

KNOWLEDGE PRODUCT

Trafficking in Human Beings in the European Union

O8 OC Networks in the South-East European Sphere

O2 Analysis and Knowledge

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1 TRAFFICKING IN HUMAN BEINGS

1.1 Introduction

This report is updated annually and is intended to provide a general overview of Trafficking in Human Beings with a specific focus upon the European Union (EU). The first part of this report provides an overview of THB in general; the second part describes more in detail the current and possible future situation regarding THB in the EU.

Trafficking in human beings (THB) remains a serious crime and is an abuse of an individual's human rights. It is the exploitation of vulnerable individuals by criminals who deal with people as commodities to be traded for the sole purpose of financial gain. Whilst reporting on the issue of how much profit is made by the criminals involved in THB is highly subjective, it is universally accepted that it is a multi million euro/dollar a year business.

Being trafficked inevitably results in the sustained physical and psychological abuse of the victim and begins at the recruitment phase where the individual is deceived, persuaded, abducted or otherwise received into the hands of the traffickers. The trauma associated with this exploitation¹ can and does affect the individual long after the victim has been removed from the exploitative conditions.

The European Union's Policy on preventing and combating THB is based on a multi-disciplinary approach which is not only limited to law enforcement but includes a broad array of prevention and victim support measures.

In March 2010, The European Commission presented a proposal for a Directive on trafficking in human beings aimed to further approximate legislation and penalties, ensuring successful prevention and prosecution of trafficking as well as enhanced protection of and assistance to victims. This directive has been published in April 2011.

The new Directive takes a victim centred approach, including a gender perspective, to cover actions in different areas such as criminal law provisions, prosecution of offenders, victims' support and victims' right in criminal proceedings, prevention and monitoring of the implementation.

1.2 Europol's Mission

Europol is the European organisation that handles criminal intelligence. Its mission is to assist the law enforcement authorities in their fight against serious and organised crime. Trafficking in human beings is one of Europol's mandated crime areas.

1.3 The scale and nature of THB

The scale and nature of THB in the EU is not easy to define because of very fundamental reasons. Criminal activity related to trafficking in human beings can be hidden within other criminality, such as prostitution, illegal immigration and labour disputes, for example. This

¹ 'Stolen Smiles: Summary report on the physical and psychological health consequences of women and adolescents in Europe' www.ishtm.ac.uk/hpu/docs/StolenSmiles.pdf

often results in instances of trafficking not being investigated or recorded as trafficking cases. Additionally, a far more important aspect that causes problems when attempting to describe the 'big picture' is data collection.

In the absence of any standardised guidelines for data collection at EU level, it is no surprise that the current ad hoc and fragmented approach taken by EU Member States allows for significant intelligence gaps. The result is that assessments of the level of trafficking throughout the EU are based on incomplete data and are, at best, partially informed estimates.

Victims

Victims will inevitably come from countries and regions which are subjected to economic hardship and other contributory factors which the traffickers will target (see push factors).

Although there are thousands of examples of individuals who have been targeted by traffickers because of their adverse personal circumstances, there are countless numbers of individuals who do not fit the stereotypical background of, for example, a lack of formal or secondary education, escaping abusive family or personal relationships, or unemployed with no future prospects.

Greater freedom of movement and travel, low cost international transport and global communication links, combined with previously unavailable opportunities to work overseas and self confidence, are all contributory factors in the recruitment by traffickers of persons who would not normally be thought of as vulnerable. The common factor in relation to how people from diverse backgrounds become victims of trafficking is deceit, usually via the promise of employment, good working conditions and a salary that does not exist.

Most trafficked victims are women and children but men are now equally exploited in the area of labour exploitation. The most vulnerable, of course, are children since considerably less sophistication is required in the recruiting process. This is especially the case where the parents themselves are complicit with the traffickers.

Whilst there is some merit in identifying countries or regions particularly affected by the recruitment activities of traffickers, e.g. through prevention and awareness campaigns, profiling, law enforcement strategy, information sharing etc, providing a list of countries or 'hot spots' is of limited value. Understanding the root causes of trafficking and being aware of what the trafficking picture looks like in specific environments is far more relevant. With this in mind, the following are the most frequently reported push and pull factors and whilst all will not be applicable in every environment, some will be highly relevant and provide good indicators:

Push Factors

- high unemployment;
- labour market not open to women and gender discrimination;
- lack of opportunity to improve quality of life;
- sexual or ethnic discrimination;
- poverty;
- escaping persecution, violence or abuse;
- escaping human rights violations;
- collapse of social infrastructure;
- other environmental conditions including conflict and war;

Pull Factors

- improved standard and quality of life;
- better access to higher education;
- less discrimination or abuse;

- enforcement of minimum standards and individual rights;
- better employment opportunities;
- demand for cheap labour;
- demand for commercial sexual services;
- higher salaries and better working conditions;
- demand for workers within the sex industry and higher earnings;
- established migrant communities/diasporas.

Additional information designed to inform the 'practitioner' can be found below in the 'At Risk Group' table².

Criteria	At Risk Group
Age	<p>Children and adolescents under 18 years</p> <p>Young adults between 18 to 25 years finishing education</p> <p>Young women under 30 years</p>
Place of residence	<p>Small towns, villages</p> <p>Migrants from villages to small towns and from small towns to big cities</p>
Education	<p>Low level of education or no education</p> <p>Secondary education not completed</p> <p>No professional (higher or vocational secondary) education or professional education not completed</p>
Employment	<p>Unemployed including unemployed qualified graduates</p> <p>No permanent job, dependant upon casual work</p> <p>Migrants in temporary employment</p> <p>Women engaged in voluntary commercial sex work</p> <p>Women (and sometimes men) engaged in the entertainment and modeling industries</p> <p>Students, especially those studying away from home, living in student accommodation who are recruited during vacation periods</p>
Behavioural attitudes	<p>Intending to migrate and willing to do so illegally</p> <p>Motivated to work or marry abroad and willing to contact recruitment / employment (and wedding) agencies providing opportunities abroad</p> <p>Psychologically inclined to risk taking, having suffered violence including domestic abuse and rape etc.</p>
Affiliation to socially vulnerable or marginal groups	<p>Children from at-risk families, such as low income families, problems of alcoholism, dysfunctional families and victims of domestic violence</p> <p>Children left without parental care or abandoned in children's homes</p> <p>Young women and girls from at-risk families</p> <p>Drug addicts</p> <p>Orphans or those raised in children's homes</p>

² IOM Human Trafficking in the Russian Federation 2006

	Single mothers with limited resources to support themselves or their families Mothers of large families Migrants
Ethnic groups	Members of ethnic groups which do not belong to the general population especially ethnic minorities Ethnic groups from the poorest countries The most criminalised ethnic groups or those perceived as the most criminalised

Nature and Characteristics of the Criminal Groups Involved

Trafficking in human beings is driven by profit. In the same way that legitimate businesses look at market forces so do the traffickers, who are professional and organised criminals.

In many MS, the criminal groups and networks involved in THB meet most of the EU criteria for defining them as "organised crime" (OC). Although there are some indications of hierarchically structured OC groups, human trafficking networks are more likely to be organised in small groups, which operate both independently and in cooperation with other crime groups. The interaction between groups is often connected to the provision of a service that cannot be undertaken by another group.

Whatever the structure or set-up, the roles are familiar:

- those who recruit and procure;
- those responsible for smuggling and transport;
- those providing false or counterfeit identity and travel documents;
- those seeking to corrupt law enforcement officers or other civil servants;
- those involved in the provision, management and control of safe houses;
- pimps;
- owners of premises or properties where victims are exploited, e.g. bars, nightclubs, brothels, factories, hotels, construction sites, farms;
- gang masters;
- those involved in the collection, delivery and distribution of the profits of trafficking;
- those knowingly involved in money laundering and the management of assets and proceeds of crime;
- complicit legal officers and legal service providers.

The traffickers involved in the recruitment phase are often of the same nationality or ethnic origin as the victims. However, the tendency for homogeneous groups to engage or work together with other nationality crime groups in order to realise their goals is increasing. All groups show some similarities: the ability to adapt easily to new environments, conditions and markets and to respond quickly to counter trafficking initiatives.

Some trafficking groups are family or clan based with strong codes of conduct and allegiances and provide significant challenges for law enforcement to penetrate, e.g. Albanian speaking organised crime groups and ethnic Roma crime groups. Nigerian trafficking groups rely heavily upon contracts with their victims that have been reinforced by a voodoo or Juju ritual. The ritual process is both a controlling element for the traffickers, pimps and madams and one which acts as a significant obstacle in dealing with victims who have been subjected to this process.

Recruitment and employment agencies feature more regularly in the reported modus operandi of trafficking groups and range from the placement of a 'too good to be true' employment offer with an agency or the agency being set up and run by the trafficking network.

Sexual Exploitation

Trafficking for sexual exploitation is the most common form of trafficking. Victims are moved in and around the EU, both across borders and internally, and are exploited in all environments. The active rotation of women forced into prostitution is aimed not only at maximising the profit by supplying new ‘faces’ to clients and by exploring new markets, but also at avoiding victims establishing relationships and, consequently, avoiding law enforcement detection.

A key development has been a move away from the use of the traditional red light districts in built-up urban areas to semi urban and rural areas. The use of private accommodation for purchased sex activities is another trend which makes it more difficult for law enforcement to detect trafficking related offences.

Recent investigations confirm that the proportion of female offenders involved in trafficking for sexual exploitation is increasing. Although normally involved in the recruitment process and likely to be former victims of trafficking, there are more and more examples of women controlling victims and organising the business operation. This modus operandi is especially relevant in respect of Nigerian sponsored trafficking where the role of a ‘madam’ or female supervisor is integral.

EU national victims of trafficking victims are recruited with false promises of free housing and well paid jobs or groomed abroad with the method of “lover boy”, with promise of a better life and marriage. Many of the victims are minors. The criminal groups operate within family networks and/or ethnic communities. They use contacts of these networks to recruit women from the same background for brothels or street prostitution. They usually have widespread contacts in Europe and the victims are exploited in more than one country. The victims can be transported from the origin country directly to the country of destination using low cost airlines, with tickets purchased by the traffickers or transported on land routes through several transit countries. Once in the country of destination the victims are provided with accommodation and transportation to the work place where they have to engage in prostitution. The victims are offered “protection” while practicing prostitution in brothels, bars, private flats or on the street and they are closely monitored by the members of the OCG.

Labour Exploitation

Labour exploitation in the EU is not a recent development. However, because it is largely a hidden crime which has traditionally not been a priority for law enforcement action, in general terms it has remained undetected. There has always been labour exploitation to some extent within the EU and this can be directly associated with the illegal labour market that exists in every MS. In many EU countries there will be significant links to and within established migrant communities; illegal migrants in particular are vulnerable to exploitation, due to their unlawful status.

Since the most recent expansions of the EU and the lifting of restrictions on employment in many MS, instances of situations which amount to forced labour³ have increased. The traffickers involved specifically seek to target their own nationals for exploitation and recent cases have highlighted the involvement of not only Poles, Lithuanians, Romanians and Bulgarians but also Portuguese and British nationals in trafficking their countrymen.

Typical examples of the industries and areas where victims of trafficking for labour exploitation will be found are:

- Agricultural/farming sector;
- Construction industry;
- Service sector/HORECA⁴;

³ The term “forced labour” is used in the Palermo Protocol as part of the definition of trafficking in relation to labour exploitation.

⁴ Business term referring to food service industry HOTE/REStaurant/CAfeteria

- Manufacturing sector;
- Domestic service.

Cases of trafficking for forced labour are difficult to identify, in part because exploited workers are often reluctant to identify themselves as victims, preferring to work in poor conditions rather than return to their home countries, and because there is a lack of definition at EU level of the degree of exploitation serious enough to constitute a crime. Factor in a lack of awareness and the act of making the distinction between an employment dispute and a case of trafficking can result in a form of serious crime being dealt with as a local labour issue with possible negative consequences for the migrant/illegal worker.

Child Exploitation

An increasing number of children are being trafficked throughout the EU. Current reporting indicates that social security, welfare and benefits systems are being targeted by traffickers using trafficked children to support and justify claims linked to family and housing benefits. This is in addition to the commission of street crime offences and the involvement of trafficked children in the production, manufacture and supply of controlled drugs. These are all instances of forced labour which are orchestrated by organised crime groups. These activities generate massive profits and very often the victim's parents or other members of the family network are complicit in the trafficking of the child.

For organised trafficking groups, moving children across controlled borders is a straightforward activity. In many cases the victims often travel on genuine passports of non related adults. Where photographs of the children are included in the passport, due to the resemblance that young children have to each other, many non related children are not identified. Within the Schengen Travel Area, where routine and systematic border control no longer exists, it is almost impossible to identify a trafficked person, child or otherwise, in transit.

Due to the ease with which minors can be moved across the EU, they are often sent from one country to another to exploit weaknesses in the systems or laws of other countries. This is also relevant when the child comes to the notice of competent authorities. The child will be immediately relocated and used in the new country or city to continue the revenue-making exercise and to reduce the risk to the traffickers.

Profits

Trafficking in human beings generates massive profits for international criminal organisations. Profits may be invested in the country of exploitation, or sent back to the country of origin through formal and informal banking systems. Much of the cash is physically taken back as hard currency via the return journey of those involved in the crime.

There is an increasing awareness amongst MS law enforcement agencies that proactive investigations into trafficking networks which are focused on tracing and following the money is a good strategy. Many MS are making efforts to seize the assets of traffickers and are using the available legislation to disrupt their activities and to create a hostile environment for the criminals.

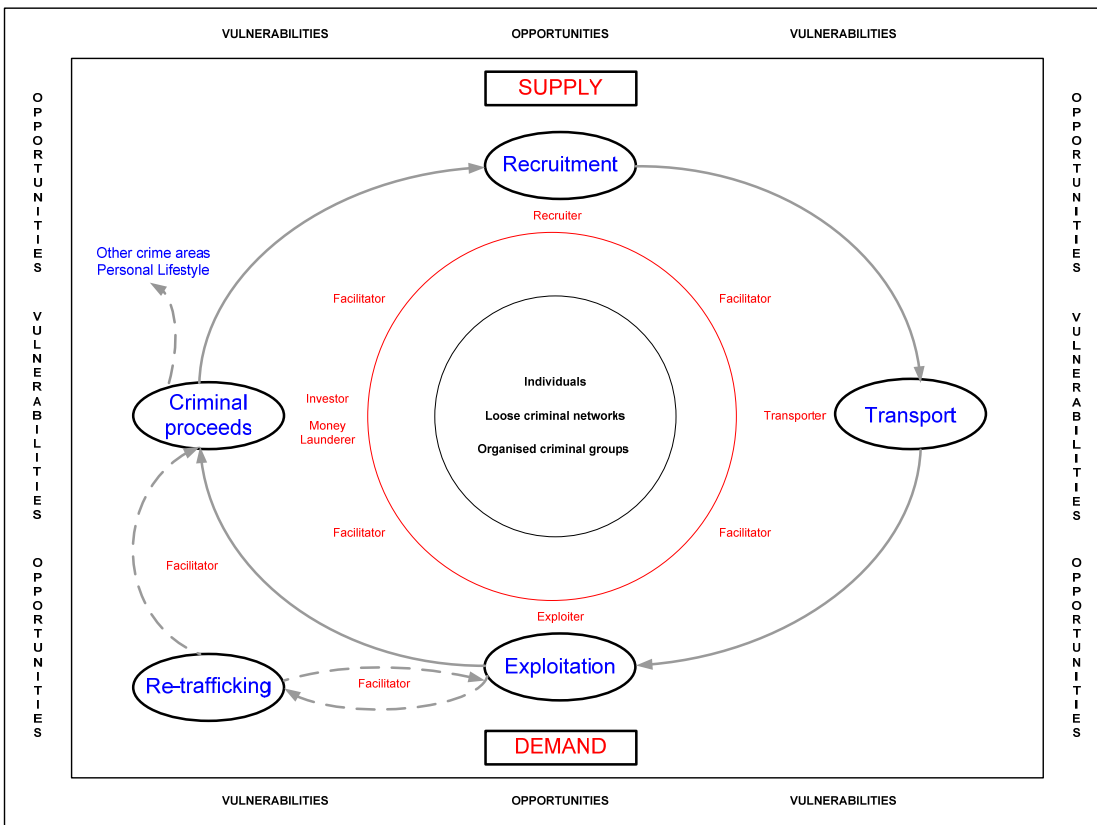


Figure 1: Conceptual framework THB

2 TRAFFICKING IN HUMAN BEINGS IN THE EU: THE CURRENT SITUATION AND FUTURE CONSIDERATIONS ⁵

KEY FINDINGS

- **Air travel on counterfeit, forged or fraudulently obtained documents are currently the preferred method of transportation**
- **Key role of the Internet in recruiting victims and advertising their services**
- **Prominence of Chinese, Nigerian and Bulgarian and Romanian (Roma) criminal groups**
- **Chinese and Nigerian criminal groups proficient in the production of counterfeit or falsified documents to facilitate trafficking**
- **Trafficking of children by Roma criminals groups for exploitation in petty crime, and adults for the commission of benefit fraud**
- **Exploitation in a range of sectors: agricultural, construction, textile, healthcare, domestic service and the sex industry**

2.1 Modi Operandi

Criminal groups involved in THB are extremely sensitive to emerging or changing demand, swiftly providing human resources to be exploited in a range of environments. The routes used by traffickers to bring victims into the EU are not as clearly defined, and arguably not as important, as those used by illegal immigrants.

Human traffickers aim to profit from the transport of migrants and also their criminal exploitation upon arrival in the EU. As a result, organised crime groups plan their victims' travel with great care, to ensure that it is conducted as quickly and as safely as possible. When victims are trafficked from outside the EU, **air travel on counterfeit, forged or fraudulently obtained documents** is currently the preferred option.

Traffickers recruit their victims mostly in deprived, disadvantaged or poorly integrated sectors of society, offering them employment abroad. Many victims are lured with bogus offers of legitimate employment. Others agree on the type of work they are expected to perform, but are deceived by the actual circumstances they find on arrival in the destination country. Meanwhile some victims do not even realise that they are being exploited. This is particularly the case for victims who have worked under more exploitative conditions in sectors such as agriculture or textile manufacture in their countries of origin.

Chinese and Nigerian organised crime groups are proficient in the production of **falsified and counterfeit travel documents** to facilitate THB, and also use genuine documents issued to 'look-alikes'. They frequently exploit the visa regime, as in the case of 'overstayers'. In many cases victims enter the EU by abusing the asylum system, assisted by criminal groups in destination countries. Some discard their documents on arrival at an EU airport, and

⁵ Source: OCTA 2011- Public version.

subsequently allege citizenship of a war-torn country. Accompanied to a refugee centre pending evaluation of their asylum request, they abscond and meet a member of the organised crime group as arranged.

The use of **the Internet** is rapidly expanding, both for the recruitment of victims and for advertising their services. Meetings between victims and clients are organised through dedicated websites. Victims are rapidly rotated, remaining in the same city for no more than one or two days. The perceived anonymity and mass audience of online services increases both the discretion and profitability of these services, making it very hard to identify criminals using traditional police techniques.

2.2 Criminal Groups

The most threatening organised crime groups are those capable of controlling the entire trafficking process from recruitment to forced labour or prostitution, including transportation, the provision of documents, the execution of high level corruption and money laundering. These groups have the capacity to handle large numbers of victims and have established logistical bases and contacts in source, transit and destination countries. Highly flexible in nature, they conduct operations in cells active in several EU Member States, transferring victims easily from one country to another. In some cases, victims are used to control other victims, which indicate a complex distribution of roles within these criminal networks.

An increasing number of **women** are involved in THB, and their role is of growing importance in the recruitment, transfer, subjugation and surveillance of victims. Such a trend is observed across all ethnic groups, to varying degrees.

With a few exceptions (such as Romanian and Albanian speaking groups in Italy) traffickers have considerably reduced the amount of violence used against their victims. Many have sought to adapt their image to that of helpful service providers and indispensable intermediaries between clients and victims.

The most frequently reported criminal groups involved in THB in the EU are, in descending order, ethnic Roma, Nigerian, Romanian, Albanian speaking, Russian, Chinese, Hungarian, Bulgarian and Turkish organised crime groups. Bulgarian and Romanian (mostly of **Roma** ethnicity), **Nigerian** and **Chinese** groups are probably the most threatening to society as a whole.

Roma organised crime groups are extremely mobile, making the most of their historically itinerant nature. An attitude of detachment towards Roma communities by public authorities in some Member States has, in turn, left the most vulnerable members of these communities - children and young women - unprotected from exploitation by criminal groups. Given the size of the Roma communities in Bulgaria and Romania, the proposed accession of these countries to the Schengen Zone may prompt a further increase in THB by Roma organised crime groups.

During an investigation in child trafficking involving Roma children trafficked to other EU MS, it became evident that the traffickers had clear expectations that if the children were exploited to their maximum potential, the profits that could be generated would be in the region of €20-30,000 every three to four months. In the same case, it was established that numerous mansion-style houses had been constructed in the town in Romania where the trafficking group originated from. In this rural area, where the stated average monthly income amounts to about €400, houses which cannot have been constructed for less than €100,000 present a clear message to many that crime does pay.

Chinese organised crime groups operate throughout the EU in a less conspicuous manner. The number of Chinese nationals exploited is unknown. Successive phases of trafficking are often carried out by diverse and fluid structures, making it difficult to determine whether these consist of separate criminal groups or different branches of the same network. Traditional

environments for labour exploitation include Asian restaurants, textile sweatshops and tanneries. More recently, widespread exploitation of Chinese victims in prostitution has emerged, both within and outside the Chinese community. A lack of awareness of exploitation on the part of the victims, and high levels of seclusion, typical of Chinese communities in some Member States, mean that THB often goes unreported.

Nigerian groups are mostly formed of cellular structures. The key to their effectiveness is their ability to operate independently while drawing on an extensive network of personal contacts. Women play a particularly important role within these groups, closely monitoring the trafficking process from recruitment to exploitation. Nigerian victims often do not perceive themselves as such, but rather as immigrants who must repay a debt to their facilitators. In this context, victims often become members of the criminal groups exploiting them, ultimately assuming the role of ‘madam’ in the exploitation of others. In turn, this cultural novelty reduces the likelihood that victims will cooperate with law enforcement.

2.3 Criminal Hubs⁶

In the **South West** criminal hub victims are received and exploited by organised crime groups in the Iberian Peninsula and redistributed throughout the EU according to market demand. Chinese victims are mainly exploited in textile sweatshops, Eastern Europeans in agriculture, South Americans in the sex industry and Roma children in begging and theft. In addition to air travel, Nigerian women also make use of established overland routes to reach Spain. Underage Angolan domestic servants are exploited by wealthy compatriots in Portugal.

The **Southern** criminal hub is a transit and destination region for trafficked human beings. West and North Africans, Eastern Europeans, Balkan and Chinese victims are exploited in prostitution, in the agricultural, construction, textile, and healthcare sectors, and as domestic servants. The **North East** and **South East** hubs have historically provided victims for exploitation in wealthier Member States. They also facilitate the transit and distribution of victims from outside the EU. The **North West** criminal hub manages flows of trafficked human beings from other Member States and from outside the EU. Even in Member States where prostitution is legitimate, well regulated and controlled, such as The Netherlands, criminal groups are able to exploit underage or clandestine victims, providing them with falsified documents.

Nigerian groups engaged in THB for sexual exploitation use the **Southern** and **South West** hubs as springboards for the further distribution of victims, particularly to the Nordic countries. In many cases they use Italian or Spanish residence permits – either falsified or obtained through expedients such as bogus marriages – which allow them to travel within the Schengen zone. It is possible that ‘madams’ in the saturated markets of Spain and Italy are using the networks and protection of Nigerian organised crime to venture into new destination markets, targeting in particular those in which prostitution is entirely in the hands of such groups.

Beside traditional fields of exploitation (**prostitution, begging and theft, textile and agricultural sectors**), sectors such as **construction, tourism, catering, nursing and domestic service** are increasingly affected by THB. In addition to the prolonged harm

⁶ The OCTA finds that in geographical terms the most prominent organised crime activities in the EU are underpinned by a logistical architecture located around five key hubs. For the purposes of this document, these five hubs and their centres of gravity are as follows:

- North West criminal hub – the Netherlands and Belgium
- The North East criminal hub – Lithuania, Estonia, Latvia and the Kaliningrad exclave
- South East criminal hub – Bulgaria, Romania and Greece
- Southern criminal hub – Southern Italy
- South West criminal hub – Spain and Portugal

suffered by victims of trafficking, the closure of businesses with lower profit margins as a result of the effects of the economic crisis will leave the market open to those with illegal or cheap labour at their disposal. Lack of concern amongst consumers for the harms attached to labour exploitation not only fosters further trafficking but ultimately erodes the social fabric.

2.4 Emerging and Future Issues

- **There are indications that use of the Internet increasingly facilitates the transnational marketing of sex workers, in cooperation with specialist web hosts and administrators. It is anticipated that this trend will increase, as will the number of women sexually exploited in less visible, online environments.**
- **Any further migrant flows from North African and Middle Eastern countries subject to political instability are likely to provide criminal groups with further opportunities for exploitation.**
- **The practice of trafficking for the commission of welfare benefit fraud is likely to expand because of its large profits (single trafficking groups can generate as much as 125,000 euros per month) and low levels of perceived risk of detection.**
- **As passenger air fares increase in line with rising oil prices, it is natural that traffickers will reflect this in the cost to victims in terms of transport fees and subsequent exploitation. It may also lead in some cases to a shift towards lower cost overland and sea travel.**

2.5 Conclusion

The positive steps taken by many Member States and the EU to prevent and combat trafficking in Europe have ensured that the current level of response in tackling this crime has never been higher. Lengthy prison sentences for convicted traffickers are now routine in some countries, the levels of awareness amongst law enforcement and the judiciary has been raised, victim protection and support is prioritised and national action plans provide clear examples of Member State strategy and intent. The investigation of labour exploitation is now firmly on the agenda of many countries and again indicates the willingness of countries to recognise, adapt to and combat new forms of trafficking.

However, based on current reporting, intelligence, trends and patterns, it is unlikely that there will be any immediate reduction in the levels of trafficking of human beings in Europe. This crime will continue to have a major impact upon the EU.

3 RELEVANT LEGISLATION

The most relevant instruments of international legislation concerning the prevention and combating of THB are:

- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime of 2000, better known as the “Palermo Protocol”

The signatories and details concerning the ratifications of this protocol can be found at:

<http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html>

- The Council of Europe Convention on Action against the Trafficking in Human Beings which entered into force on 1 February 2008

The signatories and details concerning the ratifications of this convention can be found at:

<http://www.conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=197&CM=1&CL=ENG>

- Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA

4 EUROPOL'S REPORTING ON THB

The following reports have been produced by Europol:

- “Trafficking in Human Beings from Nigeria to the EU: Intelligence Assessment” 2009 (law enforcement only).
- “Child Trafficking” – Knowledge Product 2010 (law enforcement only).
- “Trafficking in Human Organs – Europol perspective” – Knowledge Product 2010 (law enforcement only).
- OCTA 2011 (public version)