting trafficked persons.
- For more information, https://antitraffic.government.bg/wp-content/uploads/NRM_Bulgaria_EN.pdf

Bulgaria



Referral mechanism

Greece

The standard operating procedures of the NRM:

1. Identification & Initial Reporting to the NRM
2. Assumption of the case by the “Reference Actor.”
3. First Level Protection, which includes housing, medical care, psychological, social, and legal support for the victim of human trafficking,
4. Social integration,
5. Voluntary Repatriation or Relocation to a Third Country.

The handbook on Greek NRM can be found here

https://ekka.org.gr/images/KOINONIKON-PAREMBASEON/%CE%95%CE%9C%CE%91/46034_EMA_leaflet_ENGL.pdf

the

National Referral Mechanism (NRM)

- NGOs, law enforcement, and social services play a key role.
- Victims enter protection programs, gaining access to legal, medical, and social services.
- SPIRIT System → National database for monitoring assisted victims.
- Multi-Stakeholder Collaboration → Coordination between government agencies, NGOs, and local authorities.

The referral system for trafficking victims involves several phases:

1. Preliminary identification and referral: Presumed victims are identified and referred to safe temporary accommodation through various agencies, ensuring privacy and safety.
2. The immediate provision of food, medical care, and privacy is prioritised.
3. Early Risk Assessment: An evaluation of health and safety risks is conducted.
4. Linguistic and Cultural Mediation: A mediator aids communication, ensuring understanding.
5. Recovery and reflection period: Victims are given time to recover and decide on cooperating with authorities.
6. Formal identification: The victim's status is confirmed with legal support, and options are provided.

Each stage prioritises victim safety and consent. To get to know more, pariopportunita.gov.it





Referral mechanism

Poland

Development and publication of the rules of the National Referral Mechanism for victims of trafficking in human beings – continuation of works is in progress as defined in the National Action Plan Against Trafficking in Human Beings 2022-2024

Spain

State framework protocol for the protection of victims of trafficking in Spain (2011) annexed by the document on actions for the detection and action of minors who are victims of trafficking (2017).

<https://violenciagenero.igualdad.gob.es/otrasformas/trata/normativaprotocolo/marco/>

This protocol details the phases that a victim of trafficking goes through, indicates the action, public administrations involved, coordination mechanisms with experienced organisations in a comprehensive assistance and protection for victims of trafficking. The protocol is signed by the Ministries of Justice, Interior, Employment and Social Security, Health and Social Services and Equality, the Attorney General's Office and the General Council of the Judiciary.

Framework Protocol for the Protection of Victims of Trafficking in Catalonia (October 2013)

https://igualtat.gencat.cat/web/.content/Ambits/violencies-masclistes/coordinacio-treball-xarxa/protocol/Protocol_proteccio_Victimes_TraficHumans_Cat.pdf

This protocol refers to Catalonia's autonomous sphere of competence. It is endorsed by the President of the Generalitat, the Mayor of Barcelona City Council, the High Prosecutor, the Member of the High Court of Justice, the President of the Catalan Association of Municipalities and Counties, the President of the Federation of Municipalities, the Council of the Bar Associations, and the Dean of the Official College of Psychologists.



**Referral
mechanism**

Slovak Republic



Referral mechanism

The National Referral Mechanism (NRM) is a **collaborative framework** involving both state and non-state entities that work together to fulfil their responsibilities to protect and promote the human rights of victims of human trafficking.

The members of this partnership coordinate their efforts and collaborate with civil society organisations.

The **protection efforts/tools** and system ensured by the NTM is aimed to any victim of trafficking in human beings (THB) defined as a person who has suffered or is at risk of suffering harm to their health, property damage, moral or other forms of damage, or whose legally protected rights or freedoms have been violated or threatened due to the crime of trafficking.

The NRM is overseen by a designated unit within the Ministry of Interior called the Information Centre for Combating Trafficking in Human Beings and Crime Prevention.

This Centre ensures that the roles and responsibilities of all participating parties are transparent, allows for a flexible response to changing circumstances, and manages annual reporting. The parties involved in the National Referral Mechanism have established internal regulations regarding reporting formats and procedures for identifying and referring victims to competent public bodies and qualified service providers.

PART 4

International standards for protection of victims

Adequate Support measures and Improved capacities in countering THB

The Palermo Protocol

Chapter II. regulates the provision of protection of victims of trafficking in human beings (Articles 6 – 8):

- [Article 6 — Assistance to and protection of victims of trafficking in persons](#)
- [Article 7 — Status of victims of trafficking in persons in receiving States](#)
- [Article 8 — Repatriation of victims of trafficking in persons](#)

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims

Articles 11 – 17 regulate measures to protect and assistance for victims of human trafficking:

- [Article 11 - Assistance and support for victims of trafficking in human beings](#)
- [Article 12 - Protection of victims of trafficking in human beings in criminal investigation and proceedings](#)
- [Article 13 - General provisions on assistance, support and protection measures for child victims of trafficking in human beings](#)
- [Article 14 - Assistance and support to child victims](#)
- [Article 15 - Protection of child victims of trafficking in human beings in criminal investigations and proceedings](#)
- [Article 16 - Assistance, support and protection for unaccompanied child victims of trafficking in human beings](#)
- [Article 17 - Compensation to victims](#)

Recommended protection: Unconditionality of assistance



Protection

Member States shall take the necessary measures to ensure that assistance and support for a victim are not made conditional on the victim's willingness to cooperate in the criminal investigation, prosecution or trial, without prejudice to Directive 2004/81/EC or similar national rules.

The following protection path ensured greater support to any victim of “modern slavery”:

Initial Contact:

National hotlines, police, NGOs, or hospitals

Needs Assessment:

Evaluation of immediate and long-term needs



Official Identification:

Formal recognition as a trafficking victim

Coordinated Support:

Referral to appropriate service providers

What kind of protection are victims of trafficking entitled to in the EU MS?:



Protection

Victim Status Recognition: providing legal residence permits during proceedings

Recovery Period Support: 30-90 days of reflection time for victims

Protection Tools: Witness protection programs and anonymous testimony

Crisis Accommodation:

- **Immediate safe housing** for 3-6 months
- **Transition Housing:** Longer-term subsidised accommodation
- **Specialised Shelters:** Gender-specific and family-friendly facilities
- **Security Measures:** 24/7 staff, restricted access, confidential locations

Immediate relief: Emergency cash assistance, Basic needs allowance, Transportation vouchers

Compensation scheme: state-funded victim compensation, civil claims against traffickers, lost earnings recovery

Long-term support: Education grants. Vocational training funding, Microloans for entrepreneurs

Healthcare services: emergency and ongoing treatment without charge, trauma-informed therapy and counselling, substance abuse treatment programs, Sexual health services and reproductive care

Social integration support: Language training and vocational courses, Job placement and career development

Country-Specific Programs

Bulgaria	ANIMUS Association, Crisis Centre Sofia
Spain	APRAMP, Red Cross trafficking program
Poland	La Strada Poland, National Intervention Centre
Slovakia	Greek- Catholic Charity, Catholic Charity
Italy	Article 18 program, On the Road NGO
Greece	A21 Campaign, National Referral Mechanism
Austria	LEFÖ-IBF, MEN VIA for male victims



-  BULGARIA
-  SPAIN BOLAND
-  FREECE FRESTRFS

2013 Addendum to the OSCE Action Plan

Relevant State authorities

- **identify individuals as trafficked persons**...as soon as there are
- **reasonable grounds** to believe that they have been trafficked, and,
- **following national law**, ensure that victims of THB are provided with
- **assistance even before the investigation** is initiated, ensuring that this assistance is
- **not made conditional on the victim's willingness to participate in legal proceedings**, without prejudice to the national regulations on the conditions of
- the **residence of the victim** in the territory of the State.

OSCE “social path” innovated protection



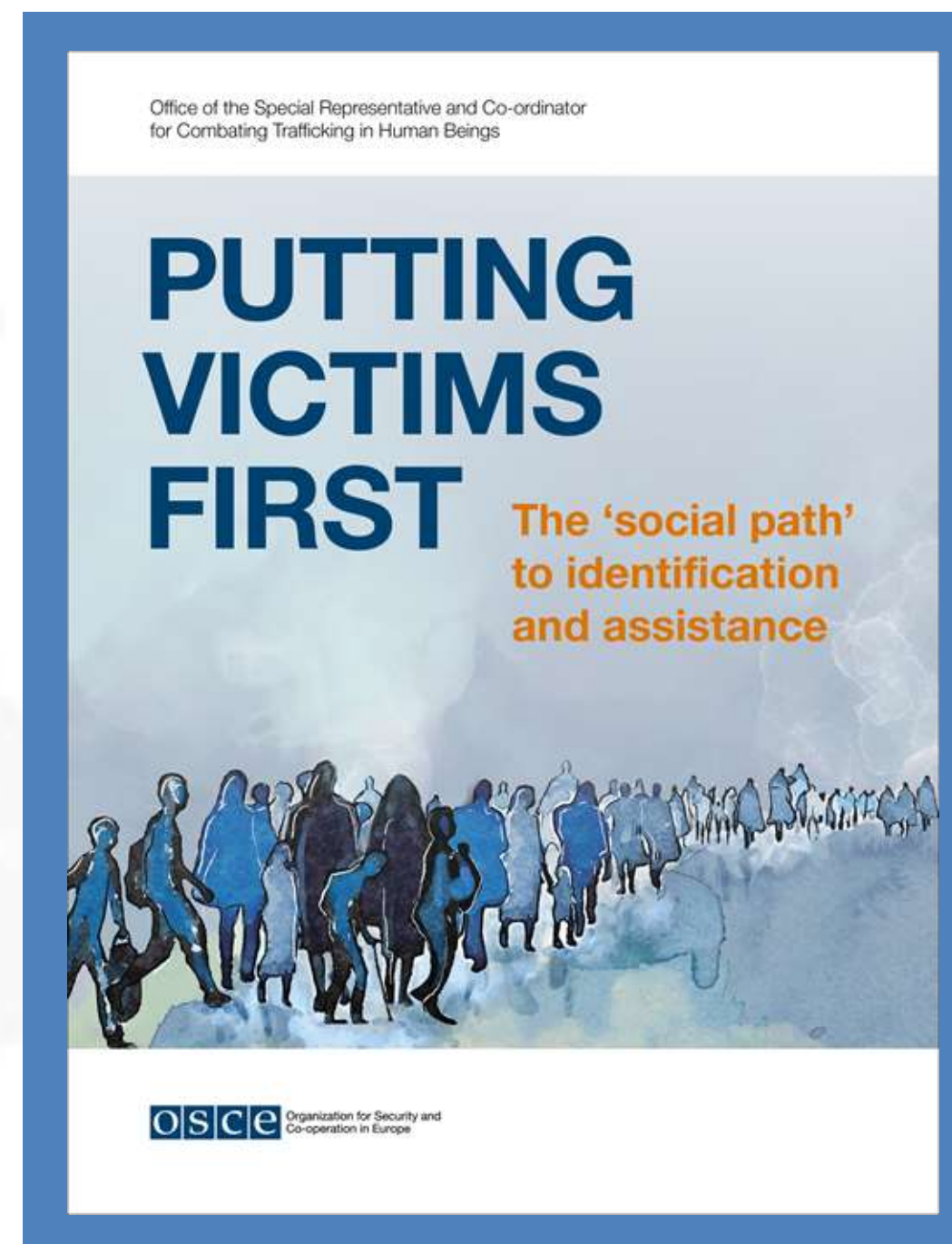
Protection

- ✓ Identification as a pathway to **mid- and long-term assistance**
- ✓ Access to such assistance for **foreign victims** in a country of identification
- ✓ Protection **without risks of retaliation**
- ✓ **Lowering of the evidentiary threshold** to initiate protection and assistance;
- ✓ Continued **support of victims upon return**
- ✓ Conclusive identification by the **State social protection system** – building **trust** and leading to **more identifications**
- ✓ Creating conditions for **more prosecutions**
- ✓ **Responsibility for identification** with the social protection actors
- ✓ Comprehensive interpretation of **unconditional access** to protection and assistance
- ✓ Uniform **indicators**
- ✓ **Co-operation** with the criminal justice system

OSCE “social path” report

PUTTING VICTIMS FIRST:
The ‘social path’ to identification and
assistance

<https://www.osce.org/cthb/538452>



PART 4

National protection system for victims of human trafficking

Adequate Support measures and Improved capacities in countering THB

Protection system in BULGARIA



**Protection
mechanism**

The incentives and tools are as follows:

- Support and protection are accessible to all trafficking victims.
- A wide range of specialised services that address each victim's specific needs.
- Ensuring a successful criminal procedure through the application of a human-rights-based mechanism towards the victims' protection

According to the Combating Trafficking in Human Beings Act:

- Unconditional support, a reflection period, granting the victim a status of special protection for the duration of the criminal proceedings, ensuring anonymity and personal data protection

Protection system in Greece



**Protection
mechanism**

Law 4478/201772 incorporated into the Greek legal order of Directive 2012/29 /EU to ensure the establishment of

“minimum standards on the rights, support and protection of crime victims, and replaced Council Framework Decision 2001/220/JHA”.

A set of rights for victims of crime (including victims of trafficking in human beings) to ensure that

they receive adequate information, support, and protection to participate in criminal proceedings.



**Protection
mechanism**

Protection ensured by Action Plan in Poland

The main objective of the National Action Plan Against Trafficking in Human Beings is to ensure conditions required for the effective counteraction to trafficking in human beings in Poland and to support victims of such crime.

The **specific objectives** of the National Action Plan are:

- to raise public awareness of the phenomenon of trafficking in human beings;
- to increase the standard of support provided to victims of trafficking in human beings (including underage victims of trafficking);
- to improve the effectiveness of actions taken by institutions responsible for prosecuting human trafficking by means of enhancing legal tools and structures and implementing the best practices;
- to improve the qualifications of representatives of institutions and organisations involved in preventing human trafficking and supporting the victims;
- to extend knowledge of the phenomenon of trafficking in human beings and the effectiveness of action taken, in particular in the context of forced labour;
- to consolidate international cooperation.



ITALY

Referral mechanism

- The national **Anti-Trafficking Helpline** is a **24-hour service** that also **provides** staff training, awareness campaigns, and information dissemination. It also manages a national database (S.I.R.I.T) for tracking victims and interventions. As of 2016, the helpline is coordinating the national anti-trafficking system, and thorough working with various organisations and ensuring safety and proper assistance for victims.
- In December 2023, Italy adopted a new directive on implementing the national referral mechanism for trafficking victims. The new NRM integrates the national strategy into the National Anti-Trafficking Plan 2022-2025. It focuses on developing the coordination between measures for the prevention of trafficking in human beings, assistance to victims, and the procedure for recognising international protection.





**Referral
mechanism**

National protection system in Spain

Framework protocol for the protection of victims of human trafficking

The object of this protocol is to establish operational guidelines for the detection, identification, support and protection of victims of human trafficking, to foster coordination among the institutions involved in these processes and to define the mechanisms for the relationship among authorities with responsibilities in the field, along with the processes for communication and cooperation with organisations and bodies with proven experience in attending to victims of trafficking, in particular those which provide comprehensive support and are involved in public administration programmes for victim support and protection.



Protection mechanism

Spain

State framework protocol for the protection of victims of trafficking in Spain (2011) annexed by the document on actions for the detection and action of minors who are victims of trafficking (2017).
<https://violenciagenero.igualdad.gob.es/otrasformas/trata/normativaprotocolo/marco/>

This protocol details the phases that a victim of trafficking goes through, indicates the action, public administrations involved, coordination mechanisms with experienced organisations in a comprehensive assistance and protection for victims of trafficking. The protocol is signed by the Ministries of Justice, Interior, Employment and Social Security, Health and Social Services and Equality, the Attorney General's Office and the General Council of the Judiciary.

Framework Protocol for the Protection of Victims of Trafficking in Catalonia (October 2013)

https://igualtat.gencat.cat/web/.content/Ambits/violencies-masclistes/coordinacio-treball-xarxa/protocol/Protocol_proteccio_Victimes_TraficHumans_Cat.pdf

This protocol refers to Catalonia's autonomous sphere of competence. It is endorsed by the President of the Generalitat, the Mayor of Barcelona City Council, the High Prosecutor, the Member of the High Court of Justice, the President of the Catalan Association of Municipalities and Counties, the President of the Federation of Municipalities, the Council of the Bar Associations, and the Dean of the Official College of Psychologists.

National protection system in Slovakia

Every victim of human trafficking, even a potential one, has the right to be informed about the possibilities of assistance, especially those offered by:

- Act No. 274/2017 Coll. on victims of crime and on amendments and supplements to certain acts, as amended (Section 28 **accredited entities** for providing the help and support for victims of crime),
- Act No. 583/2008 Coll. on the prevention of crime and other antisocial activities, as amended (Section 7a information offices),
- Act No. 404/2011 Coll. on the residence of foreigners and amendments and supplements to certain acts, as amended (Section 59 (10) **accommodation**),
- Act No. 480/2002 Coll. on asylum and on amendments and supplements to certain acts, as amended (Section 22 **rights and obligations within the framework of international protection**),
- Act No. 327/2005 Coll. on the provision of legal aid to persons in material need, as amended (**legal aid centres**)
- Regulation of the Ministry of the Interior of the Slovak Republic on the **programme of support and protection of victims of trafficking in human beings**

Protection and reporting system in Slovakia



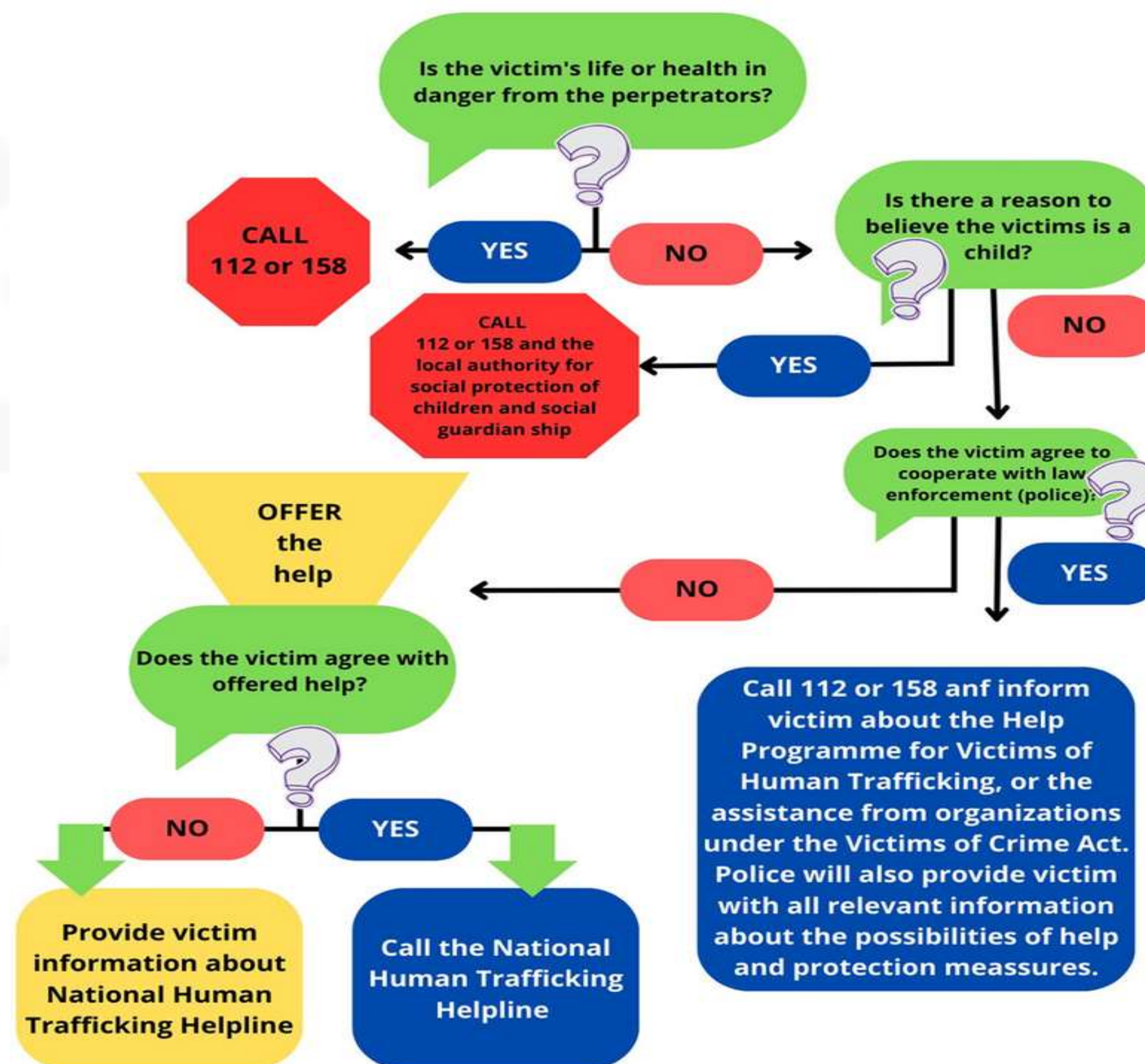
- Act No. 274 /2017 on Victims of Crime and Amendments and Additions to Certain Acts
- **Act No. 217/2021 Coll. amending the Act on Victims of Crime:**
 - A victim of a violent crime applying to the Ministry of Justice for compensation upon initiating a criminal prosecution.

National Programme of Fight against Trafficking in Human Beings (2024 – 2028):

- Intervention centres facilitate access to professional assistance for victims
- Provide a comprehensive system of assistance and protection for victims based on respecting human rights and freedoms while maintaining an approach to individuals.
- Ensure a Specialised Assistance Programme: an important institutional provision of services tailored to the group of victims of trafficking in human beings.

A network of information offices for any victims of crime (Kontakty, [Ministerstvo vnútra Slovenskej republiky](#))

Reporting procedures of the Slovak NRM





**Protection
mechanism**

Support program in Slovakia

The aim of the programme of support and protection of victims of trafficking in human beings is to

- provide assistance to victims of human trafficking
- ensure the protection of fundamental human rights, freedoms and dignity
- motivate victims of human trafficking to give testimony

Cooperation with law enforcement agencies is not required to provide program services.

PART 4

Important contacts

Adequate Support measures and Improved capacities in countering THB



Referral mechanism

The European Commission has a dedicated web page with information on how each EU country addresses, prevents and identifies human trafficking. This page also includes contact details for national authorities and relevant organisations, such as civil society groups, that work in the field of human trafficking at the national level.

In case of suspected human trafficking, call to the European emergency number: **112**. 

All helplines are free of charge

Important contacts at national level in BULGARIA

National Helpline for Combating Trafficking in Human Beings (for calls within Bulgaria)

 **0800 20 100**

Helpline for victims of violence (for calls within Bulgaria)

 **0800 1 86 76**

National Commission for Combating Trafficking in Human Beings

 **+359 2 807 80 50**

National Helpline for Children

 **116 111**

International Organisation for Migration

 **+359 2 939 47 74**

Platform for prevention of trafficking in human beings and support to the victims

 **<https://nrm.bg/en/home/>**

Important contacts at national level in GREECE

 Resource Line for Human Trafficking
1109

 SOS Hotline on Violence Against Women
159 00

 Emergency Social Helpline
197

 Hellenic Police
100



**Referral
mechanism**

Important contacts at national level in ITALY

National Anti-Trafficking Helpline



800 290 290

Important contacts at national level in POLAND

National Information and Consultation Centre hotline

 **+48 22 628 01 20**

National Information and Consultation Centre hotline

 **+48 47 72 56 502**

Anti-Human Trafficking Department of the Criminal Office of the National Police Headquarters
hotline

 **+48 664 974 934**

Office for Foreigners hotline

 **+48 47 721 7575**

Important contacts at national level in SLOVAKIA

National anti-trafficking units across the country – 24/7 immediate contact via email ool@minv.sk



National helpline of Assistance to Trafficking in Human Beings Victims **0800 800 818**

National Police Force



158

Missing Children Helpline (nonstop)



116 000

National helpline for women experiencing violence



0800 212 212

Child Safety Helpline



116 111

Human Trafficking and Safe Travel Helpline (IOM Helpline)



0907 787 374

[Information Centre for Combating trafficking in](#) Human Beings and for Crime Prevention, Ministry of the Interior, Pribinova 2, 812 72 Bratislava, Slovakia – responsible also for the management of the specialised Program of Support and Assistance to Victims of HT and policy making. Email: icosl@minv.sk





**Referral
mechanism**

Important contacts at national level in SPAIN

The National Police Force



Contact telephone

900 10 50 90



Email

trata@policia.es

Social media



Twitter

@policia



Hashtag:

#contralatrata

Partners

Coordinator

Ministry of Interior / Slovak Republic

www.minv.sk/?ministry-of-interior

Academy of the Ministry of Interior / Bulgaria

studyinbulgaria.bg/academy-of-the-ministry-of-interior-sofia.html

Departament d'Interior - Generalitat de Catalunya / Spain

web.gencat.cat/en/inici

Hellenic Police / Greece

www.astynomia.gr

KEMEA - KENTRO MELETON ASFALEIAS - Center for Security Studies / Greece

kemea.gr/en

KWP - Komenda Wojewodzka Policji W Krakowie / Poland

mopolsko.policja.gov.pl

CESIE / Italy

www.cesie.org



mossos d'esquadra



**Generalitat
de Catalunya**



ASIT: Digital tools and capacity building to challenges new forms of human trafficking

Internal Security Fund - ISF-2002-TF1-AG-THE (Call for proposals on actions against trafficking in human beings)

Funded by the European Union. Views and opinions expressed are however those of the authors only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the granting authority can be held responsible for them.

Project Number: 101101942 - ASIT



**Co-funded by
the European Union**