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5.4 Victims of human trafficking

Women and children are particularly prone to human trafficking and becoming victims of exploitation, such as sexual exploitation, labour exploitation, forced begging, forced marriage, crime, organ trafficking and illegal adoption. The risk is imminent in particular for migrant women and children, not only during dangerous travel routes but also once they arrive in Europe. Children can disappear from reception centres and land in the hands of human traffickers. For example, research conducted in 2019 and published in 2020 in the Netherlands reported that 20% of children in the study (of a total of 1,720 children) disappeared before the end of the asylum procedure between 2015 and 2018 – and a great share of them were Vietnamese minors.[1308]

At the EU level, the European Parliament adopted a report calling for stricter measures to fight all forms of trafficking, and MEPs warned about an alarming increase in the trafficking of minors, especially undocumented migrants – with children accounting for nearly one-quarter of all victims. The European Parliament also noted that the special needs of LGBTI people and persons with disabilities were often ignored. It concluded that a more comprehensive gender- and victim-centred approach, as well as more data on trends in the EU, were necessary to tackle human trafficking.[1309]

European courts also addressed cases of human trafficking in 2020. The high court referred back a case of a Nigerian woman who was trafficked to Ireland, stating that the IPAT did not adequately assess the applicant's personal circumstances as a victim of sexual exploitation and the role of her family as actors of persecution.

The Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) published several reports in 2020, namely focusing on Austria,[1310] Croatia,[1311] Cyprus[1312] and Slovakia.[1313] Overall, GRETA noted that national authorities should pay increased attention and proactively detect potential victims of trafficking amongst applicants for international protection in Slovakia[1314] and Cyprus.[1315]

In the case of Austria,[1316] GRETA urged that a formalised national referral mechanism be set up involving frontline actors who may come into contact with victims of trafficking. It stated that a review of the Dublin procedure was necessary to prevent the return of victims to the country where they first applied for asylum, but where they would be re-trafficked.

For Croatia,[1317] GRETA called on the authorities to institutionalise procedures for screening unaccompanied children for signs of human trafficking and to ensure that guardianship services

are offered consistently by trained staff from social welfare centres. The Croatian Ministry of the Interior underlined that the asylum authorities have been continuously working on further developing their competences on screening and supporting victims of trafficking in human beings in the asylum procedure within the existing legal framework and the available resources. For example, staff regularly participates in relevant training.

In Cyprus, GRETA observed a significant increase in the number of applicants for international protection, both men and women from mostly Nigeria or Cameroon, who have been detected as presumed victims of trafficking at the Kokkinotrimithia reception centre. They reported an increase in the number of girls and young women from Syria who arrived unaccompanied in the northern part of Cyprus claiming to join their 'husbands'. No special reception conditions are provided to this profile of applicants. They are usually provided with a small allowance and must find accommodation on their own, potentially exposing them to risks of sexual and other forms of exploitation. Noting that the slow asylum procedure provided traffickers with an opportunity to exploit applicants, GRETA urged the Cypriot authorities to provide assistance and safe accommodation adapted to the specific needs of victims and develop a programme for long-term support and integration.

Due to an extensive organised crime network which sexually exploits both adults and minors, Nigerian nationals have been frequently reported as victims of human trafficking over several years.[1318] In response, some EU+ countries joined operational partnerships with African countries in 2020 to tackle human trafficking. For example, the Netherlands funded various initiatives to improve regional cooperation between West African countries in an effort to build capacity in Nigerian migration authorities. The Netherlands is also funding a partnership with the French and Spanish police to assist and support the anti-trafficking unit in Mali, which serves as an important transit zone for migration and trafficking.

KOK, a German NGO network and coordination office against trafficking in human beings warned about the consequences of decisions to transfer an applicant to another Member State under the Dublin procedure. The transfer could put applicants with special needs at greater risk, since many may have been victims of human trafficking and been exploited in the country to which they are transferred. This had been reported for cases of Nigerian nationals returned to Italy.[1319]

The Italian Civil Court in Rome reverted a negative decision for a Nigerian applicant after trafficking indicators were identified based on new details gathered at the oral hearing. After gathering new evidence and COI reports, the court decided to grant refugee status, recognising that the applicant had been trafficked and could be considered to belong to an at-risk social group.

Finland increased funding and thus stabilised the number of personnel in the Assistance System for Victims of Human Trafficking and slightly increased the number of staff during 2020 and at the beginning of 2021. The Finnish Ministry of the Interior updated its action plan for 2021–2024 to prevent illegal entry and people from staying without a residence permit, while taking into consideration the status of victims of human trafficking and labour exploitation.

In 2020, there was multilateral cooperation between civil society organisations and national authorities to provide services to victims of human trafficking and promote training for frontline

staff in asylum. A project called “Free 2 Link”1320 was launched by Greek, Italian and Polish organisations (Progetto Tenda Torino, DRC Greece, LABC, CWEP Poland and Nesta Italia) through which the organisations and public authorities will join forces to develop and disseminate knowledge to prevent trafficking on an online platform. The organisations will provide training to frontline staff and connect organisations working in asylum. The training will also be geared towards civil society professionals and governmental and law enforcement employees.1321

Forum réfugiés-Cosi and its European partners – Consiglio Italiano Per I Rifugiati (Italian Council for Refugees, CIR) in Italy, Immigrant Council of Ireland (ICI) in Ireland, Organizace pro Pomoc Uprchlíkům (Organization for Aid d to Refugees - OPU) in Czechia and Churches Commission for Migrants (CCME) – began implementing in January 2020 the European Commission’s co-funded project, “Identification of Trafficked Beneficiaries of International Protection Special Needs” (TRIPS). Other associate partners and European experts also participated in the discussions, such as OFPRA, the OFII, GRETA and Amicale du Nid.1322 The project aims to better address the specific needs of beneficiaries of international protection who have been victims of human trafficking and provide support in their integration (for example, access to employment, professional development, accommodation and social inclusion).

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