Panel Meeting on Irregular Migration and Trafficking in Human Beings

14-15 April 2016
Chisinau
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<td><strong>1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard</strong></td>
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<td><strong>2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard</strong></td>
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<td><strong>3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)</strong></td>
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<td><strong>4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially</strong></td>
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<td>Trafficking victims are referred according to RA Law on Identification and Provision of Assistance to Victims of Human Trafficking and Exploitation (the Law was passed in December 2014). A specialised commission on identification matters was established under the Ministry of Labour and Social Issues - the commission incorporates representatives of the Ministry of Labour, the Prosecutor Office, the Police and two NGOs. It is the latter commission that provides status of victims of human trafficking to RA nationals and foreigners.</td>
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<td><strong>5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a</strong></td>
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<td>Status of a victim of human trafficking grants all rights of RA nationals to a relevant person. Identification of potential trafficking victims is dealt with by all specialists who - due to their duties or powers - contact with people directly (e.g. at the state border, in the Police or in social security offices) and ensure their profiling. Then, a potential trafficking victim is referred to the Police or to the Ministry of Labour (depending on the authority that was the first recipient of the potential victim).</td>
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6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

Victims of human trafficking are provided assistance in two stages. Primary assistance (at the first stage) is provided to all persons. Duration of provision of the primary assistance does not exceed 1 month, then relevant information is transferred to the commission and - if identified as a trafficking victim - the victim is provided a broader assistance package, including health care services, legal assistance, interpreters’ services, etc. The Law also stipulates provision of compensations to all trafficking victims after completion of socio-psychological assistance measures. The Government now reviews procedures for provision of assistance.

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

Different information campaigns are implemented in the framework of the Program to Combat Trafficking in Human Beings. Besides that, in three recent years, Migration Centres were established in different regions of the country - the Centres cooperate with the National Employment Agency and provide necessary information to all applicants.

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combatting trafficking in human beings and migrant smuggling?

A close cooperation is maintained with main actors - the Police, the Ministry of Labour and NGOs. In their turn, each of these entities cooperate with their partners in regions.

AZERBAIJAN

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

In recent years, numbers of asylum seekers and applicants for refugee status in Azerbaijan increased. In particular, in 2012, the State Migration Service of Azerbaijan received 52 applications (from 108 persons) for refugee status, while in 2013 and 2014, relevant numbers reached 75 (166 persons) and 202 (399 persons), respectively. The growing number of applications in 2014 was associated with the events in Ukraine, when inflow of some residents of conflict zones of Ukraine and Ukrainian nationals of Azeri origin was observed.

In comparison to 2014, in 2015, lower numbers of Pakistani nationals applied for refugee status and asylum in Azerbaijan. In particular, while in 2014 the State Migration Service of Azerbaijan received 107 applications (from 123 persons) from Pakistani nationals, in 2015, the relevant number reached 75 applications (from 78 persons). A similar trend was observed in the case of Ukrainian nationals. In 2014, citizens of Ukraine submitted 21 applications (from 69 persons), while in the next year 15 applications were received (from 33 persons).

Due to application of timely response measures by relevant governmental authorities of Azerbaijan, citizens of Ukraine were registered, while the ones with illegal status of stay at the territory of Azerbaijan were legalised. A particular attention was paid to issues of social support of these persons.

2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures

In 2015, 109 crimes related with human trafficking were registered in Azerbaijan - in none of these cases Azerbaijan was a country of transit. Besides that, in order to implement measures for prevention of illegal migration, forced labour and human trafficking; for identification of victims and potential victims of THB, actions are stipulated with involvement of representatives of relevant governmental agencies: monitoring, inspections and implementation of measures to identify and mitigate circumstances that facilitate human trafficking, to tighten control of labour migration.
3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

In 2015, 7 foreigners were registered among the victims of THB identified: 5 citizens of Uzbekistan, 1 citizen of Turkmenistan and 1 citizen of Russia. Citizens of Uzbekistan were women, while citizens of Russian and Turkmenistan were men.

Overall, in 2015, 2039 foreigners and stateless persons with previously illegal residence status legalised their residence at the territory of Azerbaijan.

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

Decree # 123 of the Cabinet of Ministers of Azerbaijan approved Rules of the National Referral Mechanism in Connection with Victims of Human Trafficking. According to item 1.2 of the Rules, main objectives of the National Referral Mechanism in Connection with Victims of Human Trafficking are associated with establishment of an effective system to ensure protection of victims' rights and their referrals to competent entities; to ensure their safety, repatriation, social rehabilitation and development of rules in the sphere. The Ministry of Interior of Azerbaijan is the lead coordinating agency in the sphere of combating THB.

The inter-agency commission was established to implement the National Referral Mechanism in Connection with Victims of Human Trafficking. The commission incorporates the Office of the Prosecutor General and 13 central executive bodies. According to Art. 85 of the Criminal Procedure Code of Azerbaijan, investigators are authorised to recognise relevant persons as victims of crime. According to item 17.8 of Law of Azerbaijan on Combating Trafficking in Human Beings, foreigners and stateless persons who are victims of trafficking should be provided support and protection at the same level as citizens of Azerbaijan.

According to the set procedure, in the case of identification of (potential) victims of human trafficking, their applications should be processed according to legislatively set procedures and expedited measures should be applied for their transfer to the specialised police unit within 24 hours. It is absolutely prohibited to transfer (potential) victims of human trafficking to other police units or other law enforcement bodies. According to the national legislation, the specialised police unit must report results of its investigation to an agency that identified (potential) victim of human trafficking and referred him/her to the specialised police unit.

5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

Decree # 131 of the Cabinet of Ministers of Azerbaijan of September 3, 2009 approved the Rules (Indicators) for Identification of Victims of Human Trafficking. According to the Decree, the following methods (measures) should be applied for identification of victims of THB:

Proactive methods (measures) - i.e. necessary and efficient measures, including proactive activities of relevant governmental bodies, intended to identify victims of THB swiftly. Proactive measures include:

- Enhancement of coordination of information exchanges between relevant governmental bodies for swift identification of trafficking victims;
- Implementation of comprehensive measures by law enforcement bodies for identification of trafficking victims in points of entry/departure to/from the country and in other places;
- Raids in catering and entertainment facilities and in other facilities suspected in offering sexual services, in order to identify trafficking victims (with due respect to human rights and freedoms and in compliance with the due legislation);
- Monitoring activities at construction sites, marketplaces, railway terminals and similar sites;
- Raids in places of high concentration of migrants (black labour exchanges);
6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

According to Art. 17 of Law of Azerbaijan on Combating Trafficking in Human Beings, the due legislation of Azerbaijan stipulates provision of finance assistance to victims of human trafficking in the period of their reintegration (to be paid from the state budget and other sources at the level set by a relevant executive body). Access to personal data of victims of trafficking in information and reference registers may be terminated by a court/prosecution authority decision.

According to Art. 6 of the National Action Plan for Combating Trafficking in Human Beings in Azerbaijan for 2014-2018, social rehabilitation of trafficking victims and their social reintegration measures are implemented for their return to normal life, stipulating provision of legal assistance to victims of trafficking, enabling them to continue their education, provision of psychological, medical and professional rehabilitation and use of available options to provide them jobs and housing.

Besides that, there are plans to establish new regional centres of social rehabilitation, social services and assistance, shelters and to implement relevant measures to provide them legal, medical, psychological, social and other assistance, to study socio-psychological aspects of human trafficking at the local level, to identify underlying causes of the phenomenon and apply relevant measures to mitigate them, to continue provision of medical assistance to (potential) trafficking victims in dedicated clinics or out-patient facilities, with involvement of skilled specialists if deemed necessary.

According to Art. 23 of Law of Azerbaijan on Combating Trafficking in Human Beings, courts decide on recovery of material and moral damages.
7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

Relevant authorities implement comprehensive prevention measures targeting migrants at risk of involvement into irregular migration or different forms of human trafficking (including information dissemination via mass media outlets).

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

According to Art.10 of Law of Azerbaijan on Combating Trafficking in Human Beings, governmental authorities cooperates with NGOs in the sphere of prevention of human trafficking.

Non-governmental organisations active in the sphere of prevention of human trafficking implement awareness raising activities among potential trafficking victims, organise activities of specialised facilities for victims of human trafficking, provide them legal assistance and social rehabilitation services. According to Art. 26 of the Law, Azerbaijan cooperates with other countries and their law enforcement bodies in the sphere of combating human trafficking, as well as with international organisations based on international agreements of which Azerbaijan is a party.

Besides that, according to item 5.4 of the National Action Plan for Combating Trafficking in Human Beings in Azerbaijan for 2014-2018, cooperation is improved between bodies of criminal prosecution of crimes related to human trafficking, efficient information and experience exchange is maintained, joint studies of problems in the sphere of counter-trafficking activities are conducted, international cooperation in the sphere of search, investigation and prosecution activities is enhanced. According to item 10.3, the Working Group of representatives of different governmental bodies (the one, established for improvement of counter-trafficking legislation) closely cooperates with public authorities, representatives of the civil society and international partners.

**BELARUS**

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

Migration situation in the Republic of Belarus remains well managed and controlled, notwithstanding the ongoing migration crisis in EU countries.

Analysis of the statistical data of 2015 suggests that about 4.4 million foreigners entered the Republic of Belarus. More than 650 thousand foreigners were registered in territorial MoI bodies in connection with their entry for private and business purposes (vs 800 thousand in 2014), including more than 500 thousand foreigners who stayed in hotels, sanatoriums and health improvement facilities (vs 627.5 thousand in 2014).

As at January 1, 2016, 59.1 thousand foreigners stayed in the Republic of Belarus with temporary residence permits (vs 59.9 thousand in 2014), as well as over 181.5 thousand foreigners with permanent residence permits (vs 173 thousand in 2014).

The trend of growing numbers of forced migrants entering the Republic of Belarus that was identified in 2013-2014, continued in 2015, as well. In 2015, the range of countries of departure of forced migrants did not change substantially in comparison to 2014.

1,246 foreigners applied to authorised bodies of the Republic of Belarus for refugee status or subsidiary protection in the country - the figure is by 43.5% higher than in 2014. The share of applicants from Ukraine among all applicants reached 78.5% (978 persons vs 663 persons or 76.5% in 2014) - similarly to 2014, they represent the largest group of forced migrants who applied for protection. Inflows of forced migrants from Syria...
and Afghanistan to our country also increased. Besides that, due to deteriorating situation in Iraq and Yemen, in 2015, forced migrants from these countries arrived in Belarus, while earlier no nationals of Iraq and Yemen had ever applied for protection in Belarus.

In 2015, decisions were made on applications for protection submitted by 1040 foreigners. The share of foreigners who were granted some forms of protection in Belarus reached 73.8% of the overall number of decisions made on these applications (including 1.9% of foreigners who were granted refugee status). A rather high share of positive decisions on applications for protection is associated with the fact that the majority of applicants in 2015 were foreigners who came to Belarus from states or regions affected by armed conflicts (Donetsk and Lugansk oblasts of Ukraine, Syria, Yemen).

Illegal migration (persons who enter, depart or stay at the territory of the Republic of Belarus in non-compliance with the due legislation):

Results of migration control activities in the country suggest that illegal migrants continue to use the territory of the Republic of Belarus as a transit route to the EU.

In particular, in 2015, MoI bodies disclosed 21 organised groups of illegal migrants with 84 persons in total (vs 11/44 in 2014), including nationals of the following countries: Syria - 22 persons, Vietnam - 18 persons, Jordan - 9 persons, Lebanon - 7 persons, Egypt - 7 persons, Iraq and Sri Lanka - 5 persons from each.

Law enforcement bodies of the Republic of Belarus detected 288 crimes (vs 260 in 2014), associated with violation of terms of prohibition of entry to the Republic of Belarus and 49 crimes associated with organisation of illegal migration (vs 76 in 2014) - in these cases pre-trial investigations were completed in 2015.

Administrative sanctions were applied against more than 23.2 thousand foreigners (vs 21.2 thousand in 2014) for non-compliance with the due legislation on legal status of foreigners in the Republic of Belarus.

In order to maintain a stable migration situation and to ensure efficient migration control in the Republic of Belarus, the Ministry of Interior, jointly with other stakeholders implemented a number of actions in the following spheres:

1. Improvement of the national legislation and conclusion of international agreements in the sphere of migration:
   - several draft laws were developed and undergo review procedures now - these draft laws are intended to improve the due legislation on citizenship, refugees, external labour migration and legal status of foreigners;
   - conclusion of international agreements on readmission and on cooperation in the sphere of migration.

In particular, readmission agreements are now in force with Turkey, the Russian Federation and Kazakhstan. Internal national procedures are almost completed to ratify the Readmission Agreement with Georgia. Draft readmission agreements were developed with other countries posing migration risks to the Republic of Belarus.

2. Practical measures to control stay of foreigners in the country are permanently organised and implemented:
   - in the framework of the Collective Security Treaty Organisation, coordinated operational, prevention and special operations against illegal migration (including THB) are implemented - codename "Nelegal" - in that sphere, migration authorities of Belarus and Russia cooperate most intensively;
   - territorial MoI bodies maintain systematic checks in railway terminals, private dwellings and in areas near the border. Besides that, they
control passenger flows in the National Minsk Airport, focusing on flights from countries with difficult economic and political situations;

- in the case of repeated non-compliance with the due legislation, decisions are made to reduce authorised terms of stay for relevant foreigners, or to withdraw their permits for temporary and permanent residence in the Republic of Belarus (in 2015, more than 16.5 thousand such decisions were made);

- in the case of certain violations of the due legislation of the Republic of Belarus, foreigners may be deported or extradited from the country (3,315 foreigners in 2015);

- based on submissions of MoI bodies and on requests of other governmental agencies, foreigners may be incorporated into the List of Persons whose Entry to the Republic of Belarus is Prohibited or Undesirable (18,633 foreigners in 2015);

- in order to prevent illegitimate acts of foreigners with permits for temporary and permanent residence in the Republic of Belarus, proactive preventive measures are applied according to the due legislation on crime prevention matters, territorial MoI bodies maintain relevant “risk group” lists;

- the Ministry of Interior developed and implement relevant prevention activities to tighten control over migration of nationals of countries with high extremism/terrorism activities to the EU countries via the territory of the Republic of Belarus and to prevent terrorist acts in the Republic of Belarus.

3. Cooperation with international organisations.

The Republic of Belarus cooperates with offices of the UN High Commissioner on Refugees and the International Organisation for Migration to address issues associated with stay of foreigners applying for protection and foreigners with refugee status or foreigners under subsidiary or temporary protection, to combat human trafficking and illegal migration.

International technical assistance from UNHCR ensures implementation of measures under dedicated state programs and plans without allocations from the state budget. Besides that, external funding facilitates efficient implementation of internal policies of Belarus in the sphere of forced migration and establishment of a system of asylum and international protection in the Republic of Belarus in compliance with applicable international standards. Overall, € 203 thousand and BUR 3.8 billion were utilised.

4. Development of the common migration space with the Russian Federation.

5. Development of information systems in the sphere of migration (IS "Citizenship and Migration", IS "Hotels", IS "Refugees") and provision of remote data access for law enforcement bodies of the Republic of Belarus.

6. Skill enhancement of officials of Nationality and Migration territorial MoI bodies, as well as other MoI units of relevance to control over stay of foreigners.

However, notwithstanding all the measures applied, and accounting for unstable situation in Ukraine, some Middle East, Central Asia and African countries, the Ministry of Interior anticipates continued growth of asylum seekers in the Republic of Belarus and illegal migrants in transit to EU countries.

Potential risks and threats, that substantially affect intensity of migration flows and numbers of migrants who leave their countries of origin and attempting to enter EU countries (including by transit via the territory of the Republic of Belarus), are associated with the following factors:
• further destabilisation of political and economic situation in countries of departure of refugees and potential illegal migrants;
• emergence of new channels for illegal migration;
• unprotected state border with the Russian Federation;
• insufficient practical experience of MoI and other state actors in the sphere of migration policy in conditions of a large-scale inflow of refugees to the Republic of Belarus;
• visa regime liberalisation in relations with countries that implement investment projects in the Republic of Belarus and extended geographic scale of economic cooperation;

In this connection, it is necessary to focus (jointly with stakeholders) main efforts in the sphere of migration on:
• ensuring efficient migration control in the Republic of Belarus, including application of modern technologies and resources with personal data;
• further development of cooperation with the Russian Federation;
• improvement of the national legislation and conclusion of international agreements in the sphere of migration;
• intensification of cooperation with international organisations for mobilisation of international technical assistance for development of migration infrastructure (establishment of a temporary accommodation centre for illegal migrants, improvement of technical capacity of territorial MoI bodies, modernisation of existing information systems for registration of migrants and development of new ones, a large-scale implementation of biometric documents for issuance to foreigners and Belarussian nationals at the territory of the country);
• professional training of officers of MoI bodies and development of a relevant core of the migration service.

Works are under way to maintain a stable migration situation in the Republic of Belarus.

### 2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard

The Republic of Belarus is predominantly a country of origin of "live commodity", therefore activities in the sphere of combating THB are mainly focused on prevention of attempts to deliver Byelorussian nationals abroad for exploitation.

In 2015, 16 trafficking channels to 4 countries were disrupted: to Russia - 12 (33 victims), to Turkey - 2 (7 victims), Cyprus - 1 (2 victims), to UAE - 1 (2 victims).

### 3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please

In 2015, no trafficking victims were identified among foreigners in the Republic of Belarus.
**4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially.**

On December 16, 2014, amendments were introduced into Law of the Republic of Belarus on Combating Human Trafficking (referred hereinafter to as the Law), that define fundamental principles of identification of trafficking victims. In particular, the Law stipulates that persons who applied for assistance are entitled to protection and rehabilitation services for 30 days regardless their eventual recognition as trafficking victims.

Relevant governmental bodies, jointly with international and international organisations, developed the National Mechanism for Identification and Referral of Trafficking Victims for Rehabilitation - the mechanism was approved by Decree # 485 of the Council of Ministers of the Republic of Belarus of June 11, 2015 on Approval of Regulations on Procedures of Identification of Trafficking Victims, Procedures of Compiling and Formats of Questionnaires of Persons - Potential Victims of Trafficking and Related Crimes and Procedures for Provision of the Data Containing Thereof (enacted on June 22, 2015).

The mechanism of identification and referral of trafficking victims stipulates that along governmental bodies, international and non-governmental organisations should also participate in identification of trafficking victims.

Rehabilitation assistance is provided to 2 categories of persons: 1) trafficking victims; 2) potential victims of trafficking and related crimes.

Victims of trafficking may receive assistance for an indefinite period of time. However, some types of assistance may be provided for 1 year (with extension if deemed necessary). Procedures of provision of different types of assistance are regulated by agency level regulations of the Ministry of Public Health, the Ministry of Education, the Ministry of Labour and Social Welfare.

Potential victims of trafficking and related crimes are provided 30 days for rehabilitation and reflection on matters of cooperation with criminal prosecution bodies. These persons are provided rehabilitation services for the said period of time regardless of their participation in criminal proceedings.

**5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?**

Mol bodies of the Republic of Belarus identify victims of human trafficking in the course of their routine operational activities for detection, prevention and disclosure of crimes associated with human trafficking.

If information becomes available on a person who might be a victim of human trafficking or related crimes, he/she should undergo relevant identification and - depending on the identification results - may be recognised as a victim of human trafficking (or not).

If information on offences committed against the person is confirmed, a criminal case on the matter may be initiated and the victim is provided status of a statutory victim of crime.

**6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?**

In the Republic of Belarus, all measures for protection and rehabilitation of trafficking victims are applied - as stipulated by Law of the Republic of Belarus on Combating Human Trafficking - namely: 1) ensuring safety; 2) social protection and rehabilitation; 3) termination of expulsion and deportation procedures; 4) provision of assistance by diplomatic missions and consular facilities of the Republic of Belarus.

The range of free state assistance incorporates: 1) provision of temporary accommodation, including beds and meals; 2) legal assistance including free legal support of lawyers’ associations; 3) health care services (according to the list of the Ministry of Public Health), including hospital treatment regardless of places of permanent residence of trafficking victims; 4) psychological assistance; 5) search for families of minor trafficking victims or their transfer to foster families or (if these options are not available) their transfer to boarding childcare facilities; 6)
facilitation of employment; 7) finance support.

However, provision of assistance should cease if a relevant person obstructs pre-trial investigation or court proceedings.

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

In the framework of implementation of international technical assistance projects by MoI, jointly with the Mission of the International Organisation for Migration in the Republic of Belarus, the implementing partners ensure regular update and production of awareness raising and printed materials on matters of human trafficking and safe travel abroad (booklets, leaflets, brochures, etc.).

The official web-site of MoI quarterly updates relevant information on the situation in the sphere of combating human trafficking, including trafficking for labour information, and provides contact phone numbers.

Substantial efforts were applied in the sphere of information activities, including participation in press-conferences, production of TV and radio broadcasts, publications in printed and electronic mass media outlets, presentations.

In 2015, 310 information materials were produced, including the ones for TV, radio, printed and electronic mass media outlets. Several press-conferences and briefings were organised and conducted, more than 150 information materials were posted on web-sites.

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

Cooperation and interaction in the sphere of combating human trafficking in the Republic of Belarus incorporates two components.

The first component is associated with coordination of law enforcement bodies. The Coordination Meeting on Combating Crime and Corruption, established under the Office of the Prosecutor General, coordinates activities of MoI, KGB, the Office of the Prosecutor General and the Investigation Committee (at the national level). Similar arrangements are applied at the level of oblasts and districts.

The second component is associated with coordination in the sphere of identification, protection and rehabilitation of trafficking victims (including relevant activities abroad). In the latter sphere, MoI coordinate activities of the Ministry of Labour and Social Welfare, the Ministry of Education, the Ministry of Public Health, the Ministry of Foreign Affairs and NGOs.

Cooperation with NGOs is also incorporated into implementation of international technical assistance projects. Besides that, in every oblast of the country, regular meetings of multidisciplinary groups on combating human trafficking are held - the groups are established according to MoUs between territorial authorities, NGOs and the IOM Mission in the Republic of Belarus.

**BULGARIA**

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

| Persons seeking asylum in Bulgaria since the beginning of 2013 until early April 2016 by year |
|---|---|---|---|---|
| 2013 | 2014 | 2015 | since the beginning of 2016 until 11 April |
| 7 144 | 11 081 | 20 391 | 4 416 |

| Detained illegally crossed the Bulgarian border from early 2013 to early April 2016 by year |
|---|---|---|---|
| 2013 | 2014 | 2015 | since the beginning of 2016 until 7 April |

To meet the first wave of migrants and refugees in Bulgaria, following the conflict in Syria since the beginning of 2013, emergency measures have been taken at short notice, including the planning of the construction of the engineering preventive facility along part of the border with Turkey. As a result, at the end of 2013 there was a serious reduction of the pressure.

Measures were also taken to strengthen the capacity of the State Agency for Refugees, an additional resource of police officers has been deployed along the southern border. Pledges were carried out to receive EU financial assistance and support from EU, bilaterally from Member States and through the Union Civil Protection Mechanism. Joint Frontex operations were put in place and cooperation with UNHCR, IOM, the Red Cross, EASO has been strengthened.

Bulgaria continues to pursue a consistent and principled policy towards asylum seekers and illegal migrants namely: proper registration of all persons entering the country, performing of a thorough screening, residential care, setting up an integration program, return measures, European solidarity through participation in the mechanisms of relocation and resettlement and in operations of FRONTEX.

2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard

The majority of the migrants attempting to illegally cross our borders during 2015 were using the services of OCGs. In most of the cases investigated, there were clear indicators, pointing out the involvement of OCG with international dimensions. Recruitment, transportation, illegal border crossing, procurement with forged or look-a-like documents, accommodation, were only part of the services offered.

With regard to human trafficking, Bulgaria is a country of transit, destination and in most cases country of origin. Mainly the aim is sexual exploitation and because of its latent character to a less extent for labor exploitation, begging and petty theft and trafficking of pregnant women to give birth and sale of newborns.

Bulgaria pays due attention to the prosecution of smugglers, which has an impact both from repressive and preventive perspective. From 26 September 2015 amendments to the Penal Code came into force, which had increased the size of the penalty "deprivation of liberty" and "pecuniary penalties" for smuggling. Additionally, it introduced qualified formulations for smuggling committed by an official who has abused his official position and for smuggling, organized by a group.

In addition legislative changes to allow Chief Directorate “Combating Organized Crime” of the Bulgarian Mol work in combating smuggling were initiated. Upon their adoption in the Chief Directorate "National Police" - Mol operates a specialized sector for combatting smuggling, which investigates cases within the territory of the country and works in close coordination with the relevant unit in the Chief Directorate “Border Police” - Mol, responsible for the investigation of the smuggling of migrants in border areas.

Chief Directorate "Border Police" (CDBP) - Mol carries out active interaction with state, municipal and non-governmental bodies and organizations at national, regional, European and international level. Operational exchange of information about possible victims and their traffickers is performed in real-time among representatives of the police authorities of EU Member States and representatives of the Ministry of Interior both in these countries and in the Republic of Bulgaria. The information includes signals, received data from interviews with victims of trafficking and committed to the trafficking of human beings, data coming from the teams of interviewers at the BCPs, an application by the victim or her/his relatives, information from national and international structures.

There are Police and Customs Common Contact Centers on the Romanian, Serbian, Macedonian and Greek borders, which exchange information, including cases concerning trafficking in human beings, on regional level in real time.
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<th>3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)</th>
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<td>As also presented for the GRETA reporting concerning Bulgaria and its second evaluation round: (<a href="http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Monitoring/2nd_Country_Reports_en.asp#TopOfPage">http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Monitoring/2nd_Country_Reports_en.asp#TopOfPage</a>) for the last two years no foreigners with irregular status of stay identified as victims of THB have been referred through the National referral mechanism for identification, referral and support of victims of trafficking and through the NCCTHB. There has been no research in Bulgaria so far, as well as any solid and empirical data concerning the general profile of such group. Interesting could be the latest findings from the International organization of migration (IOM) – “Findings: Counter – trafficking Survey” from mixed migration flows in the Mediterranean and beyond (the data was collected in the time-period 07 December 2015 – 14 March 2016 among 2 385 migrants and refugees. Another link of information to the question is the Europol report from February 2016.</td>
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<th>4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially</th>
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| Acting as an equivalent mechanism of national rapporteur on the matters of trafficking in human beings, the Bulgarian National Commission for Combating Trafficking in Human Beings (NCCTHB) within the Council of Ministers (www.antitraffic.government.bg) coordinates the National Mechanism for Referral and Support of Victims of Trafficking in Human Beings (NRM) and performs the coordination of signals and cases of adult victims of trafficking. According the Combating of Trafficking in Human Beings Act (CTHBA) under which the National Commission is established as a collective body comprising 12 ministries and governmental agencies, the Commission organizes and coordinates the interaction among the separate institutions and organizations on the enforcement of the Act, as well as determines the implementation of the national policy and strategy in the field of combating of trafficking in persons. The National Commission contributes to the work of cases of children who are victims of trafficking where the Coordination Mechanism for Referral and Care of Cases of Unaccompanied Children and Children - Victims of Trafficking Returning from Abroad is applied. Coordinators of the cases of children are the State Agency for Child Protection (SACP) and the Ministry of Interior (MoI) which should be simultaneously notified. In many of these cases, the Agency for Social Assistance is also involved as an institution administering the work of the social assistance directorates and child protection units. The National Mechanism for Referral and Support of Victims of Trafficking in Human Beings (NRM) consists of detailed chapter of the participants in the NRM – both governmental, international and non-governmental organizations; detailed chapter of the leading principles of work and chapter consisting of the main standard operating procedures (SOPs), which are: (1) Identification and referral of trafficked persons; (2) Protection and support of victims; (2) Social inclusion (re-integration), including the process of participation in criminal proceedings and provision of financial compensation. The NRM also includes: (A) Indicators for identification of trafficked persons and (B) Standards and criteria for provision of social services to victims of trafficking.

The identification of victims of trafficking is the first step in the implementation of the NRM and aims to guarantee the respect of the rights of the victims and their access to the available services for support and social inclusion. The identification could be informal which includes self-identification of victims and one performed by officers and employees of all the different institutions and organizations who have first contact with the victim. It allows immediate access to the available support programs and services. Formal identification is performed by the pre-trial proceedings bodies and aims at starting the investigation process. A second step in the overall process of identification is the contact with the regional/local authorities in the country for verifying the trafficked
5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both pro-active and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

Potential victims of trafficking in asylum and return procedures or migrants/people on the move, could be identified by employees of the State agency for refugees (SAR), General directorate “Border police” and directorate “Migration” at the Ministry of Interior. Also any other professionals working with such groups of migrants, including NGOs or international organizations like UNHCR. Ones identified, such people need to be referred to the NCCTHB in order to receive proper services and especially considering the rights of victims of trafficking in human beings like the right to a period of reflection. At the same time, no such cases had been referred. In this regard the National Commission undertook different measures, especially focused on strengthening the institutional cooperation and building the capacity of specialists when it comes to identification of victims. Furthermore, the state is obliged to identify vulnerable categories of asylum seekers, including specifically victims of trafficking, in line article 21 of the Directive 33/2013/EC.

In the preparation and approved annual programs of the NCCTHB in 2014 and 2015 it has been envisioned that meetings and information sessions concerning the issue of identification of victims of THB are organized. The ANCCTHB has initiated different formats for cooperation with the State Agency for Refugees (SAR), mainly involved and working with the issue, as well as representatives from police/Ministry of Interior structures like border police and migration directorate. One of the events, also initiated as a “push” factor for changes in respect to the undertaking of actions for better understanding the issue of human trafficking and identification of victims among illegal migrants and people looking for asylum is an international conference organized in Sofia by the NCCTHB, Council of Europe (Secretariat of the Convention on action against trafficking in human beings), UNHCR and Hannes Seidel Foundation – “The interface between protection of victims of trafficking in human beings and asylum”, 23-24.06.2015.

In view of pursuing opportunities for strengthening the identification process of victims of trafficking among asylum seekers, the acting secretary general of the NCCTHB has pursued active cooperation with the State Agency for Refugees. To date, an agreement was reached with the management of SAR that the NCCTHB would support the training of the interviewees of the SAR on recognizing of indicators of trafficking and exploitation among asylum seekers and also on applying the National Referral Mechanism. This has also been included in the Annual National Programme on combatting of human trafficking and support of victims. Special attention is to be given to unaccompanied minors. The NCCTHB also plans on performing a small scale research regarding the interface and cases of asylum seekers and migrants and the problem of trafficking in persons, because so far there are just a few such researches done in Europe and solid base of empirical data on which to step further and plan on future steps is lacking. Further, based on the pioneering and successful experience in 2015 from the organized international conference on the interface of trafficking in human beings and asylum, the National commission is planning a second edition of an international forum, focused on some of the more practical work with migrants, where different national and international organizations will be invited to debate and share experience, including the OSCE, Frontex, ICMPD, IOM, Council of Europe and etc.

In addition concerning the experience from 2015 - NCCTHB experts took part in a UNHCR training of social workers from the Agency for Social Assistance, working with unaccompanied children – asylum seekers. NCCTHB experts trained social workers to recognize indicators for trafficking and exploitation in this vulnerable group.

Another important step further was that by the end of 2015, the National Commission has reviewed the National Referral Mechanism in order to take into account the new migration realities. The new amendments will be passed through the Council of Ministers in 2016 which should
strenthen the cooperation mechanisms between the NCCTHB and SAR, as well as develop further and better the identification of victims of trafficking among asylum seekers.

Representatives from the administration of the NCCTHB participated in different forums on the topic, including a training for refugee law and discussion of concrete cases of refugees, organized with the project "Improving access to rights of refugees in Bulgaria by raising awareness and knowledge" implemented by the Foundation for access to rights in partnership with the Commission on asylum to the Administration of the President of the Republic of Bulgaria (http://refugees.farbg.eu/za-nas/za-proekta/) and funded under the program to support NGOs in Bulgaria under the Financial Mechanism of the European Economic Area the 2009-2014.

Recently there was also participation from the side of the NCCTHB, including as key-note speakers in panel forums and workshop discussions at the international seminar “Migration challenges in Southeast Europe: Policy options for building a strong and free Europe”, hosted by the American university in Bulgaria, Friedrich Naumann Foundation, Center for legal aid and Refugee Support Group on 07-08.04.2016. One of the key outcomes of the forum is the development of key findings and policy proposal outline to be further presented at the Council of Europe, including closing sessions with NGO representatives and as part of the Bulgarian presidency of the Council (envisioned to take place on the 17th of May, 2016).

Concerning the second question - Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit? – specific sections are in place in the NRM and the Combating of Trafficking in Human Beings Act (CTHBA) concerning foreign citizen and specifically non-EU citizen or third country nationals. As per the NRM – when a foreign citizen is identified as a trafficked person, he or she is entitled to all the measures specified in the CTHBA and to receive support in accordance with the standard operating procedures in the NRM. In this case, first of all the person is entitled to a reflection period and also he or she receives a status of temporary residing foreigner, in accordance with article 28 of the CTHBA.

| 6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation? | It would be useful to clarify that in Bulgaria the services provided to victims of trafficking in human beings (sheltering and assistance) are:
- The shelter and centers for support under the umbrella/ funding of the NCCTHB, operated by NGOs after undergoing a public procurement procedure. Currently there are 5 separate services available - 3 shelters (mainly providing residential care) and 2 centers for support. The shelters and centers function interconnected and offering a complex care and assistance (psycho-social, legal, medical, educational and empowerment programmes);
- Crisis centers for women and children victims of violence and human trafficking (are with mixed character when it comes to age, social issues and type of crime; some centers are for adults and children and some are explicitly only for children). These centers are under the umbrella of the Agency for Social Support (executive agency under the Ministry of Labor and Social Policy). The centers are mostly operated by NGOs and some by local municipality structures;
- Sheltering services for VOTs provided by non-governmental organizations, through external/ private funding and/or project based funding (for e.g. the services provided by the A21 Campaign).

Furthermore, it is planned that under the Bulgarian-Swiss cooperation anti-trafficking program, under the NCCTHB’s project-component of the program (the two other project-components are managed by the IOM Mission in Bulgaria and Animus Association Foundation/ La Strada Bulgaria), two more shelters will be opened in Sofia (one of which functioning like a transit center for children). The services will start their operations with project financing and on a later stage it has been envisioned that they will become fully governmentally funded -by the National Commission and the Agency for Social Support. |
Regarding the access to compensation in Bulgaria (in short):
The victim of THB can claim financial compensation for material and immaterial (moral) damages as part of the criminal proceedings, to be paid by the offender. However, if damages are awarded the victim her/himself is responsible for the enforcement of the court judgement. This implies that in practice it hardly ever happens that victims actually receive compensation, even if awarded by the court. Although Bulgaria has a State fund to which victims can apply for (material) compensation – though it is for victims of crime and not human trafficking only and in this regard few victims benefit from this possibility. In Bulgaria law offers the possibility to join a civil claim for compensation to the criminal proceedings. Although the law imposes a duty on the court and the prosecution to inform victims of their right to file a claim for compensation, it mostly often remains unclear for the victim what the substance for this right is.
Detailed information could be found at:

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?
From the side of the NCCTHB, a specific visual and communicational campaign towards migrants and aiming at presenting the risks of trafficking has been envisioned for 2016 together with the Ministry of Interior and the Hanns Seidel Stiftung. One of the products to be used as means of the campaign is the production of a short film, visualizing the issue, including the risks of irregular migration.

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?
In Bulgaria there are separate governmental agencies/structures dealing with human trafficking from one side and migrant smuggling on the other. It is similar with NGOs, though of course organizations like IOM have a look at both issues. It is important to mention that these are also two separate crimes according the Criminal Code – trafficking as a crime against the person and Smuggling as a crime against the state. From the side of the NCCTHB most activities in this respect are provided in the Annual National Programme for Combatting of THB and Support of Victims. Such forms of cooperation and partnership are included as activities under almost all the seven sections of the Annual Programme. It is important to mention that the National Commission is part of the EU informal network of national reporters or equivalent mechanisms within the office of the EU Anti-trafficking Coordinator, Dr Myria Vassiliadou (European Commission). It is also part of the National Anti-Trafficking Coordinators of the South-East European Countries with the support of ICMPD (International Center for Migration and Policy Development). The National Commission is regularly taking part in the “Alliance against Trafficking in Persons” international forum, annually held on high level by the OSCE Special Representative on THB. Many of the forums also have sections connected on the interface of human trafficking and migration. The NCCTHB also fosters different cooperation activities, including projects with international organizations and foreign missions in Bulgaria. There’s a Permanent expert working group functioning to support the work of the National commission, comprising of experts from governmental, international organizations and NGOs. The Commission has also established partnership and regular communication with organizations like UNICEF, UNHCR, Council of Europe (GRETA), IOM, ICMPD and etc.

THE CZECH REPUBLIC

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response
There were 1525 international protection applications submitted in 2015 which is 32% increase comparing to 2014. Illegal external border crossings – 240 investigated cases which is 33% increase comparing to 2014.
2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard.

Data collected for 2015 are not finalized yet. In 2014 there were found 20 cases of the crime of human trafficking, of which 14 cases were cleared and 5 cases were subsequently clarified. Police authorities in total clarified the 19 cases.

It is interesting that initiated criminal proceedings, ie information relevant to criminal proceedings or useful information, based on which proceedings were initiated, filed in 2014, except for police departments in five cases were submitted by common people.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

There were 4 victims considered by relevant authorities in 2015 out of which only 1 was a third country national. At the moment of first contact this one victim was in a position of illegal foreigner. In 2014 there were 43 presumed victims, all EU citizens.

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<th>Age</th>
<th>18-23</th>
<th>24-30</th>
<th>31-40</th>
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<th>51+</th>
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<td>Country of origin</td>
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<td>Czech Republic</td>
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<td>Slovak Republic</td>
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4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

The main coordinator of policies to combat human trafficking is the Ministry of Interior of the Czech Republic.

Security Policy Department of the Ministry of Interior is responsible to perform the function called “National Rapporteur” who has the task to monitor and analyze the situation. In its activities the office follows the National Strategy for Combating Trafficking in Human Beings (currently for the period 2012-2015) and publishes an annual report on the state of human trafficking in the Czech Republic.

MVČR implements the Program of Support and Protection of victims of trafficking, which offers trafficked persons health, social and legal assistance, as well as accommodation and ensuring a return to their country of origin. Participation in the program is for trafficked persons conditional on cooperation with law enforcement authorities in criminal proceedings.

There are “identified” victims who are identified by partner organizations and “presumed” victims with confirmation provide by law
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<td>5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?</td>
<td>There are specific questions aimed at getting relevant information and responsible staff is trained.</td>
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<td>6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?</td>
<td>There is social and psychological assistance available, protected accommodation, translation services, reintegration assistance including training and job training or retraining available. All the services are provided until the court decision is done. At the end of the process or actually during the entire procedure the voluntary return assistance is available in cooperation with IOM.</td>
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<td>7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?</td>
<td>Not all the campaigns implemented by NGOs are financed by the state budget however the message needs to be in line with the state policy. In 2015 the Ministry contributed to preventive campaign implemented by La Strada organization aimed at awareness rising of national population regarding human trafficking. There was a spot elaborated for the campaign used at the internet with a main aim to sensitive general public towards the issue. There were other campaigns implemented in previous years aimed at both the victims as well as general public or customers. On annual basis there is a field work organized by NGOS and financed by the Ministry for active search of potential victims in the field and raising awareness on available services and risks among target groups (potential victims). There were 58 one day field trips in different areas of the Czech Republic organized in 2015.</td>
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<td>8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combatting trafficking in human beings and migrant smuggling?</td>
<td>There is a cooperation platform group led by the first Deputy Ministry of the Ministry of the Interior where all relevant governmental and non-governmental partners including Police participate. These meeting are mainly aimed at strategical issues. Practical issues regarding particular cases are discussed on bilateral bases between the Ministry and particular NGO concerned.</td>
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**FINLAND**

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<td>1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the</td>
<td>The number of asylum seekers increased in 2015 strongly. Finland received 32,000 asylum seekers in 2015. During earlier years the yearly amount of asylum seekers has been very much lower (2000 - 6000 applicants yearly). The Finnish Government adopted 8th December 2015 a special program for asylum policies which was aimed among others to prevent unmanaged flow of asylum seekers to Finland. The Finnish Government also takes actively part in EU’s common efforts to control the broad scale entry of persons through the common borders by strengthening the integrated border management, increasing the effectiveness of asylum procedures and enhancing the co-operation with the countries of origin and transfer. Also the national legislation is amended in a way that decreases the appeal of Finland as a potential country of destination. Also the administrative asylum and return are enhanced in order to create</td>
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2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard

The illegal immigration to Finland was on a significant rise during 2015. The authorities detected 14,286 persons that were not in the possession of the relevant documents required for entry and stay in Finland in 2015. This is a very much higher number than any time before. The highest numbers of persons without relevant documents were detected from August to October related to the European situation with the asylum seekers. After that the situation has been developed in a more calm manner and the numbers of persons without documentation has been significantly lower.

What comes to the facilitators of illegal entry the Finnish competent authorities encountered during late 2015 and early 2016 among others nationals of Afghanistan, Iraq, India, Pakistan and Syria among the suspected facilitators. Also Finnish and Swedish nationals were detected among the suspected facilitators during the late 2015.

The criminality that relates to irregular immigration has been on the rise. The asylum seekers and those people who reside in Finland without proper permits have an increased risk to be involved in depth arrangement with criminal organizations. The Finnish Police has made an estimation that also the drugs trafficking has been on a rise in a more serious form than before in connection with the increasing international connections.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

The Finnish authorities have only in very limited number of cases found people with irregular status which have been identified as victims of THB. What comes to the 2015 the numbers of suspected new THB victims decreased. In 2015 the Assistance System for THB victims reported however some cases where asylum seekers were subjected to THB when he or she was travelling from his or her country of origins towards Finland. During 2015 the Assistance System received in total 75 new proposals of persons that should be taken into the System. Approximately 70% of these proposals led to a positive decision to provide services. The general decrease of identified victims has been estimated being among others as a result of the relevant authorities (e.g. the reception facilities) being very busy with the influx of asylum seekers. However the authorities estimated that increased migration will show in numbers of identified THB victims during few next years.

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

The responsibility for co-ordinating the provision of assistance to all victims of THB throughout Finland has been given to the Joutseno Reception Centre for asylum seekers. The Victims and presumed victims of THB are referred to the Joutseno Reception Centre in order for a decision to be made concerning admission to the assistance system. Motions for acceptance into the assistance system can be filed by an official, a service provider or an individual victim, but in all cases the victim’s consent is required.

The Anti-trafficking coordination structure of the Finnish Government is currently working with the development of the Finnish NRM. This work includes among others creating a new detailed description of referral practices and a new project that develops the activities of NGO’s among others in the field of outreach work and their co-operation with the authorities in order to detect the THB victims.

5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a

In relation to the identification of victims of THB among asylum seekers, the competent body to decide upon asylum claims is the Finnish Immigration Service. From July 2012 to June 2014, the Immigration Service and the Joutseno and Oulu Reception Centres implemented a project to develop the system of services for vulnerable asylum seekers (Hapke Project), in which the target group included victims of THB.

Since 2010 IOM Helsinki works in close co-operation with the Finnish Immigration Service and other stakeholders at establishing and developing a voluntary return system in which all cases are processed in an individual basis. IOM has facilitated the return of over 1000 persons, mainly asylum seekers and undocumented migrants, but also a few victims of trafficking.
| 6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation? | Under the relevant Finnish legislation the Assistance System provides the following services and support measures: legal advice; emergency aid (including therapy); social services; health care; translation and interpretation services; accommodation; reception allowance or income support; assisted voluntary return, as well as other necessary care or protection.

In Finland, a victim of THB can claim compensation from the offender in criminal proceedings or in separate civil court proceedings. The right to compensation is determined by the general Tort Liability Act (412/1974), according to which a victim may receive compensation for personal damages and other losses as well as for suffering. According to the Criminal Investigations Act (804/2011), any private law claim of the injured party must be clarified in the criminal investigation and in this context the police inform the injured party about his or her possible right to compensation. A victim of THB can also claim compensation from the State under the Act on Compensation for Crime Damage (1204/2005), which allows the victim to receive compensation in a reasonable time without having to wait for the offender to pay it. |

| 7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings? | In the area of prevention, several awareness-raising campaigns have taken place in recent years, addressed to the general public and targeted at groups at risk, such as asylum seekers. One may mention also a new campaign that was commissioned by IOM Helsinki which is targeted especially to young people. The campaign was planned in co-operation with senior high school students and media experts. One must also mention that Tampere Short Film festival showed this year two different series of short films related to trafficking in co-operation with the Assistance System. The Assistance System also is responsible for information site in the internet: http://www.humantrafficking.fi/in_english. |

| 8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling? | The first action to create a governmental anti-trafficking structure was appointment of the Anti-Trafficking Coordinator 1st June 2014. The structure includes now also the Ministerial working group on internal security and administration of justice, the governmental Meeting of Permanent Secretaries, the Co-ordination Secretariat and the Anti-trafficking Network. The Anti-trafficking Co-ordination Secretariat is currently among other preparing a new governmental anti-trafficking action plan. The function of National Rapporteur on Trafficking in Human Beings was introduced in 2009 and is currently a part of the duties of the Finnish Non-Discrimination Ombudsman. The Finnish NGOs have also created their own anti-trafficking network where also governmental Anti-trafficking Coordinator participates. These structures participate also in very active international coordination in the framework of different regional and international organizations.

The National Police Board had established a national expert network specialised in combating illegal immigration and THB. Local police departments have persons in charge of immigration matters whose work includes ensuring, under the direction of the National Police Board, that competence is developed in areas such as investigating THB offences. The National Bureau of Investigation’s special team dealing with illegal immigration monitors also the THB situation in Finland and maintains an up-to-date picture of the situation. |

| GEORGIA | |

| 1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard | As for general overview of the situation regarding the asylum requests, Georgia has received 4559 asylum-seekers during 2012-2015, out of which 1164 have been granted an international protection in Georgia.

To sum up number of transiting migrants for 2013-2015, data had been slightly fluctuating. In 2013 number of transiting migrants amounted 1188791, in 2014 – 1114036 and in 2015 – 1400835. Regarding the nationalities, top 3 were Armenians, Azerbaijanis and Russians. Regarding the irregular border crossings (according to Criminal Code of Georgia, Article 344. Illegal Crossing of State Borders of Georgia), in 2013 89 cases were registered, in 2014 -126 and as of for 12 months 2015 and 2 months of 2016, - 133 cases.

In order to response to possible mass influxes following steps have been undertaken by the Government of Georgia: |
- Governmental Decree N508 on the “Civil Security National Plan” was adopted on September 24, 2015 that was elaborated by the MIA of Georgia. National Plan is the guideline for unified system for the management civil emergency situations, which regulates activities of the relevant administrative bodies. Main purpose of the National Plan is prevention, readiness and response to emergency situation, conduct recovery work, ensure civil security, protect environmental and economic objects, reduce material damage, protect civilians in emergency situation caused by the military operations, ensure safe and stable functioning of the objects assigned to civil security. The “Civil National Security Plan”, defines the main directions of the functions of emergency assistance in Article 8, namely: the emergency management of sudden flows of refugees as well as the measures to be implemented by the MRA and MIA has been defined by Function #3 of the section of providing the evacuation of the population. The abovementioned plan envisages 17 emergency assistance functions. Third function regulates the contingency planning for sudden influxes. According to the plan, leading agency for coordinating contingency planning is the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia.

- For the effective management of massive influx situations the framework and methodology for the management of accumulated backlog of cases is regulated under #100 Decree of the MRA “On the Procedures for Granting Refugee or Humanitarian Status”. According to the existing methodology, under the individual administrative act of the Minister there will be immediately set up a commission which will: assess the case relevant risks; sort the applications by territorial, quantity, reason basis and after comparison with the country of origin information; makes a decision on the elaboration of the relevant methodological guidelines; detects the necessity of additional human and financial resources. Hence the backlog management strategy is now anchored in the law. Functioning of the commission is essential in the scope of contingency planning since it decides about conducting asylum procedures within regular or simplified procedures; reviews the efficiency of existing human and financial resources and decides upon further allocation of human and financial resources; makes a decision on the elaboration of the relevant methodological guidelines; conducts monitoring of performance on the regular basis (monthly); assesses the existing situation and identifies further needs if necessary.

It is worth mentioning that in September 1, 2014 The Migration Department within the MIA, responsible for the detection and expulsion of foreigners illegally residing on the territory of Georgia, was established. According to the statute of the Department, its functions include: detection and identification of aliens illegally residing on the territory of Georgia, ensuring removal (expulsion) of aliens residing without legal grounds in accordance with the law, implementation of readmission agreements of Georgia, processing and analysis of relevant statistical information, management of Temporary Accommodation Centre for migrants illegally residing on the territory of Georgia and any other function that may arise while performing their duties.

Furthermore, the Government of Georgia is working to develop unified migration risk analysis system. The system is envisaged as an essential component of the number of strategic and administrative measures taken in order to improve the overall migration management in the country. It combines the efforts of the six line agencies – Ministry of Interior, Ministry of Foreign Affairs, the State Security Service, Ministry of Justice (PSDA), Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, and the Ministry of Labour, Health and Social Affairs. It is expected to produce a periodical analytical report covering migration-related risks in the areas of regular and irregular migration, border crossing and organized crime, asylum, return and re-integration, integration, and internal migration. Concept of the system and the relevant Action Plan had been already elaborated by the MIA lead interagency working group under the State Commission on Migration issues and approved in late 2015.

| 2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year | The Government of Georgia intensified its efforts to proactively reveal and investigate cases of Trafficking in Human Beings (THB). Georgian law enforcements acknowledge the close link between the migrant smuggling and human trafficking, therefore, identification measures of THB cases |
are actively and proactively used also among the migrants, including illegal ones.

In order to reinforce the proactive identification of THB victims, including among illegal migrants, several measures have been implemented since 2013, which could be summarized as following:

a) In May 2014 and August 2015 respective provisions of Criminal Code of Georgia were amended to define exploitation in unambiguous and clear terms, encourage the reporting of the using of services of THB Victims and ensure the security of the testimonies

b) 4 Inspection mobile groups, Task Force and Special Anti-trafficking Unit were installed under the Ministry of Internal Affairs; to proactively reveal facts of trafficking, effectively investigate cases of trafficking and prosecute THB perpetrators within the defined geographic area;

c) the Labor Inspectorate Department was established under the Ministry of Labor, Health and Social Affairs, which is entitled to run proactive inspections of institutions and organizations on a regular basis and identify the cases of forced labor and labor exploitation. In case elements of THB (in particular forced labor and labor exploitation) are discovered the case is reported to the law enforcement which will initiate criminal investigation;

d) Standard Operation Procedures (SOPs) and Guidelines for law enforcements were approved respectively by the Minister of Internal Affairs of Georgia and Interagency Council on Combating Trafficking in Human Beings (hereinafter – THB Council).

Mobile Groups

Within the Division of Fight against Trafficking and Illegal Migration of the Central Criminal Police Department (CCPD) of the Ministry of Internal Affairs of Georgia 4 Inspection mobile groups were established to identify potential THB victims in the areas of higher risks. Mobile groups detect and record trafficking risk-bearing areas, and check and study persons, including persons engaged in prostitution, working in organizations that have suspicious reputation. In order to proactively discover the facts of labor trafficking, staff working in the organizations (hotels, bars night clubs, baths etc.) are interviewed on a regular basis. The aim of the interview is to ensure, that each worker has identity cards, they exercised their right to freedom of movement, they have been receiving the full remuneration for their work, and they were engaged in work voluntarily.

Mobile groups also check persons and organizations which offer jobs in or outside of the country, also organizations which ensure transportation for persons leaving the country, travel agencies and organizations and persons provided visa assistance.

In 2015 by the mobile groups proactively checked several companies offering jobs to Georgian citizens abroad. 105 persons who had used this services have been interviewed. No facts of THB have been revealed.

Mobile groups carry out inspections in Tbilisi as well as in other regions of Georgia (Guria, Kakheti, Samegrelo, Kvemo Kartli, Shida Kartli, Adjara and Imereti).

Due to high traffic, representatives of the Division of Fight against Trafficking and Illegal Migration of the CCPD are presented at the Tbilisi International Airport and Sarpi Border Check Point (BCPGeorgia-Turkey Border) in a 24/7 regime in order to regularly interview Georgian nationals deported in order to reveal potential THB cases. In cases when deported persons enter Georgia through other BCPs, on the basis of preliminary notice received from the Ministry of Foreign Affairs of Georgia, mobile groups are deployed to the relevant BCP.

Special Anti-trafficking Unit and Task force

Adjara Region was identified as one of the main risk areas for THB. In order to efficiently address the identified risks a Special Anti-trafficking
Unit under the Ministry of Internal Affairs was created that is exclusively tasked to prevent, identify and investigate THB cases. Additionally, a Task Force consisting of 7 acting investigators and 5 prosecutors was established in Adjara Region to proactively detect and effectively investigate cases of trafficking and prosecute alleged THB perpetrators within the defined geographic area.

**Labor Inspectors**

In acknowledging that the labor inspection system is an essential element to combat labor trafficking the Department of Inspectorate of the Labor Conditions (hereinafter - The Labor Inspectorate Department) under the Ministry of Labor, Health and Social Affairs was established. Labor Inspectorate Department equipped with highly qualified 25 main list and 25 reserve list monitors was established under the Governmental Decree #81 on 2 March 2015. The main function of the Labor Inspectorate Department is to check the state and private institutions and promote identification of labor exploitation cases. The establishment of Labor Inspectorate Department was positively assessed and acknowledged by the US State Department in TIP Report 2015 and EU Commission in the fourth progress report on the implementation of Visa Liberalization Action Plan (VLAP) dated on 18 December, 2015.

The Labor Inspectorate Department carries out inspections on non-voluntary basis and monitor labor conditions. In case elements of THB (in particular forced labor and labor exploitation) are discovered the case is reported to the CCPD which initiates criminal investigation.

In order to cooperate with other governmental bodies, the “Memorandum of Mutual Cooperation on Promotion of Detection of Cases of Trafficking in Human Beings” was signed between the Ministry of Labour, Health and Social Affairs of Georgia and Ministry of Internal Affairs of Georgia on August 13, 2015. This ensures timely sharing of information and intelligence and reporting of possible cases.

On the basis of the MOU, Labor Inspectorate department provides the CCPD with list of organizations considered to be risk categories (at the beginning stage, the organizations were classified as a risk category when there was a combination of violation of labor conditions with foreign employees) and members of mobile group started proactively checking such organizations.

As a result of our effort since 2012 the number of investigations, prosecutions and convictions have been increasing every year - in 2015 investigations were up by 70%, whilst five times more prosecutions and three times more convictions are registered as compared to 2012. The overwhelming majority of these cases were investigated proactively.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

According to the statistics among the victims or statutory victims of THB there were not identified any persons who stayed in Georgia without permission. In 2015 7 foreign statutory victims of THB (6 Uzbek women and 1 Tajik) were given the temporary residence permit. The age of the statutory victims fluctuated from 22 to 30.

There were not also any victims of THB among irregular migrants.

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

Government of Georgia respectfully clarifies that while detecting the potential THB cases responsible governmental agencies are following to the detailed instructions provided under National Referral Mechanism on Human Trafficking (hereinafter – Referral Mechanism). The Referral Mechanism was adopted in 2007 through the Presidential Decree N78 on Identification of a Victim and Granting a Status of Trafficking in Human Beings and foresees the detailed instructions how to identify the potential victim, refer to the relevant institution and provide the victim with assistance in accordance with his/her individual necessity.

Before analyzing rules regulating under the Referral Mechanism, it should be noted that the Referral Mechanism ensures two possible ways to
get involved in state services.

Georgian law differentiates status of victim of trafficking and status of statutory victim of trafficking. The status of victim of trafficking is granted to the person by Permanent Group of THB Council within 48 hours based on the questionnaires of mobile group of the State Fund for Protection of and Assistance to Statutory Victims of Trafficking in Persons (hereinafter – State Fund), while the status of statutory victim of trafficking is granted by law enforcement authorities in accordance with Criminal Procedure Code of Georgia (CPC). The victims and statutory victims of human trafficking are enjoying the services (of State Fund after a person is granted with the status of victim/statutory victim).

The State Fund provides the following free of charge services to the victims and statutory victims of human trafficking:

- Legal consultation and court representation;
- Medical and psychological assistance;
- Shelter (in Tbilisi and Batumi);
- Rehabilitation and Reintegration programs;
- One term compensation (1000 GEL).

Regardless to the difference in the procedure of granting the status, there is no difference between their rights during the process of investigation and/or prosecution.

It should be underlined that, foreign victims and statutory victims of trafficking have the same access to State Fund services as the domestic victims and statutory victims of trafficking.

Foreign victims and statutory victims of trafficking are given the reflection period of 30 days to decide whether they want to cooperate with law enforcements. They are also granted with temporary residence permits during their staying in Georgia. Temporary residence permit is issued by LEPL Public Service Development Agency of the Ministry of Justice based on the solicitation of the State Fund or a body in charge of proceedings (Ministry of Internal Affairs or Prosecutor’s Office). Pursuant to the Law on Combating Trafficking in Human Beings identity-related information given in the motion constitutes confidential information disclosure of which is punishable under law.

The Ministry of Foreign Affairs of Georgia in cooperation with international organizations ensures their safe return to their countries of origin. Additionally, a foreign victim and statutory victim of trafficking may, at his/her request, be granted asylum on the territory of Georgia if there is reasonable ground to believe that his/her life, health or personal liberty will be under threat due to return to the country of origin.

The Referral Mechanism provides general rules which entities/agencies are authorized to identify the assumed trafficking victims. Central Criminal Police Department, Border Police and Patrol Police, alongside with other departments of the Ministry of Internal Affairs, are the key structures, which put the Referral Mechanism into operation.

Furthermore, mobile groups of the State Fund plays important role in promotion of identification potential THB victims. Particularly, in cases of revealing the alleged victims of human trafficking or self-identification, the State Fund immediately determines one out of the three groups to interview the alleged victim and fill in the confidential identification questionnaire. Upon completion of the procedure, the State Fund informs the Permanent Group working under Interagency Council, which decides the issue of granting the status of human trafficking within 48 hours.

Law enforcement bodies and a Service Agency (shelter) for the Victims of Trafficking provide the victims/statutory victim of trafficking with full information on Georgian legislation on human trafficking. The investigator, prosecutor and judge inform the statutory victim of trafficking, in
his/her native language or in a language he/she understands, of his/her rights and legal status as well as information on matters relating to the investigation and judicial proceedings. In the criminal proceedings, the Government of Georgia provides the statutory victim of trafficking with the service of a lawyer and an interpreter as well as servicing documents and materials related to the proceedings in his/her native language or a language understandable for him/her. The statutory victim and witness as well as persons providing legal services and assistance to them have the right to request protection of their own security and security of their family members at any time, in accordance with procedures established by the Georgian legislation.

Additionally, the role of Witness and Victim Coordinators is important during the criminal proceedings. The main function of the Witness and the Victim Coordination Service is to facilitate communication between citizens and prosecutor (court) and to provide them with detailed information related to the progress of proceedings. This also encourages the potential victim/statutory victim of trafficking to cooperate with law enforcement. The Witnesses and Victim Coordination Service operates in different regions of Georgia.

### 5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

Reinforcing proactive and reactive measure for identification of the victims and statutory victims of human trafficking is one of top priorities for Georgian Government. Therefore, Georgia adopted new National Action Plan (NAP) focused on proactive methods of THB victim identification and developing efficient tools in order to increase number of prosecutions.

Furthermore, an ultimately new and much more comprehensive Migration Strategy for 2016-2020 and its Action Plan for 2016-2017, which is the main policy shaping instrument on migration issues, was adopted by late December 2015. Fighting against illegal migration, including human trafficking is an integral part of the aforementioned document, while *inter alia* aiming at ensuring proactive identification of the cases of trafficking and human smuggling, and improving criminal prosecution mechanism.

For the effective implementation of THB NAP, as it was mentioned above, the following measures were taken:

- In May 2014 and August 2015 respective provisions of Criminal Code of Georgia were amended to define exploitation in unambiguous and clear terms, encourage the reporting of the using of services of THB Victims and ensure the security of the testimonies;
- Task Force, 4 Inspection Mobile Groups and Special Anti-trafficking Unit were installed under the Ministry of Internal Affairs since 2013 to proactively reveal facts of trafficking, effectively investigate cases of trafficking and prosecute perpetrators within the defined geographic area;
- Standard Operation Procedures (SOPs) and Guidelines for law enforcements were approved to promote proactive identification of THB cases;
- Department of Labor Inspectorate has been installed in the Ministry of Healthcare which is entitled to run proactive inspections of institutions and organizations on a regular basis and identify the cases of forced labor and labor exploitation.

As it was mentioned above foreign victims and statutory victims of trafficking are enjoying the same rights and benefits as the domestic victims/statutory victims, including the reflection period of 30 days. During the reflection period foreign victims (statutory) are granted the residence permit to stay in Georgia if there is reasonable doubt that the person is victim or statutory victim of trafficking.

Government of Georgia is committed to ensure the safe return of THB victims/statutory victims of human trafficking to their countries of origin, however, based on different circumstances, the THB victim/statutory victim may stay in Georgia and be provided with temporary residence
permit. In 2015 one Kyrgyz woman with her baby was safely returned Kyrgyzstan.

Temporary residence permit is issued by Public Service Development Agency of the Ministry of Justice based on the solicitation of the State Fund or a body in charge of proceedings (MIA or Prosecutor’s Office). Furthermore, a foreign victim and statutory victim of trafficking may, at his/her request, be granted asylum on the territory of Georgia if there is reasonable ground to believe that his/her life, health or personal liberty will be under threat in case of returning back to the country of origin. In addition, foreign victims and statutory victims of trafficking enjoy the right to work during the trial proceedings.

According to the Law of Georgia on the Legal Status of Aliens and Stateless Persons a special residence permit shall be issued to an alien who is reasonably believed to be a victim of or affected by the trafficking in human beings in the cases provided by the Law of Georgia on Combating THB. The Governmental decree on Approving Procedures for Reviewing and Deciding the Granting of Georgian Residence Permits states that such resident permit shall be issued for the period of an alien’s anticipated stay in Georgia, but no more than for six years. Temporary Georgian residence permit shall be extended under the same conditions as issued. If 6 years elapsed, THB victim is still entitled to address the Public Service Development Agency for issuance of permanent residence permit. Additionally, THB victim may be granted refugee status if there is threat to his/her health, life or freedom if he/she returns to the country of his/her origin.

6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

Protection of the victims and statutory victims of trafficking including minor victims is one of the key component in combating human trafficking. The State Fund for the Protection and Assistance of Victims (Statutory) of Human Trafficking is the main authorised agency responsible for protection of the THB victims/statutory victims. It was established on the basis of the Law on Combating against Trafficking in June 2006. It fulfills its functions under the supervision of the Ministry of Labor, Health and Social Affairs. The State Fund protects the rights and interests of trafficking victims (statutory victims) and provides them with: a) Shelters, b) Legal aid, c) psychological and medical assistance, d) Rehabilitation and reintegration measures and e) One term Compensation which amounts of 1000 Gel. These services are free of charge. Georgian authorities respectfully note that the services of the State Fund are child tailored and the shelters are equipped to receive minor victims of human trafficking as well as dependent minors (aged under 18). There are special rooms and equipments for children in each shelters.

The State Fund services are available to each person with the status of victim or statutory victim of human trafficking, wishing to receive the desired service. The State Fund confirms the necessity of individual approach to each beneficiary and permanently improves its services.

The victims of trafficking as well as statutory victims may stay in shelter for 3 months; However, this term might be extended in certain circumstances based on the will of victim/statutory victim and order of the Director of the State Fund.

The shelters for victims of THB created under the State Fund are also accessible for minor victims of human trafficking as well as for dependent minors (aged under 18). Within the current setup of the State Fund system in Georgia, children who are victims of THB, as well as children accompanying the parents who had been trafficked, are provided with legal guardianship if necessary. When such a need arises, they are also entitled to receive the appropriate accommodation, age specific education and support programs tailored to their needs. The child victims or children accompanying victims placed at the shelters of the State Fund are provided with different services in order to ensure their wellbeing and provide them with proper education (formal/non-formal) through the special programs.

The State Fund acknowledges the necessity of individual approach to each beneficiary, and the shelter administration ensures making and performing the plans of individual needs for each shelter beneficiary. The plan includes all the desired and necessary needs of beneficiaries. The needs of those with accompanying children are therefore fully met.

Furthermore, on August 7, 2015 State Fund amended the internal regulations of each shelter (Tbilisi and Batumi) and introduced the service of babysitter/care taker for minor victims/statutory victims of human trafficking and children accompanying their parents. The main tasks of
babysitter are to take care of the children and support them in formal/non-formal education - take minors for a walk, ensure their safety while playing with other kids, help them with home-work in needed, etc.

Additionally, on August 10, 2015 Director of State Fund approved the individual rehabilitation-reintegration plan for minor victims/statutory victims of human trafficking and children accompanying their parents who are the beneficiaries of Shelter.

In addition, on August 7, 2015 State Fund refined the control and security regulations. In order to ensure the security of the beneficiaries the regulations required that a beneficiary be accompanied by the staff of the State Fund. To address the concerns that beneficiaries might feel uncomfortable to be accompanied by other persons when they were leaving the shelter, on August 10, 2015 the Director of the State Fund adopted an official template of statement to be signed the beneficiaries whereby they will confirm that they acknowledge the security reasons, however, they prefer to leave the shelter alone, without being accompanied by the administration staff. However, in particular cases when the security reasons require so, the shelter administration will accompany the beneficiary while leaving the shelter in order to protect them and ensure the safety of beneficiaries.

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

Government of Georgia considers public awareness raising campaigns on trafficking as one of the essential preventing measures. For the effective implementation of the preventive measures, THB Council elaborated Common Information Strategy on combating trafficking with specially identified vulnerable target groups, including migrants, regions and implementation means. It should be underlined that such information strategy and action plan is quite unique in our region.

For Combating THB, Government of Georgia with other relevant governmental and non-governmental entities working on THB conducts information campaign through various means, such as information meetings, TV and radio shows, advertisements, distribution of multilingual information leaflets, journal articles and other printed materials, operating of Hotlines and web. Resources. Government of Georgia has also actively started funding and engaging in counter-trafficking activities, including issuing grants for enhancement of cooperation with local NGOs and promotion of their involvement in the effective implementation of Anti-Trafficking policy. Three main dimensions have been identified approving the active participation of Government of Georgia in anti-THB information campaign:

- **Financial support** – Grant Projects of Ministry of Justice;
- **Infrastructural support** – information meetings are permanently held in Public Service Halls of Ministry of justice (*hereinafter* – MOJ), Community Centers of MOJ, Training Center of Office, Ministry of Justice, Public Schools, etc.;
- **Mobilization of human resources** – Staff of the Secretariat of THB Council (Public International Law Department of the Ministry of Justice), State Commission on Migration Issues, Labor Inspectorate Department, Public Service Halls and Community Centers, LEPL Center for Crime Prevention, State Fund and Shelters, as well as trainers of Training Center of Justice, prosecutors and investigators are actively involved in THB preventive measures.

It is worth mentioning that one of the target groups for the information campaign on combating THB is migrants. For the awareness raising on the risks of irregular migration and trafficking in human beings, also on the available protective measures and public services, various brochures on Georgian and other languages (English, Turkish, Arabic and Russian) are largely disseminated at state borders, airports, tourism information centers, receptions of IDP centers, Public Service Halls, Community Centers, Diplomatic Representations/Consular Posts of Georgia abroad, also, in the Embassies and Consular Units to Georgia and at the Reception Hall of the Consular Department of Ministry of Foreign Affairs of Georgia in other public gathering areas, such as parks, metro stations, etc.

Raising awareness among the Georgian nationals and foreigners residing in Georgia as regards the opportunities for legal migration and the
possible dangers of irregular migration was among the objectives of the 2013-2015 Migration Strategy and Action Plan and info-campaign 'Legal Migration – Best Choice' launched in 2013. In this framework, the State Commission on Migration Issues (SCMI) elaborated and published the 'Legal Migration Guidebook', which is a comprehensive information document covering both sides (Immigration and emigration) of legal migration, publicly available on SCMI member agencies' and NGOs' websites.

The Georgia's 2016-2020 Migration Strategy and accompanied action plan for 2016-2017 also pays special attention to the issue of raising public awareness on migration-related issues. With the support of International Organization for Migration (IOM) the Ministry of Internal Affairs of Georgia has elaborated a new publication entitled “Handbook on Irregular Migration”. This handbook leads migrants residing in Georgia and other interested readers through the current legal context of immigration to Georgia and provides answers to frequently asked questions. The handbook is available in three languages (English, Russian and Georgian).

Within the framework of the Common Information Strategy in 2014 – 2015, the information meetings were organized on the risks of THB with different target groups such as pupils, students, children living and working in the street, minorities, IDPs and rural population in all regions of Georgia: Samegrelo-Zemo Svaneti (Zugdidi, Poti, Tsalenjikha, Senaki, Mestia, Becho, Martvili, Mekhaidrao, Didi Chkoni, Nosiri, Teklati, Sukuna), Racha-Lechkhumi da Kvemo Svaneti (Tsageri, Oni, Ambrolauri), Imereti (Kutaisi, Geguti, Shorapani, Tskaltubo, Khvashiti, Robiti, Kveda Sazano, Kveda Sakara, Tskhrakara, Vani, Dzevri, Dimi, Rokhi, Partskhanayevi, Orpiri, Khvashiri, Samtredia, Khoni), Guria (Ozurgeti, Tikuli, Lanchkhuti, Chokhatauri, Laituri, Naruja, Nasikirali, Nigvziani, Zoti), Adjara (Batumi, Khulo, Chakvi, Kvariati, Khelvachauri, Makhinjauri, Kubeleti, Gionio, Sarpi), Samtske-Javakheti (Borjomi, Akhaltsikhe, Poka, Akhalkalaki, Ninotsminda), Shida Kartli (Gori, Karieli, Ruisi, Khashuri, Gomi, Mejvriskhevi), Kvemo Kartli (Rustavi, Gardabani, Marneuli, Sarichala, Kazreti, Manglisi, Tsalka, Sakdrioni, Koda), Tbilisi, Mskheta-Mtianeti (Tserovani, Fasanauri, Tianeti, Dusheti), Kakheti (Telavi, Gurjaani, Kvareli, Sagarejo). Information meetings were organized by Secretariat of THB Council in close cooperation with the State Fund, Chief Prosecutor's Office, Ministry of Internal Affairs, Ministry of Refugees and Accommodation, State Commission on Migration Issues, Ministry of Foreign Affairs, LEPL Center for Crime Prevention, Training Center of Justice, Public Service Halls, Community Centers, local self-government, EU Delegation to Georgia, International Organization for Migration, NGO Migration Center, NGO Youth Initiative Center “Momavali”, NGO Regional Media Association, Civil Development Agency, Georgian Young Lawyers Association, Institute for European Law and International Human Rights Law, student organizations, etc.

It is worth mentioning that, in July and October, 2015 Georgian authorities joined international community to commemorate World Day Against Trafficking in Persons and European Anti-Trafficking Day. Joint events were organized by THB Council in close cooperation with Ministry of Foreign Affairs, Ministry of Internal Affairs, Chief Prosecutor's Office, Labor Inspectorate Department, State Fund for the Protection and Assistance of Victims, Statutory Victims of Human Trafficking, Georgian National Tourism Administration, Public Service Hall, EU Delegation to Georgia, IOM, ICMPD and European Law and International Human Rights Institute organized different outdoor activities devoted to in Tbilisi, Telavi and Batumi. Information multilingual leaflets, T-shirts and bags of State Fund were widely disseminated in streets, Public Service Halls, Sarpi Border Crossing Point, Batumi Boulevard and Tourism Information Centers. The local and international organizations, as well as other governmental agencies, students and academia participated in the round table. The main topic of the working session was to present the current achievements and discuss the challenges including in terms of cooperation with CSOs.

Furthermore, TV and radio shows and advertisements are frequently dedicated to THB issues on central and regional TV stations. Information on combating trafficking is also published and regularly updated on the websites of the Ministry of Justice (www.justice.gov.ge), Ministry of Foreign Affairs (www.mfa.gov.ge), State Fund (www.atipfund.gov.ge), Ministry of Internal Affairs (www.police.ge) and Prosecutors’ Office of Georgia (www.pog.gov.ge). Websites contain detailed information on state anti-trafficking policy, action plans and legal framework, also information for population on how to identify possible trafficking threat, how to protect themselves from deceit and fraud, who to consult and how and to
whom to report.

Secretariat of THB Council in collaboration with IOM elaborated special questionnaires for the assessment of the efficiency of the information meeting. Questionnaires were disseminated during the information meetings in order to identify gaps in knowledge of general population in THB issues, as well as assess whether awareness of the population has increased since the last year. The evaluation of the information meetings illustrated that the age of target audience (female and male) fluctuated from 14 to 61 years. Participants of the meetings were with different background: teachers, journalists, NGO representatives, dancers, students, pupils, etc. The evaluation found that mostly people are well aware about the threats of THB, they are able to identify the means of exploitation, acknowledge the link between human trafficking and human smuggling and consequences of illegal migration. Additionally, participants are able to identify the indicators of exploitation such as deprivation of identification documents, forced labor, restriction of communication, etc.

Government of Georgia also pays particular attention to prevent human trafficking among minors, especially those who are working/living in the streets. For this aim on 23 December, 2015 the Interagency Council approved the legislative package aimed at creating legal framework to provide children living and/or working in the streets with identification documents, further improve the child protection referral mechanism and strengthen the role of social workers in the process of separation of minor from perpetrator or removal of child from the family. The draft amendments are being discussed in the Parliament.

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

Government of Georgia closely cooperates with local and international NGOs, as well as the partner states in order to combat trafficking in human beings. The cooperation on domestic level is coordinated by the THB Council. All relevant governmental and non-governmental as well as international organizations are actively involved in the working process of the Council and thematic working groups created under the Council. Their participation and contribution is very important.

Additionally, Permanent Group functioning under the THB Council is comprised of the representatives from 5 local and international organizations. The Permanent Group is authorised to grant the status of victim to the person.

Apart from this, Government of Georgia prioritises enhancement cooperation with NGOs and promote their participation in counter-trafficking activities. For this aim in 2015 the Ministry of Justice announced the Grant Project for NGOs to carry out awareness raising activities on THB in Adjara and Imereti regions (the largest number of victims were from this regions during last years). Within the framework of this project two local NGOs organized information meetings and produced information leaflets in four languages (Georgian, English, Russian and Turkish) and widely disseminated during the meetings, in Public Service Halls, Tbilisi International Airport, schools and other public gathering areas. Additionally, information on THB (risks, state services, etc.) was delivered to the participants of meetings through various means and particular attention was made to inform society about the criminal liability of using the service of THB and also regarding the recent amendments. Information campaign under the grant projects started in September and came to an end in November 2015. More than 700 direct participants attended the meetings.

It should also be mentioned that MOUs are concluded between the different governmental and non-governmental organizations to strengthen the partnership, promote the proactive identification of THB cases and ensure the sufficient protective measure for the victims and statutory victims of human trafficking:

- MOU between the Department of Labour Inspectorate and the Central Criminal Police Department was signed on 13 August, 2015;
- MOU between the World Vision and Ministry of Internal Affairs was signed in 2015;
- MOU between the State Fund and NGO Medical-Psychological Center “Tanadgoma” was signed in 2015 aiming at referring sex
workers, potential victims of sex trafficking to the State Fund;
- the State Fund renewed MOUs with:
  - International Organization for Migration;
  - Georgian Young Lawyers’ Association;
  - Anti-Violence Network of Georgia;
  - Women for Future;
  - Women’s information centre.

At international level Government of Georgia has active cooperation with partner states through diplomatic and consular relations and within the framework of police cooperation and mutual legal assistance on criminal matters.

Georgian authorities also closely cooperate with international organizations. In 2014 Georgia started the negotiation process with Europol for the conclusion of operational and strategic cooperation agreement. According to this agreement Europol supports Government of Georgia with the improvement of legislation and existing practice on personal data protection.

Government of Georgia spares no effort to intensify relations with EUROJUST in order to enhance cooperation with EUROJUST. It should be noted that since January, 2015 Georgia is in the priority list of EUROJUST which is the precondition of concluding agreement with the third states. The office of the Personal Data Inspector of Georgia closely cooperates with the Data Protection Officer of EUROJUST who was furnished with the package of Georgian legislation on personal data protection.

Apart from this, the Government of Georgia pays particular attention to expanding international cooperation in combating cross-border trafficking. Georgian law enforcement agencies closely cooperate with their counterparts within the framework of mutual legal assistance in criminal matters and through police attaches. According to the data of the law enforcements, in 2015 1 trafficker was extradited to Moldova and 8 MLA requests on THB cases were received from Turkey (6), Uzbekistan (1) and Azerbaijan (1). Six requests from Turkey (4), Uzbekistan (1) and Azerbaijan (1) are executed; the remaining two requests from Turkey are pending.

Starting from 2013 Ministry of Internal Affairs of Georgia has increased the number of Georgian police attaches abroad. Currently, Georgia has 11 police attachés deployed in the following eleven countries: Armenia, Austria, Azerbaijan, Belarus, France, Germany, Greece, Poland, Spain, Turkey and Ukraine. Only in 2015 Georgian police attachés were seconded respectively to Germany, Poland and Spain. In 2016 it is planned to deploy police attachés to Italy and Kazakhstan and a Georgian liaison officer to Europol.

Starting from 2014 the Ministry of Internal Affairs of Georgia intensified meeting of working groups consisting of criminal police representatives with partner countries in order to discuss issues related to and share information on organized crime.

Additionally, Minister of Internal Affairs of Georgia is working with its counterparts in Uzbekistan and Kyrgyzstan to organize bilateral working group meetings on an expert level invited to Georgia. The aim of the meeting is the establishment of direct contacts and the deepen of cooperation in combating transnational organized crimes.

**HUNGARY**

| 1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants | Last year Hungary has faced the biggest migratory pressure in its history. In the year 2015 the Hungarian Police captured 391 384 persons with the reason of illegal border crossing, which number is higher than ever before, these apprehensions took place, almost exclusively, at the Hungarian-Serbian (204 523) and the Hungarian-Croatian (185 634) borders, as well as in the surrounding regions (this number was 56 065 in 2014 and the 87% of these apprehensions – 43 711 persons – took place at the Hungarian-Serbian border). Until 22 February 2016 2106 persons |
and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard.

were captured because of illegal border crossing and almost every of these apprehensions (2072) took place at the Hungarian-Serbian border. The unprecedented migratory pressure stained our asylum system as well, the number of the asylum applications in 2015 was 177 135, and the most common nationalities of the asylum seekers were Syrian, Afghan and Kosovar (the majority of the latter submitted their applications in the first 2 months of the year 2015), these were followed by applications submitted by Pakistani and Iraqi nationals. Between 1 January and 31 December 2015 the asylum authority of Hungary granted asylum to 146 persons, subsidiary protection to 356 persons and tolerated status to 6 persons. After the procedure of legal remedy 26 persons were granted asylum and further 16 persons were granted international protection. Between 1 January and 22 February 2016 1813 persons submitted an application for asylum.

Since the closure of the Hungarian-Serbian and Hungarian-Croatian green borders the migratory routes have shifted, therefore Hungary is not part of the Western Balkans migratory route at the moment. Nevertheless we provide our neighbours with all the assistance they need to handle this situation: in 2015 Hungary sent 10 police officers, in shifts, to the Serbian-Macedonian border and 52 police officers to Slovenia in November. Furthermore we provide significant assistance to Macedonia in the field of border protection (tools and trainings) and in this regard a contingent of 30+1 police officers served in Macedonia between 4 January and 4 February 2016. Based on the request of Macedonia (to wait one month between the shifts) the next contingent started to serve on 15 March 2016. Beside the aforementioned we offered our assistance several times to Frontex and EASO regarding Greece and Italy. In the framework of the EU Civil Protection Mechanism Hungary provided assistance to Serbia and Slovenia.

Concerning humanitarian assistance Hungary offered 4,15 million EUR (Africa Trust Fund: 0,6 M, Syria Trust Fund: 3 M, UNHCR: 0,3 M, World Food Programme: 0,25 M EUR). During the conference on Syria held on 4 February Hungary offered further assistance (we are ready to establish and maintain a hospital in Syria in the amount of 1 billion 575 million HUF, as soon as the Syrian situation makes this possible).

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<th>2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard.</th>
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<td>In case of Hungarian citizens or persons who hold a permit of free movement and residence the identification process has to be implemented according to the Government Decree No. 354/2012 on the identification order of victims of trafficking in human beings. Victimization of Hungarian citizens takes place within the territory of Hungary and in Western European countries but it is not in relation with the migration crisis. In case of third country nationals it is the Office of Immigration and Nationality which is authorised to identify victims of human trafficking. Identification of alleged victims is possible on the one hand based on the asylum hearings and on the other hand based on the signalisation of social workers and care providers of the reception centres. The Office of Immigration and Nationality has no information about cases relating to alleged third country national human trafficking victims and according to its experience the recent migration crisis did not result in victimization of third country nationals in the territory of Hungary. In Hungary, 1177 persons were apprehended because of human smuggling in 2015 (among them, 426 person were Hungarian, 186 Serbian and 116 Romanian citizen). The amendment of the Criminal Code and the Criminal Procedure Code entered into force in 2015 in order to increase sanctions against smugglers and to introduce new criminal acts in relation to the damaging of the border fence and its illicit crossing.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such persons.</th>
</tr>
</thead>
<tbody>
<tr>
<td>In 2015 the Office of Immigration and Nationality has not identified any third country national as victim of trafficking in human beings. Identification of alleged victims is challenging because most of the asylum seekers leave to unknown location before the finalisation of the asylum procedure. The main reason for this is the fact that the third country nationals applying for asylum in Hungary do not regard Hungary as their final destination and they would like to reach other EU countries. In 2015 the significant part of the asylum seekers has not arrived to the assigned reception centre therefore the colleagues of the reception centres (social workers, care providers) had no opportunity for identification. In this context the asylum seekers are not aware that they might become victims of human trafficking in the future and the</td>
</tr>
</tbody>
</table>
4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially.

In case of third country nationals it is the Office of Immigration and Nationality which is authorised to identify victims of human trafficking. Identification of alleged victims is possible on the one hand based on the asylum hearings and on the other hand based on the signalisation of social workers and care providers of the reception centres. Those colleagues who get into contact with the third country nationals and are responsible for the asylum hearings have to attend several interview technique trainings. Alleged victims of human trafficking are not automatically recognized as refugees but the asylum authority evaluates this circumstance as persecution and serious harm.

5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

Please see the answer provided to question 4.

6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

In accordance with Act CXXXV of 2005 on Crime Victims Support and State Compensation, Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals and the Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals third country national human trafficking victims are provided with the following forms of assistance and support in Hungary:

**Additional information:** besides of general information the victim is provided additional information

- the victim is given a 1 month reflection period to decide whether he/she is willing to cooperate with the authorities investigating the crime. For this period of time the victim is entitled to a certificate of temporary stay
- in case the victim is willing to cooperate with the authorities, he/she is entitled to a residence permit for the period of cooperation with the authorities
- Victim assistance service initiates the issuance of a certificate for temporary stay at the immigration authority, the Office of Immigration and Nationality
- The Office shall provide aid and support for victims of trafficking in human beings and to whom a residence permit has been granted and they shall be entitled to receive provisions under the scope of personal care, including financial provisions and financial assistance. Provisions under the scope of personal care are:
  - room and board in a community hostel or the like medical services
  - meals provided in an educational institution
- **Financial provisions:**
  - one-off moving allowance
  - school aid
### Financial assistance:
- rental support
- financial support for leaving the country permanently
- covering the costs of a pre-employment medical examination and aptitude test, and the costs of translation of documents in proof of vocational training.

### 7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

There are several information campaigns in Hungary on the risks of trafficking in human beings but not specifically for migrants. At the same time the Károlyi István Children's Centre in Fót implemented a project under the period of 01 July 2014 – 30 June 2015 which aimed to prevent the victimization of unaccompanied minors and to improve the quality of their life circumstances in long term. In the programme 825 persons took part. The main elements of the project were: trainings focusing on the development of their language knowledge, skills and competences, trainings focusing on the phenomenon of human trafficking, arts, creativity and leisure.

### 8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

The framework for combating human trafficking was laid down by the Government Resolution 1018/2008 on the National Strategy against trafficking in human beings in Hungary. It established a National Coordination Mechanism (NCM) against human trafficking and appointed a national anti-trafficking coordinator. The National Anti-Trafficking Coordinator is the Deputy State Secretary for EU and International Relations in the Ministry of Interior. The national coordinator chairs the meeting of the NCM which is the main forum of cooperation of the relevant organizations in Hungary. Organizations involved in trafficking issues and combat against sex trafficking and forced labour are members of the National Coordination Mechanism. International Organization for Migration (IOM) and UNHCR also participate in the meetings as observers.

The work of the NCM has been complemented by the NGO Roundtable since December 2011 and is also chaired by the National Coordinator. NGOs concerned in the fight against human trafficking can attend the meetings on voluntarily way.

Almost all authorities and NGOs which are members of the National Coordination Mechanism and NGO Roundtable are in good cooperation with each other and with international partner organizations in the fight against human trafficking. Due to the fact that Hungary is a source and transit country of human trafficking in most cases the cooperation take place with destination countries like Austria, Germany, Belgium, the Netherlands, Switzerland, United Kingdom and Italy. Forms of cooperation can be inter alia the joint implementation of projects, joint investigations, referral of victims etc.

From January 1 2014, the government launched a 24-month long project called “Operational Cooperation for Fighting Sexual Exploitation Committed by Hungarian-based Organized Crime Groups in Europe,” sponsored by the European Commission. Within this project, Riot Police National Bureau of Investigation started enhanced cooperation with the Dutch and Austrian Police Forces and EUROPOL to increase the effectiveness of investigations against Hungarian organized crime groups active in Austria and the Netherlands. The training also focuses on tracking assets derived from illegal activities and the ability to detect organized crime groups. Participating countries set up joint investigation teams, hold multilateral meetings and provides opportunities for their experts to spend a certain time at EUROPOL, the organization which coordinates TIP investigations in Europe. The project is extended until 31 May 2016.

A project called “Referral of and assistance for victims of human trafficking in Europe” (http://www.ravot-eur.eu/en/) was officially launched on 1 February 2014 and ended on 31 January 2016 and was co-funded by the Prevention of and Fight against Crime Programme of the European Union. The mission of the RAVOT-EUR project was to clarify and make transparent the transnational referral system for the relevant state and non-state actors coming across victims between Hungary, the Netherlands and Belgium, to contribute to the assistance, referral and safe return of human trafficking victims as well as to facilitate transnational networking and trust building among professionals.
The Ministry of Interior cooperated with third countries as well in order to strengthen network and capacity building and to promote information sharing. In September 2014 members of the Azerbaijan Government and in June 2015 members of the Government of Montenegro as well as civil society organizations involved in the fight against human trafficking took a study visit in Hungary. The aims of the study visits were to exchange good practices in prevention, prosecution of human trafficking and the protection of victims. In the framework of the study visit the representatives of the two countries met experts of the Center for Organized Crime and Coordination, National Bureau of Investigation, Hungarian Police Headquarters, Office of Justice, International Organization for Migration, Institute of Family and Social Policy and the Hungarian Baptist Aid. In the course of the study visit, the delegations visited a shelter providing accommodation and assistance to victims of trafficking and the István Károlyi Center for Children.

Hungary is signatory to the Mobility Partnership between the European Union and the Hashemite Kingdom of Jordan which has a specific focus on strengthening the capacity of the Government to develop and implement their national migration policy. In specific, Hungary is partner to the project "Support to the Mobility Partnership between the European Union and the Hashemite Kingdom of Jordan" has started this year, it will be implemented in 36 months and it has two main components:

Component I: Strengthen the capacities of Jordan to more effectively reach out to and engage with Jordanian expatriate communities abroad.

Component II: Enhance the efforts of relevant authorities to prevent trafficking in human beings, increase the prosecution of traffickers and provide protection and assistance to victims of trafficking.

In Hungary, the Police is responsible for tackling human smuggling (for carrying out border control and investigations as well). The border control is implemented by the relevant divisions of the 19 county police headquarters.

The Hungarian Riot Police – National Bureau of Investigation (furthermore: RPNBI) is authorised and tasked to conduct inspections and investigation in human smuggling cases, if these cases are committed by organised criminal groups or have cross-border/international aspects (99.9% of the human smuggling cases). This unit is responsible also for the international cooperation – upon the approval of the prosecutor concerned.

In every county, the county police headquarters appointed 1 or 2 police officer investigators (the number of appointed officers depends on the risk assessments and the geographical situation of the specific county – is it situated along the mostly used illegal migration routes or not) to support the work of the RPNBI and to execute the immediate investigation or protective measures, including the employment of preventive operational measures and the collection of evidence.

The Hungarian Prosecutor Service is responsible for the control of the inspection and investigation procedures (the prosecutor has the right to participate in these procedures as investigator as well) and for the prosecution.

The cooperation among the different levels and institutions within the Hungarian Police and between the Police and Prosecutor Service is adequate and effective.

**LATVIA**

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants

- During 2015, the Republic of Latvia was not really affected by the migration crisis in the European Union compared with the Western European countries.
- In 2015 there were 335 persons asylum seekers registered (in 2014 – 373 (-10%)). Significantly decreased the amount of the Georgian asylum
and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

| and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard | seekers (in 2014 - 171 Georgian nationals requested asylum, in 2015 - 29 persons (-83%)). Abuse of the asylum procedure regardless of the form of the illegal crossing of the state border was one of the most important forms of the irregular migration. The largest groups of the asylum applicants were - Iraq (91), Vietnam (84), Georgia (29), Ukraine (47) and Afghanistan (32) nationals. Significantly decreased the number of Syrian citizens who requested the asylum in the Republic of Latvia - 6 (2014 - 31). For illegal crossing of the “green” border were apprehended 463 third country nationals, with forged travel documents – 57 third country nationals (36 on the external border, 21 in the Schengen area). Part of the irregular migrants for the entry used so-called "legal entry forms" – abuse of the asylum procedure (335), visa requests providing the false reasons for the purpose of the entry (the State Border Guard (SBG) canceled the Schengen visas for 109 third country nationals). 96 persons were apprehended for illegal movement in the Schengen area (these persons were already illegally crossed the external border of the Republic of Latvia or the external border of other EU country). In 2015 the SBG detected more than one thousand irregular migrants (in 2014. – 700). Consequently, the incidents related to the irregular migration accounted around 10% from all incidents detected by the SBG (in 2014.-6%). Taking into account the situation with the irregular immigration crisis in the European Union, in 2015 the Cabinet of the Ministers of the Republic of Latvia on 02. 12.2015. adopted an Order Nr 759 “Action plan of the transferring and reception in the Republic of Latvia for persons in need of the international protection”, which provides the establishing of the suitable conditions for Latvia for the reception of the asylum seekers and refugees. In 2015 between the External border of the Republic of Latvia with the Russian Federation started the construction of the fence in order to protect the border effected by the irregular migration from the Russian Federation. The first phase of the fence is built in the places considered as the most dangerous from the point of view of the irregular immigration. |
| 2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard | During the last years, the SBG did not detect any cases related to trafficking in human beings. Officials of the SBG participating in the working groups with the representatives of other law enforcement authorities of the Republic of Latvia in order to discuss the issues and the measures how to combat the possible trafficking in human beings. Regarding the smugglers of the irregular immigrants, in 2015 SBG for illegal conveyance of persons across the state border apprehended 87 persons (in 2014 – 19 persons): 34 Russia (from them 22 with the Chechen origin), 31 Latvia, 6 Poland, 4 Tajikistan, 4 Estonia, 3 Iraq (all EU residents), 1 Kyrgyzstan, 1 Italia, 1 Lithuania, 1 Vietnam, 1 Albania. Among those persons who were illegally conveyed across the state border with the help of the smugglers were not detected any victims of trafficking in human beings. In the illegal movement of the persons across the state border the involvement of the Mobile Organized Criminal groups (MOCGs) were detected. MOCGs operated in several countries and had been involved in various criminal offences and also had a wide criminal network within the European Union as well as in the third countries (e.g. the Russian Federation, Belarus). With the aim to prevent persons from the committing of the offenses related to the illegal movement of the persons across the state border the changes of the Criminal Law had been initiated (the inclusion of qualifying indications as well as the increase of the penalties) and are going to be reviewed in the Parliament (3rd reading). |
| 3. What is the scale (number) of foreigners with irregular status of stay | There are no such cases detected during the last years. |
| (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age) | In case of detected trafficking in human beings information about the case should be transmitted to the State Police. Police carries out necessary activities related with legal identification of the person as a victim of human trafficking and provides the protection and assistance protection of the victim.

The procedures, by which a person who has been recognised a victim of trafficking in human beings shall receive social rehabilitation services from the resources of the State budget, and the criteria for recognising a person as a victim of trafficking in human beings in Latvia is determined by Cabinet Regulation No. 889 of 31 October 2006, Regulations Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings<sup>1</sup>. In accordance with regulatory enactment a person may receive State funded social rehabilitation services, if he or she has been recognised as a victim in criminal proceedings regarding trafficking in human beings or activities, what may be the grounds for taking a decision that a person complies with the criteria for a victim of trafficking in human beings are performed. The Social Integration State Agency takes decision to provide social rehabilitation services or to refuse to provide them and ensures the co-ordination of the provision of these services.

A person may receive services if a written submission to the provider of social rehabilitation services is presented as well as a copy of the decision of the person directing the criminal proceedings or a statement of the law enforcement authority or a person’s assessment report of the provider of social rehabilitation services, in which the compliance of the person with the criteria of a victim of the trafficking in human beings has been specified. Multi-disciplinary commission of specialists (social worker, psychologist, lawyer, representative of State Police and other specialists, if neccessary) assess persons compliance with the criteria of a victim of the trafficking in human beings determined by Cabinet Regulation No. 889 of 31 October 2006 or a statement of a foreign law enforcement authority translated into Latvian that criminal proceedings have been initated or other actions are performed, which may be the grounds for the commission to take a decision that the person complies with the criteria of a victim of the trafficking in human beings.

| 4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially | According to provision of the Asylum Law, an asylum seeker is interviewed in order to allow competent authorities to get information relevant for making a decision on granting or rejecting international protection to an applicant. During the interview an asylum seekers can provide any information which is related to asylum grounds, vulnerability, special procedural needs etc.

The SBG can identify the victims of human trafficking during border checks, interviews of foreigners, during the in-depth border checks, as well as during the asylum procedure and return procedure. There is common methodology developed and used for identification of victims of human trafficking during the border checks, interviews, as well as in the asylum procedure and return procedure.

After identification of victims of human trafficking State Police is immediately informed and it carries out necessary activities related with legal protection of the victim.

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<sup>1</sup> Regulations Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings, http://www.vvc.gov.lv/export/sites/default/docs/LRTA/MK_Noteikumi/Cab_REG_No_889__Traffic_in_Human_Beings.doc
identification of the person as a victim of human trafficking and provides the protection and assistance protection of the victim.

According to the 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 and respective national regulation Law On Residence of a Victim of Trafficking in Human Beings in the Republic of Latvia adopted on January 25, 2007, to a third-country nationals who are victims of trafficking in human beings and who are willing to cooperate with the competent authorities in the fight against trafficking in human beings or against action to facilitate illegal immigration, residence permit can be issued. Duration of temporary residence permit is limited; this period should be no less than six months and should take into account the estimated duration of the criminal proceedings, as well as any risks or threats faced by the victim of THB concerned. The law enforcement authority may request an extension of the residence permit if this is necessary for the advancement of the criminal investigation. Residence permit is annulled when person directing the proceedings informs institution responsible for issuing the residence permit that the foreigner no longer needs to reside in the Republic of Latvia in the status of a victim of trafficking in human beings.

It should be noted that grounds for granting or rejecting refugee or subsidiary form of protection status are the same for all asylum seekers, namely the Asylum Law does not provide additional grounds for granting international protection/obtaining a residence permit just because a persons is victim of trafficking.

### 6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

The victim of human trafficking can receive social rehabilitation services, medical aid, vocational training and education, but the victim of human trafficking within the criminal proceeding has the rights to receive social rehabilitation services, medical aid, vocational training and education, compensation and special procedural protection.

Pursuant to the Regulation No.889 on “The procedures by which victims of human trafficking receive social rehabilitation services and the criteria for recognising a person as a victim of human trafficking”, victims of trafficking are entitled to a six-month programme of state-funded social rehabilitation. The above-mentioned Regulation No 889 since January 1, 2013 are supplemented providing that if a person is recognized as a victim of human trafficking or a witness within the criminal proceeding the person at the end of receiving social rehabilitation services for victims of human trafficking is eligible to receive support within criminal proceeding not exceeding 150 hours. Support includes psycho-social assistance (including consultations of individual lawyer, social worker, psychologist), interpreter services and assistance in processing legal documents and, if necessary, representation in court.

The assistance measures for victims of human trafficking include safe accommodation, emergency medical aid, consultations with a psychologist, a lawyer, a medical doctor and other specialists, access to education and vocational training. These services are provided by NGOs selected through a procurement tender. Since 2008, the NGO “Shelter Safe House” is providing state-funded assistance to victims of trafficking.

The expenses of the social rehabilitation programme are covered by the Social Integration State Agency of the Ministry of Welfare.

Since April 1, 2013 the Law on State Compensation to Victims, adopted on May 18, 2006, provides that the victim recognized as a victim of human trafficking within criminal proceeding has the rights to receive State compensation which in this case is 70% from maximum of State

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### 7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

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<tr>
<th>Compensation.</th>
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<tbody>
<tr>
<td>As Latvia can be characterized as the country of origin of the victims of human trafficking, most of the information campaigns on the risks of irregular migration and trafficking in human beings are targeted to Latvian nationals.</td>
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</tbody>
</table>

### 8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

| There are several Agreements of Cooperation on assistance for persons suffered from human trafficking/ Memorandum of Understanding between governmental authorities and NGO concluded. For instance, on February 15, 2012 the State Police of Latvia and NGO Shelter Safe House signed such agreement and its aim is facilitate appropriate assistance and protection for the victim of trafficking thus increasing efficiency to prevent human trafficking. This agreement provides cooperation to fight human trafficking by provision of assistance for the victim of trafficking, social rehabilitation services, performing prevention measures, educational and informative activities, and protection of the victim of trafficking (both persons suffered from human trafficking, and witnesses). Such Agreement with NGO Shelter Safe House is signed also by SBG. The agreement aims to establish long-term cooperation mechanism providing support to trafficked persons in order to ensure adequate protection and assistance to victims of trafficking and to promote public awareness on human trafficking forms and their negative impact on public safety, and to take preventive measures against human trafficking. |

The Ministry of the Interior and the State Police in cooperation with the State Labor Inspectorate and NGO “Shelter “Safe House” elaborated “Guidelines for identification of human trafficking with the purpose of labour exploitation” which were published on January 6, 2012 on the website of the Ministry of the Interior. The guidelines were elaborated for law enforcement agencies, relevant public institutions and NGOs to identify cases and persons suffered from human trafficking with the purpose of labour exploitation as well as to implement necessary activities to bring to trial guilty persons according to the national legal acts. It is planned that these guidelines will facilitate and extend opportunities of involved public institutions and NGOs to identify possible victims of human trafficking, to check information more effective about possible human trafficking cases in Latvia and abroad. In order to plan and implement measures to prevent trafficking in human beings Guidelines for the Prevention of Trafficking in Human Beings 2014-2020 have been approved by the Cabinet on January 21, 2014. Guidelines are a medium-term policy planning document, drafted in cooperation with the competent State and local government authorities, law enforcement authorities and non-governmental sector. Also, in order to coordinate the activities of governmental agencies, municipal institutions and non-governmental organizations within the implementation of the Guidelines and to ensure the efficient exchange of information and coordinated actions related to the issues of the prevention and combating the human trafficking and the issues of providing the support of social services for the victims of human trafficking on August 25, 2014 an inter-institutional working group by an order of the Prime Minister was established. |

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# LITHUANIA

1. **Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard.**

   In terms of number of asylum seekers, Lithuania has not been affected by the current migration crisis. In 2015 there were less than 300 first-time asylum applications registered in Lithuania, which is the lowest number in recent years. In the first two months of 2016, there were only 17 asylum applications registered, which is also very low compared to the respective periods in recent years.

   Economic reasons are the primary cause for irregular migration (in a great majority of such cases Lithuania is affected by migration only as a transit country), i.e. difference in social and economic development levels between the countries of origin of irregular migrants and the intended destination countries cause them travel from Asian to the West and North European countries, selecting Lithuania as a transit country. In these latter years, since the middle of 2014 Lithuania has been mostly affected by irregular migration of Vietnamese nationals whose migration routes stretch both from Belarus to Lithuania and from Russia and Belarus to Latvia and further continue through the EU's internal borders to Lithuania and Poland. It should be noted that Lithuania’s geographical position could be regarded as a natural retarder for irregular migrants transiting from the South to the North. However, there is still a risk that because of ever increasing scale of irregular migration Lithuania might also be affected by it. Therefore, in order to timely prevent this process, criminal intelligence and migration control measures carried out in the country as well as close cooperation between Lithuania and its neighboring countries is of utmost importance.

   In 2015 there were detained:

   a) 256 irregular migrants who entered Lithuania illegally crossing the state border. Of these, 89.8 percent of the migrants were detained at the border with the Republic of Belarus. In 2015, the majority of irregular migrants detained for illegal entry to Lithuania were Vietnamese nationals, what accounts for 40.6 percent (104 persons) of the total number migrants detained for the aforementioned reason;

   b) 431 persons staying in the country illegally (excluding third-country nationals who overstayed their visas). This category of detainees encompass those who were either detained in the country or returned from other counties of the Schengen area (e.g. Vietnamese nationals who illegally entered Lithuania form Latvia with the help of facilitators; persons who travelled across the internal borders being in possession of forged documents; or aliens who had absconded from the Latvian Foreigners’ Registration Centre but were detained upon their departure to Poland; and also those who were detained in Poland and afterwards returned to Lithuania).

   On 21 December 2015, the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter – SBGS) conducted the civil protection exercise "A Mass Influx of Aliens". The objectives of the exercise were: to assess capability of the SBGS and other authorities in setting up outdoor camps in the event of a mass influx of migrants; to develop guidelines for tactical exercises aimed at coping with a mass influx of aliens; to present proposals on revision of the SBGS Emergency Management Plan; if case of need, to revise a Detailed Action Plan for Border Enforcement.

   Pursuant to the results of the abovementioned exercise, the SBGS developed a draft amendment to the Emergency Management Plan (amendments related to a mass influx of aliens).

2. **To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures.**

   In July 2015, a wide irregular migrants’ smuggling network, in which nationals of Kyrgyzstan, the Russian Federation and Latvia were involved, was disrupted. A Kyrgyz national, who used to constantly change his place of residence between in the Kaliningrad Region of the Russian Federation and Belarus, was involved in organizing of smuggling of Vietnamese nationals (there was one case of smuggling of 2 Afghans) from the Russian Federation to Poland via Belarus and Lithuania. In December 2015, in cooperation with border officials of the Republic of Belarus, one more group involved in smuggling of persons was disrupted; there were detained 3 Lithuanian nationals, who met 6 migrants at the state border and afterwards transported them within the territory of Lithuania, and 1 Kyrgyz national, who organized this criminal offence. It should be noted that the detained facilitators of transit of irregular migrants through Lithuania are only intermediates – a link in the chain between the...
deployed by the government in this regard

main organizes of this irregular migration route, who are residing in Moscow, the Russian Federation, and Warsaw, the Republic of Poland. In the middle of 2014, due to intensified organized irregular migration of Vietnamese nationals across the Lithuanian-Belarus "green" border, the SBGS started to enhance criminal intelligence activities and to increase border surveillance efficiency, i.e., the most vulnerable sections of the state border with Belarus were secured by border surveillance systems. These measures slowed down the organized irregular migration flow from Belarus to Lithuania directing it northward – illegal entry of Vietnam (Afghanistan) nationals from Belarus or the Russian Federation to the Schengen area was organized across the external borders of Latvia (or from the Russian Federation across the external borders of Estonia), and afterwards the immigrants were transported via Lithuania to Poland. In 2015 this modus operandi was even more pronounced.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

In 2015, the SBGS, within the scope of its competence, identified no aliens with irregular status of stay as being the victims of THB.

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

In order to establish a uniform practice on identification of victims of THB, pre-trial investigation and inter-agency cooperation, especially for the purpose of providing assistance to the victims of THB, the Attorney General of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania and the Minister of Social Security and Labour of the Republic of Lithuania by Oder No. I-327/1V-1015/A1-758 “On Approval of Recommendations on Identification of Victims of Trafficking in Human Beings, Pre-trial Investigation and Inter-agency Cooperation” of 17 December 2015 approved recommendations regarding identification of victims of THB, pre-trial investigation and inter-agency cooperation (hereinafter - the Recommendations). On the same day, Lithuanian Caritas, the Missing Persons’ Families Support Centre, The Klaipėda Social and Psychological Aid Centre, the association “Men's Crisis Centre” and the Vilnius Office of the International Organization for Migration signed a Declaration on Cooperation and undertook to follow the Recommendations approved by the abovementioned order. The recommendations set forth the main criteria for identification of the victims of THB, according to which the SBGS officers shall identify a possible victim of THB.

5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

The first contact asylum seekers in Lithuania have is with law enforcement agencies, which are responsible for initial registration of asylum applications. These are the same agencies that are responsible for identification and investigation of human trafficking incidents, thus there is no specific “follow-up” investigation procedure in this regard in the framework of asylum procedure, carried out by the separate institution – Migration department under the Ministry of Interior of the Republic of Lithuania (hereinafter – Migration department). However, when the fact that an asylum seeker might be a victim of human trafficking becomes apparent only during asylum procedures, Migration department may forward this information to respective law enforcement agencies for investigation. The mere fact that an asylum seeker is a victim of human trafficking does not affect the likelihood of being granted international protection, though, according to the respective national legislation, a victim of human trafficking may be granted residence permit under condition that he/she cooperates with the pre-trial investigation body or with the court in the fight against trafficking in human beings or in combating the offences linked to trafficking in human beings.

6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

Following the recommendations the SBGS within the scope of its competence provides a necessary assistance to the persons indentified as victims of trafficking (e.g. medical aid) and records what kind of assistance has been provided. It also provides relevant information to non-governmental organizations that also provide assistance to the victims of trafficking (without disclosing personal data of victims of trafficking)
and, in case the victim is a minor, informs the Protection of the Children’s Rights Department.

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

N/A

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combatting trafficking in human beings and migrant smuggling?

In the fight against illegal migration the SBGS maintains cooperation with other national law enforcement authorities as well as border guard services of neighbouring states (Latvia, Belarus and Poland). The forms of cooperation are joint operations and exchange of information. In the fight against human trafficking the SBGS cooperate both with other government agencies and with non-governmental organizations.

**MOLDOVA**

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

Refugee crisis in Europe didn’t affect the Republic of Moldova.

During 12 months of 2015, 3017 of violations of the rules of stay were registered, out of which, 355 cases of employment of foreigners without authorisation.

**Violations of the rules of stay**

**2012-2015**

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<tr>
<td>Violations of the rules of stay</td>
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<td>2265</td>
<td>972</td>
<td>898</td>
</tr>
<tr>
<td>Illegal work</td>
<td>355</td>
<td>374</td>
<td>195</td>
<td>123</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3017</td>
<td>2639</td>
<td>1167</td>
<td>1021</td>
</tr>
</tbody>
</table>

In 2015, 276 persons applied for asylum, 24 persons were recognized as refugee, 150 persons were granted humanitarian protection and 36 persons were rejected from any form of protection.
There are over 30 countries of origin of asylum applicants, but most of those applicants originate from Ukraine, Syria, Afghanistan, Kirghizstan and Sri Lanka.

**Asylum applications – top 5 countries**

<table>
<thead>
<tr>
<th>Country</th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukraine</td>
<td>123</td>
<td>134</td>
</tr>
<tr>
<td>Syria</td>
<td>55</td>
<td>61</td>
</tr>
<tr>
<td>Iraq</td>
<td>23</td>
<td>10</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>19</td>
<td>5</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>7</td>
<td>5</td>
</tr>
</tbody>
</table>

In 2015, at the Moldovan border, the phenomenon of illegal migration was characterized by illegal border crossings and the use of forged or falsified travel documents, mostly documents issued by Member States of the European Union (France, Estonia, Spain, Bulgaria etc.).

**Illegal migration, irregular migrants identified**

<table>
<thead>
<tr>
<th>Sectors</th>
<th>2014</th>
<th>2015</th>
<th>Compared with 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total cases</td>
<td>100</td>
<td>115</td>
<td>15%</td>
</tr>
<tr>
<td>MDA-UKR</td>
<td>42</td>
<td>33</td>
<td>-21%</td>
</tr>
<tr>
<td>MDA-ROU</td>
<td>34</td>
<td>38</td>
<td>12%</td>
</tr>
<tr>
<td>AERO</td>
<td>24</td>
<td>44</td>
<td>83%</td>
</tr>
</tbody>
</table>

2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country?

During 6 months of 2015 were documented and annihilated four organized criminal groups specialised in human trafficking, child trafficking, pandering, and illegal migration with 25 suspects (10 detained and arrested), 9 victims of trafficking and 13 prostitutes.

Two of these criminal groups have been specialized in human trafficking and children for sexual exploitation and prostitution. An organized criminal group was specialized in pandering and one organized criminal group was specialised in illegal migration.
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please name response measures deployed by the government in this regard</td>
<td></td>
</tr>
<tr>
<td>3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)</td>
<td>During 2015, 14 foreigner minors were identified as the victims of THB (citizens of Germany, 5 girls and 9 boys, between the ages of 13-17).</td>
</tr>
</tbody>
</table>
| 4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially | Article 15 of the Anti-Trafficking Law stipulates that the identification of victims of THB shall be carried out by the competent public authorities with the support of NGOs or by NGOs that have reasonable grounds to believe that a person is a victim of trafficking.  
By Order of the Ministry of Labour, Social Protection and Family No. 33 of 20 February 2012 have been approved Guidelines on Identification of Victims and Potential Victims of THB. The guidelines were developed with the support of IOM and La Strada Moldova and are an operational tool establishing the steps to be taken by central and local authorities, NGOs and service providers during the identification process. They provide the methodology on how to identify victims and potential victims of THB and the inter-institutional co-operation procedures. The guidelines have two annexes containing questionnaires for identifying victims and potential victims of THB.  
Further, the Ministry of Internal Affairs approved in 2014 guidelines on investigating offences of THB, which also include rules of identifying THB victims and risk profiles for the most frequently identified categories of victims (sexual exploitation, labour exploitation, forced begging).  
National Referral System has been set up for the identification of victims of THB. The National Co-ordination Unit of the National Referral System is established within the Ministry of Labour, Social Protection and Family. The National Co-ordination Unit consists of one staff member whose salary is paid by the IOM.  
The National Referral System has been established across the Republic of Moldova, with multidisciplinary teams at all administrative levels, and that significant efforts have been made to train the multidisciplinary team members.  
Several free telephone hotlines for victims of THB are in place, including La Strada Moldova’s THB hotline, where access to counselling, information and referral to other competent services is provided to trafficked persons, their relatives, other close persons or anybody who wants to report or needs support. Some of these hotlines are managed by state institutions, others by NGOs. The callers are informed of how they can benefit from assistance and protection from law enforcement bodies, social protection bodies, community social assistants, NGOs or other specialised entities. |
| 5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a | N/A |
6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

Victim assistance in the Republic of Moldova is provided by specialised state-run centres. The legal basis for their work is the Framework Regulation on the organisation and operation of centres for the assistance and protection of victims of THB (Government Decision No. 1362 of 29 November 2006). The Regulation on operation of the territorial multidisciplinary teams within the National Referral System (Government Decision No. 228 of 28 March 2014) clarified the roles of responsibilities of the entities participating in these teams with regard to victim assistance. According to the statistics, 109 victims received assistance in 2011, 189 in 2012 and 131 in 2013.

There are seven centres for assistance and protection of victims and potential victims of human trafficking in the Republic of Moldova, with a total of 146 places. The centre in Chisinau is directly funded from the State budget while the remaining six centres are financed from the state budget through the administrative-territorial entities. In 2014, about 6.8 million MDL (about 340 000 euros) were spent for the running of these centres. Therefore, the centres have to be supported by external donors. The Chisinau Centre for example is supported by IOM.

Centre for assistance and protection of victims and potential victims of human trafficking, which is subordinated to the Ministry of Labour, Social Protection and Family. The centre has 24 places. The centre offers temporary placement for up to 30 days which can be extended to six months under certain conditions, as well as social, legal and medical assistance and psychological counselling. The centre employs 21 staff. Social workers are present around the clock.

Since 2009, the Chisinau Centre has assisted between 312 and 424 victims and potential victims of trafficking per year. In 2014, 411 persons were supported, 81 of whom were identified victims of trafficking (55 women, 14 men, eight girls and seven boys) and the others potential victims of THB. The main forms of exploitation were sexual exploitation (42), labour exploitation (21), and forced begging (15).

Victims are entitled to legal assistance, pursuant to Sections 16 and 17 of the Anti-Trafficking Law. According to the Moldovan authorities, victims in general are informed about their rights, including the possibility to claim compensation.

A civil action to claim compensation may be started as part of the criminal proceedings. In practice, however, criminal courts rarely decide to grant compensation to victims of THB. NGOs supporting victims of THB indicated that the compensation awarded for material and/or moral damage is often very low and that there are difficulties to effectively obtain the compensation because the perpetrators often do not reside in the Republic of Moldova. There are no statistics available as to the number of victims of THB awarded compensation by courts. The Moldovan authorities have referred to a sentence by the Buiucani Court (Chisinau municipality) of 17 October 2014, where 14 Moldovans who had been recruited and transported to work in the Russian Federation in 2012 were awarded 32 160 MDL (about 1430 euros) compensation each.

The Ministry of Justice is working on a draft Law on the protection and rehabilitation of crime victims which strengthens the procedural rights of victims, the provision of support and rehabilitation services to them, the conditions and procedure of accessing these services, and will also set up a State compensation scheme. The financial compensation provided by the State will be subsidiary and apply to cases when compensation cannot be covered or obtained from the perpetrator. The law will apply to crimes committed on the territory of the Republic of Moldova. If a Moldovan victim was exploited abroad, but the offence started in the Republic of Moldova by recruiting the victim, the law will also apply. A final conviction will be required before State compensation can be granted.

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

In 2013, the Moldovan authorities launched the website www.antitrafic.gov.md with the aim of providing information and raising awareness on THB. The same year, several local authorities and La Strada Moldova organised an information campaign on access to legal protection in cases of trafficking and exploitation. In October 2013, the national TV channel Moldova 1 and the radio station Radio Moldova broadcasted four short programmes that were developed by La Strada Moldova and the IOM. Two of them publicised the National Hotline 0 800 77777. Also in 2013, the Moldovan authorities carried out information and communication activities on the EU visa liberalisation which covered issues related to
Established in September 2001, the National Hotline is managed by the NGO La Strada Moldova and aims at informing the wide public about migration, the risks of trafficking in persons and the services and facilities that provide assistance to victims and potential victims of human trafficking. According to the 2014 activity report of La Strada Moldova, 13 out of 10,605 total calls received in that year, 260 were urgent calls related to situations of trafficking (215 calls concerning 92 cases of adults and 45 calls concerning 20 cases of children).

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

In the framework of the EU Association process, co-operation has been developed between the Republic of Moldova and EU institutions and member States. The Association Agreement which was signed on 27 June 2014 includes a clause according to which the parties agree to cooperate in preventing and combating THB. The Republic of Moldova also concluded a co-operation agreement concerning judicial co-operation with Eurojust on 10 July 2014 and an operational agreement with EUROPOL on 18 December 2014. Moreover, European Integration Co-operation Partnerships were signed with Croatia (6 November 2012), Slovenia (22 July 2013) and Greece (8 April 2014), providing for co-operation and exchange of information in the area of preventing and combating THB.

The Republic of Moldova’s international police and judicial co-operation in proceedings concerning THB offences is based on multilateral and bilateral agreements. Where there is no such agreement, legal co-operation follows the principle of reciprocity. Both the unit for combating THB within the General Prosecutors’ Office and the CCTP co-operate with their counterparts, in particular in countries of destination, via various channels, including Interpol, Europol, the Southeast European Law Enforcement Centre (SELEC) and the EU Border Assistance Mission to the Republic of Moldova and Ukraine (EUBAM). In internal law, the relevant provisions are contained in the Code of Criminal Procedure and the provisions of Law No. 371 of 1 December 2006 on international legal assistance in criminal matters. Requests for international legal assistance in criminal matters are made via the Ministry of Justice or the General Prosecution Office directly and/or via the Ministry of Foreign Affairs and European Integration.

The Republic of Moldova plays an active part in international fora concerning the fight against THB. For example, during the 26th session of the UN Human Rights Council, the Republic of Moldova’s Permanent Representation to the UN Geneva office organised, in partnership with the Austrian diplomatic mission and the Office of the UN High Commissioner for Human Rights, a side event on THB entitled “Fighting trafficking in human beings: fostering partnerships and co-ordination – good practices” (12 June 2014). A similar event was organised during the UN Capacity Development Office session presented its experience concerning prevention and combating THB, including the operation of the National Referral System.

NGOs which are active in combating THB or provide assistance to victims of trafficking may take part in the meetings of the National Committee in an advisory role. Moreover, representatives of NGOs are invited to, and actively participate in, the meetings of the Technical Co-ordination Group of the Permanent Secretariat. NGOs also participate in the work of the Territorial Commissions and the Multidisciplinary Teams.

Several memoranda of understanding or co-operation agreements have been signed with civil society organisations. In 2013, for example, La Strada Moldova signed a memorandum of co-operation with the CCTP on promoting safe migration and establishing a partnership to make the operation of the national hotline more efficient. Terre des Hommes and the General Police Inspectorate agreed on cooperation aiming at the protection of Moldovan children at risk or victims or exploitation and/or THB in the Russian Federation and Ukraine, which is supported by the Swiss Development and Co-operation Agency. La Strada Moldova also signed a memorandum of co-operation with the CCTP and Centre for Combating Cybercrime on preventing and combating THB, child pornography and sexual commercial exploitation of children. The Ministry of Labour, Social Protection and Family, the Ministry of Education, the Ministry of Internal Affairs, the Ministry of Health and the District Councils of Leova and Orhei have signed a memorandum of co-operation with the Centre for Information and Documentation in Child Rights (five activities and the National Centre for Child Abuse Prevention in relation to the piloting and promotion of an inter-institutional monitoring
mechanism, prevention of abuse and assistance to children exposed to abuse, neglect or exploitation.

PORTUGAL

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard.

Until now, Portugal has not been targeted as destination / crossing point in what concerns to the recent refugee crisis. In this context, Portugal has not an influx of irregular migrants. Concerning regular asylum applications, Portugal does not register an influx as well. Due to relocation and resettlement activities you are facing some challenge, e.g. relocation procedure, integration, but the Asylum Department (Immigration and Borders Service) has been reforseed to ensure a suitable response according what is foressen the Law.

2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard.

During 2015, the Immigration and Borders Service has identified 27 networks of smugglers and trafficking in human beings (not yet confirmed – still in investigation phase).

Regarding THB, the Portuguese government has approved the 3rd National Plan against Trafficking in Human Beings (2014-2017) which foresees a set of measures in the area of Trafficking in Human Beings where both Immigration and Borders Service and its Anti-Human Trafficking Unit have direct intervention.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age).

Of 33 identified victims of THB during 2015, 15 were foreigners without permission to stay in national territory. Of those, we above describe their profile in the following table:

<table>
<thead>
<tr>
<th>Gender</th>
<th>Age</th>
<th>Nationality</th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>21</td>
<td>China</td>
</tr>
<tr>
<td>F</td>
<td>29</td>
<td>Mozambique</td>
</tr>
<tr>
<td>F</td>
<td>15</td>
<td>Angola</td>
</tr>
<tr>
<td>F</td>
<td>14</td>
<td>Angola</td>
</tr>
<tr>
<td>M</td>
<td>24</td>
<td>South Africa</td>
</tr>
<tr>
<td>M</td>
<td>18</td>
<td>Nigeria</td>
</tr>
<tr>
<td>M</td>
<td>24</td>
<td>Brazil</td>
</tr>
<tr>
<td>M</td>
<td>23</td>
<td>Brazil</td>
</tr>
<tr>
<td>M</td>
<td>19</td>
<td>Nigeria</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>M</td>
<td>19</td>
<td>Nigeria</td>
</tr>
<tr>
<td>M</td>
<td>24</td>
<td>Brazil</td>
</tr>
<tr>
<td>M</td>
<td>19</td>
<td>Brazil</td>
</tr>
<tr>
<td>M</td>
<td>20</td>
<td>Brazil</td>
</tr>
<tr>
<td>M</td>
<td>27</td>
<td>Pakistan</td>
</tr>
<tr>
<td>M</td>
<td>41</td>
<td>Pakistan</td>
</tr>
</tbody>
</table>

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

Please see the workflow enclosed of our National Referral Mechanism:
5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

Whenever, based on their statements or on the basis of information collected in individual cases, it emerges that the travel routes of asylum seekers and illegal immigration are associated and that they were brought by agents, special attention is given and related to the proper department within the Immigration and Borders Service, as described above.

No, it doesn’t affect.
### 6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

Portuguese legislation provides for two forms of compensation of victims. The first is through criminal proceedings where the victim can deduct civil claim against the offender (civil action in criminal proceedings included according to Article 71º of the Code of Criminal Procedure). In a judicial hearing, the crime being proved, the Court condemns the criminal to repair the damage caused to the victim.

A second hypothesis arises from the possibility of the perpetrator does not have financial means that allow him/her to compensate the victim. In such cases, the victim shall submit a request to the Committee that after reviewing the request, assigns to the victim a part of the amount of compensation to which the perpetrator was sentenced in court. In more severe cases, where the victim suffered severe damages, that put him/her in a situation of Severe Economic Deprivation, the victim can immediately apply for compensation by the State, so that he/she can quickly rearrange his/her life.

It was prepared a brochure on the Law of compensation for victims as a way to better inform their rights, this brochure is in 5 languages, English, Portuguese, Romanian, Russian and French.

A leaflet was prepared in English regarding the rights of victims under the immigration legislation. The leaflet was translated to English and French and is currently in preparation for its translation into Spanish, Mandarin and Russian.

UMAR under the Project "RiiiM", funded by the CIG / POPH, translated into Portuguese and published the “Guidance on representing trafficked persons in compensation claims. A practical tool for lawyers, counselling centres and service providers”.

### 7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

Each year Portugal launches a national campaign by the 18th of October/European Day against THB. The last campaign was focused in Labour exploitation, specially linked to agriculture (picking olives) – as a result of national data on the increase of presumed and identify victims for labour exploitation.

Campaign available at: [https://www.youtube.com/watch?v=QLqtg2lzQgk](https://www.youtube.com/watch?v=QLqtg2lzQgk)
### 8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

The CIG is responsible for coordinating activities in the National Action Plan. The Plan’s coordination is supported by a Working Group, involving all competent ministries, and for the 1st time, by three NGO’s elected from the Network for Assistance and Protection to THB victims – created in 2013.

This network brings together the following governmental and non-governmental organizations:

- High Commissioner for Migrations, Ministry of Foreign Affairs
- Directorate-General for External Policy, Ministry of Internal Administration
- OTSH
- SEF, Ministry of Justice
- Judiciary Police, Ministry of Health
- Directorate-General of Health
- Working Conditions Authority
- Institute of Social Security
- ComuniDária Association
- Women Against Violence Association
- Portuguese Association for Victims Support
- Institute for Child Support
- Irmãs Adoradoras Escravas do Santíssimo Sacramento e da Caridade
- Movimento Democrático de Mulheres
- O Ninho Association
- Obra Social das irmãs Oblatas do Santíssimo Redentor
- OIKOS – Cooperação e Desenvolvimento
- Saúde em Português
- JRS Portugal – Serviço Jesuíta aos Refugiados / Associação Humanitária
- União de Mulheres Alternativa e Resposta

### THE SLOVAK REPUBLIC

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

The current migration crisis continuously escalating since 2014 has influenced the development of illegal migration in the territory of the Slovak Republic as well despite the fact, that Slovakia as such has been affected by its consequences only marginally. Total illegal migration increased by 94.4% from 1304 to 2535. The number of illegal migrants in 2015 was the highest since Slovakia’s accession to Schengen. Migration crisis in Slovakia was mainly demonstrated in the form of intra-Schengen migration from Hungary (occasionally from Austria) following the western Balkan route and resulting in a rapid increase of illegal migrants residing illegally on our territory. In comparison with the other countries where the daily number of irregular migrants entering their territory came up to several thousand was the situation in Slovakia not that dramatic.

The majority of transiting migrants in 2015 was represented by those who entered the territory of Slovakia from Hungary with intention to continue their journey further to Germany, Sweden or other western countries. The largest group of migrants was represented by Syrians, Afghans and Iraqis. Transit migration from Hungary decreased by the end of the third quarter as the result of adopting a series of measures including the fence construction along the land border with Serbia and Croatia and adoption of several legal standards in the field of migration.

In the context of migration crisis the government of Slovakia focused its activities on providing assistance to countries most affected by the influx of illegal migrants. In 2015 and further continuing in 2016 were realized several police officers secondments to help Hungary, Slovenia and Macedonia. Slovakia is also participating on the activities carried out by FRONTEX in the land, sea and air sectors.

The Slovak government has also organized two exercises to strengthen the monitoring of internal borders with Hungary and Austria last year, involving Police Force, Fire and Rescue Service and the Armed Forces of the Slovak Republic. In 2016 was also conducted an exercise focusing on management of migratory flow, which could possibly come through the territory of Slovakia (construction of mobile barriers for directing the flow of migrants and their subsequent identification and registration).

Asylum situation:

The numbers of refugees who have applied for asylum remains stable.

Regarding the question we can provide information about numbers of asylum seekers in the Slovak Republic in 2015:

- 330 applications for international protection (asylum and subsidiary protection)
- 8 applicants were granted asylum
- 41 applicants were granted subsidiary protection

2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard

| Members of National Unit for Combating Illegal Migration/Bureau of Border and Alien Police - Presidium of the Police Force (hereinafter referred to as NUCIM) carefully monitor new developments in crime activities on irregular state border crossing, illegal migration and trafficking in human beings. At the so-called "green" border is the most common modus operandi by crossing the green border on foot with help of smugglers and without any identity documents. 80% of detained persons cross the border this way. The common feature for this group of migrants is that they come mostly from distant Asian and African countries. The migrants were detained mostly in smaller groups. Only a small number of migrants cross the border individually which applies mainly to nationals of Ukraine. Illegal entry of aliens into the territory of the Slovak Republic was mostly realized with help of international organized smuggling groups cooperating with domestic smuggling groups in the following way:

  a) **Illegal crossing of the state border between the Slovak Republic and Ukraine**
  Illegal migrants cross the border from Ukraine to Slovakia through the undesignated border crossing points with help of smugglers then they are left alone so that they are shown way toward the inland of the Slovak Republic and after being detained by police they apply for asylum in Slovakia. Thereafter, they are transported into refugee facilities to get some "relax" prior to the next stage of their migration journey which leads mostly from Slovakia through Austria or the Czech Republic to Western Europe depending mainly on their nationality and family relations. It follows that the smugglers providing services to migrants are internationally networked, precisely organized and in order to avoid getting arrested they mostly do not cross the border along with the migrants.
  Illegal migrants were smuggled to the territory of the Slovak Republic from Ukraine through the "green border" via the undesignated border crossing points, the smugglers brought them to the roads accessible by car and from there they were transported by other members of the organized group by cars or in some cases by vans further through the inland of the Slovak Republic to Austria or in the Czech Republic.

  b) **Illegal crossing of the state border between the Slovak Republic and Hungary**
  Officers of NUCIM found modus operandi regarding criminal activities of illegal migration and illegal crossing of the state border via "Western Balkan route". This route is being used by smugglers and illegal migrants which winds through Turkey - Greece - Macedonia - Kosovo - Serbia - Hungary - Slovak Republic - Czech Republic - Germany. There have also been reported cases when illegal migrants of Afghan nationality were transferred along the route from Afghanistan via Iran - Turkey - Bulgaria - Serbia - Hungary - Slovak Republic to Austria. By NUCIM were recorded and documented two cases of organized group operating in the Slovak Republic and Hungary providing assistance to migrants from Pakistan, India and Afghanistan by illegal crossing of border between Hungary and Slovakia in exchange for financial benefit.
  At the border crossing points were also recorded some cases of illegal migration to Slovak Republic by using invalid, counterfeit or altered travel documents or in some cases documents issued to another person or with foreign visa stickers mostly provided by smugglers.
  In illegal migration are also participating aliens who obtained long-term residence in the Slovak Republic due to their business activities in Slovakia, family reunification, tourist visa holders or those who were granted residence permit in our country based on their marriage of convenience with a national of the Slovak Republic, however, with no respect to the statutory purpose entitling them to reside in the territory of our country.
  In Slovakia the impact of migration crisis on human trafficking has not yet been recorded. Slovak Republic remains in matter of human trafficking a source country.
  Identification of victims of trafficking is performed upon arrival to the reception centre. This person (victim) can ask for help right upon the first
contact with the reception staff, social workers or other asylum centre staff. Also it is possible to obtain this information during the asylum procedure. Decision maker performs interview with the person identified as a victim of trafficking, then provides relevant information and transfers this person (victim) to the competent authorities. The person (victim) can be accommodated in asylum centre. Asylum centre staff is trained and familiar with procedure.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

| Over the past three years it has not recorded any victim of human trafficking from among the aliens. |

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

| National referral mechanism (hereinafter referred to as NRM) is a structure of cooperation in which the public authorities fulfil their obligation to protect the human rights of human trafficking victims while cooperating with the NGO sector. Its fundamental purpose is to safeguard the human rights of victims of trafficking and provide them with access to services providing help. In particular countries the structure of NRM may differ as it should be "tailored" according to the character of human trafficking in that particular country and its political, economic, social and legal environment. But despite of this it should be organized in such a way as to formalize their cooperation (e.g. through agreement of understanding / cooperation) between state and non-governmental entities in the field of victim assistance and define the roles and responsibilities of each actor. NRM is headed mostly by a national coordinator, generally a senior government official. Under his leadership works a group of professional senior representatives of government institutions and non-profit organizations providing recommendations for a national strategy and procedures relating to victims of human trafficking. NRM often involves also ad hoc established working groups dealing with specific areas related to the victims. Thus "institutionalized" form of cooperation should be focused on the management of individual cases and shall cover all possible areas, including identification, assistance, protection, participation in legal proceedings and compensation, return and social inclusion of victims of human trafficking in target destination, transit country or the country of origin. Essential condition for the proper functioning of such a mechanism is the ability to respond flexibly in order to combat all forms of exploitation, respond to the individual circumstances of each case and the needs of the victim. Of the same importance is the ability to adapt to new trends in trafficking in human beings, respond to gender issues and constantly update and improve the system through monitoring and testing.

Any entity within the state authorities and non-governmental organisations, as well as those from abroad can identify a potential victim of human trafficking. Thus, members of various services of the Police Force, Prosecution Office, employees of the Migration Office, employees of Offices of Labour, Social Affairs and Family, healthcare staff, employees of the Ministry of Education of the Slovak Republic, field social workers, employees of consular offices of the Slovak Republic abroad, non-governmental and international organisations working in Slovakia or abroad, as well as the victims of human trafficking themselves or their family members can initiate identification of victims of human trafficking through the National Helpline for Victims of Human Trafficking.

NRM is in Slovakia represented by:

- National coordinator for combating trafficking in human beings - state secretary of the Ministry of Interior
- Information centre for combating human trafficking and crime prevention
5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

As a part of providing the fulfillment of tasks arising from the National Program to Combat Trafficking in Human Beings for the years 2011 – 2014 "develop a proposal for the procedure used by all involved entities when providing help to victims of human trafficking with special focus on a specific procedure for victims of human trafficking involving foreign nationals as well as in case of minors pursuant to UNICEF guidelines for the protection of children victims of human trafficking” September 30, 2011 based on documents from cosponsors was elaborated "Methodology tool focused on the procedure used by all involved entities when providing help to victims of human trafficking with special focus on human trafficking involving foreign nationals as well as in case of children victims of human trafficking” (hereinafter referred to as methodology tool) which passed the commenting procedure and was approved by cosponsors as well as by members of expert group on combating trafficking in human beings. All involved entities received the information regarding the publication of the methodology tool published on the Intranet site of the Ministry of Interior with a request to provide this information to all members of the Police Force and to ensure strict adherence to the procedures included in the document. The above mentioned methodology tool deals with the identification of victims of human trafficking among asylum seekers.

Every victim of human trafficking from among aliens is entitled to receive tolerated stay. The police department shall grant tolerated residence pursuant to Art 58 par. 2 (c) of Act no. 404/2011 Coll. on Residence of Aliens and Amendment and Supplementation of Certain Acts a third-country national who is a victim of human trafficking if he/she is at least 18 years old. Tolerated residence shall be granted by the police department according to the request of the law enforcement authority for at least 180 days, and even repeatedly. According to Art 59 par. 10 on Residence of Aliens the Ministry of Interior shall provide for a third country national who has tolerated residence as per Art. 58 par 2(c) appropriate accommodation, if he/she cannot provide for it on his/her own.

Regarding the status of asylum seeker identified as a victim of human trafficking does not affect the possibility of obtaining a residence permit. The asylum seeker has pursuant to Act on Asylum Art 22 par 1 right to stay on the territory of the Slovak Republic until the decision on his application will be met. This means that he will not be granted any residence permit according to Act on Residence of Aliens. If the asylum application would be withdrawn or it would be already decided (Denial of Asylum), it is possible on the request of the foreigner to grant his tolerated residence pursuant to Art 58 par 2 (c) on Residence of Aliens. Also the stay of a foreigner identified as a victim of human trafficking
case he/she is not consequently registered as an asylum seeker) is considered to be tolerated according to Art 58 par 4 (d) from the moment of its inclusion in the program for victims of human trafficking.

Practical measures to identify victims of THB between foreign unaccompanied minor asylum seekers include a specifically made interview in the presence of a court-appointed tutor. The questions and responses are made fully in line with the Instruction of the Director of the Migration Office of the Ministry of Interior of the SR issuing the methodical guideline to identify potential victims of THB.

**Information on the possibility of granting a residence permit to asylum seeker identified as a victim of human trafficking should provide Alien Police Department/ Bureau of Border and Alien Police - Presidium of the Police Force.**

<table>
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<tr>
<th>6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?</th>
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</table>
| Ministry of Interior of Slovak Republic provides assistance and protection to victims of human trafficking through The Programme of Support and Protection of Victims of Trafficking in Human Beings (hereinafter referred to as the "Programme"). The extensity and quality of services provided to citizens of the Slovak Republic and foreigners or stateless persons as victims of human trafficking are set in the Regulation of the Ministry of Interior of the Slovak Republic on Ensuring the Support and Protection of Victims of Trafficking in Human Beings. The complex care is provided in accordance to the principle of equality and non-discrimination based on individual needs of the victims.

The term victim refers in the Programme to:
- Slovak Republic citizens
- EU citizens
- The third country national if there is a reasonable suspicion that he/she might become in Slovakia or abroad a victim of human trafficking

The subjects of Programme implementation:
- National Coordinator for Combating Trafficking in Human Beings/ the State Secretary of the Ministry of Interior of the Slovak Republic
- Representatives of ministry, central authorities of the state administration and local governments
- Non-governmental organizations and international organizations

The victims shall be provided:
- Isolation from the criminal environment
- Legalization of residence in the Slovak Republic for aliens
- Assistance for voluntary return to the Slovak Republic or for aliens to the country of origin
- Financial support
- Social assistance
- Psycho-social counselling
- Legal advice
- Healthcare
- Re-qualification courses
If the victim decides to cooperate with law enforcement authorities there is possibility to provide his/her with the complex care for the entire duration of criminal proceedings.

In accordance with Art 49 of Code of Criminal Procedure is the law enforcement authority obligated to provide the victim with information on their rights in the criminal proceedings and with information on organisations for the assistance of the victims in writing during their first contact, including the services they provide.

It also includes instruction according to Art 46 par 3 of the Code of Criminal Procedure that a victim is entitled to compensation against the accused for the damages caused by the criminal offence is also entitled to propose to the court to order the defendant an obligation to cover the damages in the convicting judgment. The petition needs to be applied no later than during the completion of the investigation or the reduced investigation. The petition must be clear on what grounds and to what extent the claim for damages applies.

Programme of Support and Protection of Victims of Human Trafficking (hereinafter referred to as “programme”) which is an instrument of the Ministry of the Interior of the Slovak Republic with the participation of service providers for providing assistance and support to victims of human trafficking where there are reasonable grounds for believing that they became victims.

Assistance may be provided to a victim within emergency crisis assistance, crisis assistance or reintegration/integration and assisted voluntary return.

Emergency crisis assistance is provided to a victim after the trauma for the initial stabilization. Victims included in the programme have possibility to request assisted voluntary return.

After emergency crisis assistance, crisis assistance is provided to a victim who is a national of the Slovak Republic where there are reasonable grounds to believe that he/she has been victim in the territory of the Slovak Republic or abroad, a national of a member state of the European Union where there are reasonable grounds to believe that he/she has been victim in the territory of the Slovak Republic and a third-country national where there are reasonable grounds to believe that he/she has been victim in the territory of the Slovak Republic. During crisis assistance, care and support is provided to victims in order to stabilize them and facilitate their integration into society.

Reintegration or integration is provided to a victim who is a national of the Slovak Republic where there are reasonable grounds to believe that he/she has been victim in the territory of the Slovak Republic or abroad, a national of a member state of the European Union where there are reasonable grounds to believe that he/she has been victim in the territory of the Slovak Republic and a third-country national where there are reasonable grounds to believe that he/she has been victim in the territory of the Slovak Republic. Reintegration or integration is understood as a set of measures with the objective to facilitate the integration of a victim into society.

The programme for victims includes isolation from the criminal environment, information about reflection period in the territory of the Slovak Republic and if needed also information about the possibility to provide international protection in case the victims is a third-country national, assistance to a national of the Slovak Republic with voluntary return to the Slovak Republic, social assistance, psychological and social counselling, psychotherapeutic services, translation and interpretation services, legal counselling, healthcare, requalification courses, possibility of being included in the Witness Protection Program under special law, possibility for financial compensation under special law, assistance to a national of a member state of the European Union and a third-country national with assisted voluntary return to the country of origin and mediation of assistance by organization active in the country of origin as well as possibility of safe accommodation.

Compensation for persons injured by intentional violent crimes is governed by the Act No. 255/1998 Coll. as amended by the Act No. 422/2002 Coll. amending the Act No. 141/1961 Coll. on Criminal Court Proceedings (Criminal Procedure Code) as amended (as long as the violent crime...
was committed from 01.01.1999 to 30.04.2006), respectively the Act No. 215/2006 Coll. on Compensation for Victims of Violent Crime as amended by the Act No. 79/2008 Coll. (as long as the violent crime was committed from 01.05.2006 until 30.6.2013), respectively the Act No. 146/2013 Coll. (as long as the violent crime was committed after 1.7.2013, including).

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<tr>
<th>7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?</th>
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| The Slovak Government approved on 31 August 2011 the Migration Policy of the Slovak Republic, which includes measures against THB as part of combating irregular migration. Activities in the area of combating THB focus on strengthening control over employment agencies offering jobs abroad, including through licensing; improving international co-operation in combating irregular migration and trafficking; increasing awareness among the general public on illegal work, smuggling of people and human trafficking; reintegration of victims of THB into society; and identification of child victims of trafficking transiting Slovakia.

Manuals and internal instructions have been issued for the Border and Alien police, staff of detention centers for irregular migrants, and staff of the Migration Office, with a view to facilitating interviews with potential victims and enabling their identification. These instructions and manuals are applicable to a broad range of professionals, including social workers, health-care staff and staff processing asylum applications.

The Ministry of the Interior of the Slovak republic is continuously distributing leaflets and brochures in several languages with information about the rights of victims of THB and questions to encourage self-reporting in asylum facilities and other locations where possible victims of THB might be detected, such as the Migration Office and police stations where irregular migrants may be brought. Anti-trafficking specialists from the Slovak Catholic Charity regularly visit facilities for asylum seekers to provide information about human trafficking, its prevention and the assistance available to victims.

One of the events performed within the campaign on rights of foreigners was a simulated detention of foreigners in Vyšné Nemecké, as well as distribution of posters with the information about the programme aimed at foreigners issued in 6 languages and a CD media with the VITA software elaborated by UN.GIFT of the United Nations. The VITA software simplifies primary communication with foreigners. A part of the trainings of relevant professionals is training how to use CD VITA tool to facilitate initial communication with the foreigners before the arrival of interpreter.

The campaign and a radio and television spot titled „Without Information you Become a Slave“ was created within a media campaign aimed at forced labour and promotion of the National Helpline for Victims of Human Trafficking. The television and radio spot was broadcast on all channels of the national Slovak public television and radio as well as on the commercial telecommunications and radios. Also the posters with the campaign visual were distributed to the Offices of Labour, Social Affairs, and Family in the whole Slovakia, airports, train stations, etc. within the information campaign about the existence of the National Helpline for Victims of Human Trafficking and new forms of human trafficking with special regard to forced labour. The campaign was promoted also through internet banners 300x300 in square format for 10 million clicks to the 30-second TV spot. This campaign was realised in two intervals.

The promotion of the topic is performed through the Slovak and foreign films and TV spots or a drama on human trafficking for sexual exploitation in the theatre.

In 2013 Caritas Slovakia in collaboration with the Ministry of Interior of the Slovak Republic started a campaign titled “People are not for sale – GIFT box Slovakia”, performed also in collaboration with organizations STOP THE TRAFFIK and UN.GIFT. The Central Office in cooperation with the Ministry of Labour, Social Affairs, and Family of the Slovak Republic distributed and provided broadcasting of DVDs with the film „This Cannot Happen to Me“ on the fluidboxes as well as information materials within the campaign “Public awareness of the existence of human trafficking and risks predefining a potential victim of human trafficking”. |
The national public television broadcast documentaries on human trafficking titled „0800 800 818“ and „Modern Slaves“.

The Ministry of the Interior of the Slovak Republic publishes information on human trafficking on its webpage under heading „Human Trafficking“ in order to raise awareness about human trafficking.

Ministry of the Interior of the Slovak republic implemented in 2013 and 2014 project under the title „Strengthening of Joint Measures for the Prevention of Forced Labour of Roma Communities and the Development of Referral Mechanism“. Project was financed under the European Commission programme Prevention of and Fight against Crime - ISEC. Partners from United Kingdom and Slovak republic were included into the project implementation: Roma Media Centre (MECEM), People in Need Slovakia, Crossroads Youth and Community Association from the United Kingdom. The main objective of the project was to strengthen and build existing national referral mechanism, to reduce the risk of the most vulnerable groups of population to become a victim of trafficking in human beings especially for forced labour purpose and other forms of exploitation. Implementation of the project ensured enhancing awareness among both the general and professional public and best experience sharing at both the national and international levels through different outcomes, such as guide for the employers, leaflets, posters, movie broadcasting and an international conference and obtaining knowledge on the situation in the field of exploitation of Roma community through research implementation.

Ministry of the Interior of the Slovak republic is a partner within the project HESTIA – "Preventing human trafficking and sham marriages: A multidisciplinary solution" which will be in implemented in 2015 and 2016. Public and non-governmental organizations of six countries - Latvia, Lithuania, Estonia, Finland, Slovakia and, Ireland are involved in this project. Within the framework of the project during two years a variety of activities are provided: by the organization of discussions of legislators, policy planners and practitioners at national and regional level in each country a comprehensive research of the problem of sham marriages will be prepared; learning methodology will be developed and training will be implemented during which social workers, social educators, workers of educational institutions, media representatives, state and municipal police officers and representatives of non-governmental organizations will be educated; awareness raising campaigns and final conference of the project will be implemented. Overall, during the activities of the project it is planned to involve and address more than 700 thousand members of the society in six European Union (EU) countries.

### 8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

At the end of 2006, the internal regulation of the Ministry of the Interior of the Slovak Republic establishing the Expert Group for the Field of Combating Human Trafficking (hereinafter referred to as “Expert Group”) was issued. This supra-departmental group is an advisory, initiative and coordinating body of the national coordinator and consists of representatives of relevant departments of the Ministry of the Interior of the Slovak Republic, the Ministry of Justice of the Slovak Republic, the Ministry of Labour, Social Affairs and Family of the Slovak Republic, the Ministry of Health of the Slovak Republic, the Ministry of Foreign Affairs of the Slovak Republic, the Ministry of Education of the Slovak Republic, the Ministry of Finance of the Slovak Republic, the Government Office of the Slovak Republic, the Office of the Plenipotentiary of the Slovak Government for Roma Communities, General Prosecutor’s Office of the Slovak Republic, Association of Towns and Townships of Slovakia and the International Organization for Migration. Cooperation of subjects involved in the field of human trafficking on the national level is ensured by means of Expert Group’s meetings or ad hoc bilateral and multilateral meetings.

In order to improve identification of victims of human trafficking, the Ministry of Interior has established cooperation with the Ministry of Labour, Social Affairs and Family in carrying out inspections of business entities. This cooperation is governed by the following agreements:

- Agreement on cooperation in controlling illegal work and illegal employment concluded between the Ministry of Interior of the Slovak republic and the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 10 6th, 2013.
- Agreement on implementation of common inspections of business entities concluded between the Ministry of Interior of the Slovak Republic
and the National Labour Inspectorate (hereinafter referred to as NLI) on 30th, 2013.

Such inspections are carried by members of NUCIM in cooperation with the Directorates of Border and Alien Police/Bureau of Border and Alien Police - Presidium of the Police Force and relevant labour inspectorates. The police officers are focusing during inspections mainly on search of persons - illegal migrants in Slovakia and to identify victims of human trafficking. The typology of controlled business entities (which may be involved in human trafficking for forced labour or sexual exploitation) is primarily provided by NLI focusing on violation of Act 82/2005 Coll. on Illegal Work and Illegal Employment and on amendment of certain acts as amended by later regulations.

NUCIM follows the development of international standards in the fight against human trafficking through active participation in international conferences and workshops with focus on combating human trafficking. The members of NUCIM cooperate by detection and clarifying human trafficking criminal activities with foreign partner units and become familiar with their methods and procedures in the course of criminal proceedings in individual cases.

Police units engaged in detecting criminal acts of human trafficking cooperate on a long term basis through the Office of International Police Cooperation with international institutions such as Europol, Interpol and also through police attachés performing the state service abroad.

In connection with operative detection of human trafficking crimes an intensive cooperation between the partner units of concerned countries is taking place. It involves mostly operational verification of Slovak citizens from target countries, identified as victims of human trafficking or as suspected of committing the crime of human trafficking. Within the investigation of cases is being used the institute of legal aid of concerned countries, or consignment of a criminal case abroad in accordance with the Code of Criminal Procedure. In order to facilitate the investigation and prosecution of human trafficking cases it is also widely used the institute of joint investigation teams JIT.

Each year we participate actively in the meetings of the working group EMPACT (European multidisciplinary platform combating organized crime). All meetings of EMPACT are being organized by Europol in The Hague (Netherlands).

The cooperation on illegal migration is also being carried out through Europol, FP Checkpoint - focused on the smuggling, illegal migration, and also through the working group EMPACT. Within the framework of international police cooperation NUCIM participates in co-operation with third countries (countries of transit and origin of illegal migration) in the fight against illegal migration through participation in EU projects and intergovernmental organizations (TAIEX, ICMPD, IOM, CETIR).

Slovak Republic as one of the first ten countries that ratified the Council of Europe Convention on Trafficking in Human Beings is cooperating with the Group of Experts on Action against Trafficking in Human Beings (GRETA).

The Information Centre as a facility of the Ministry of the Interior of the Slovak Republic for the field of combating human trafficking is the sponsor of the programme as well as it performs tasks of a national rapporteur or equivalent mechanism according to the Directive 2011/36/EU of the European Parliament and of the Council, providing for international cooperation in the European Union.

The exchange of information is carried out either between the different departments of the national and also international level through the National Headquarters of Interpol and Europol as well as in cooperation with the police attaches of the Slovak Republic abroad and Europol liaison office in The Hague. Also, to simplify investigation and criminal prosecution of human trafficking cases, joint investigation teams “JIT” are used in the framework of international cooperation. On 26 September 2013, a JIT of the United Kingdom and the General Prosecutor’s Office of the Slovak Republic was established by an agreement – the SVANETIA operation focused on forced marriages and sexual violence.

Under competence of the Ministry of Justice of the Slovak Republic, international cooperation is performed through judicial cooperation in criminal matters in the framework of legal relation with foreign countries – legal assistance, extradition of persons, delivery of sentenced
persons, execution of foreign decisions, etc.

At the General Prosecutor’s Office of the Slovak Republic, the field of human trafficking is covered by prosecutors of the department of violent and general crime of the criminal division and international department in the field of performance of requests for legal assistance and extraditions. District prosecutor’s offices with territorial jurisdiction perform supervision of adherence to law in specific criminal cases. Collaboration of the substitute representative in the European Unit for Judicial Collaboration – Eurojust who is a prosecutor of the international department, is also used.

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### SWEDEN

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

   Since Sweden reintroduced the border control at the Swedish internal borders in mid-November 2015 and the ID-controls on travelers from Denmark in January 2016, the influx of migrants has decreased. Before the controls were introduced a substantial number of migrants transited through Sweden to our neighboring countries. This flow has now been diminished substantially. Sweden has no external land borders. There have not been any dramatic changes in the number of irregular border crossings (regarding sea and air borders) in the light of the migration crisis. In 2015 164,000 persons applied for asylum in Sweden. The total number of migrants entering the country was higher since some did not apply for asylum and some transited to neighboring countries. At present, roughly 500 asylum applications are registered on a weekly basis.

2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard

   Sweden does not analyse smuggling networks as such, which is often done by international agencies such as Frontex, but the Police is well-informed on the profile of smugglers involved in different criminal activities (i.e. migrant smuggling, trafficking for sexual purposes).

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

   In 2015 the Police reported 180 cases of Trafficking in human beings for other purposes. The cases were divided into:

<table>
<thead>
<tr>
<th>Whole country</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>THB for sexual purposes</td>
<td>58</td>
</tr>
<tr>
<td>THB for forced labor- child under the age of 18</td>
<td>4</td>
</tr>
<tr>
<td>THB for forced labor- person over the age of 18</td>
<td>17</td>
</tr>
<tr>
<td>THB for the purpose of begging- child under the age of 18</td>
<td>5</td>
</tr>
<tr>
<td>THB for the purpose of begging- person over the age of 18</td>
<td>50</td>
</tr>
<tr>
<td>THB for the purpose of the removal of organs- child under the age of 18</td>
<td>0</td>
</tr>
</tbody>
</table>
4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially.

“Victims of human trafficking” is a definition, not a capacity. However, there is not a single definition of who constitutes a victim of human trafficking (THB) and there is no recognized system for establishing the status of victims of THB. In general terms a victim of THB is a natural person who has been the subject for THB according to the definition of the Swedish Penal Code (Chapter 4, section 1). However, the definition of victim is depended upon the situation. Within criminal proceeding the injured party is a person who has been the subject of the crime or has been violated or has suffered damage by the crime. To be considered injured party it is necessary that the crime has been reported to the police and criminal proceedings has begun. The court determines whether a person is injured party upon the decision by the prosecutor to prosecute. According to Swedish law it is necessary, in addition to be classified as injured party, to be a part and/or be heard in the court process in order to access certain rights, such as interpretation, translation and reimbursement of costs.

In accordance with international conventions to which Sweden is committed to, the state shall ensure the rights of all identified potential victims, regardless of the status of injured party.

5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

The mission of the Swedish Migration Agency regarding identifying victims of THB in the asylum and return process is to detect suspected cases and inform the police and social services. SMA identifies the majority of suspected victims of THB among the applicants for asylum. Upon suspicion of THB SMA have internal routines to follow. Given indicators are stated in the routines that might help expose victims of THB. SMA is a key actor in identifying victims of trafficking in the asylum and return processes. When suspicion has been made SMA should inform law enforcement and supporting authorities, in order for police and social services to be alerted as early as possible in the process.

The task to identify victims of trafficking is organized on one central and six regional coordinators within SMA. At the local units there are THB contact persons. A central point within this work is increasing the knowledge about THB among the staff through information and training activities.

THB in itself is not a legal basis for an asylum claim according to the Swedish Aliens Act. But the stigma and trauma of THB can be determined to establish resident permit based on humanitarian reasons.

In order to fulfill the obligations of the Recast Asylum Procedures Directive and the Recast Reception Conditions Directive, Sweden is implementing the EASO Tool for Identification of Persons with Special Needs (IPSN tool) which is an interactive online tool in order to identify asylum seekers with special needs in the asylum process, including also THB victims. This tool is used throughout the whole process and is currently being translated to Swedish.
6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

In order to make it easier for perpetrators to be brought to trial, a provision granting temporary residence permits for foreign victims (and witnesses) was introduced into the Aliens’ Act in 2005 where this is considered justified, in order to carry out a preliminary investigation and main hearing in the criminal case. In 2014, the Swedish Migration Board made 64 decisions to grant temporary residence permits to such victims. On 1 July 2007 the provision of the Aliens’ Act was amended in order to harmonise with an EU Directive on the victims of human trafficking. Victims are now required to cooperate with the criminal investigation authorities, and to break off all links with the individuals who are suspected of crimes, etc. At the request of the director of the preliminary investigation, a residence permit for thirty days can now also be issued if the victim wants time for reflection in order to recover and to make a decision as to whether he or she wishes to cooperate with the criminal investigation authorities.

7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

Within the framework of two twinning projects in the Western Balkans that Sweden is involved in, information campaigns are launched in order to inform potential migrants on the risks of irregular migration and the benefits of regular migration channels. There has also been some more explicit information campaigns directed towards sexual exploitation in trafficking under the title “don’t look away”.

8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?

In consultation with the state actors working against human trafficking in Sweden, a National Task Force against prostitution and human trafficking (NMT) under the leadership of the County Administrative Board of Stockholm (CABS) was established in January 2009. The Swedish government decided April 30, 2015 to give the CABS further assignment to continue the task of coordinating the work against all forms of human trafficking. The NMT is included except the CABS, The Police, The Public Prosecutor, The Swedish Migration Agency and representatives from the municipal social services.

The Government also believes that it is state that the child rights perspective given special attention in the implementation of the mandate on trafficking. Improved cooperation between the authorities increases the chances of early detection and identification of both children who are vulnerable to or at risk of human trafficking, and children who are indirectly affected by human trafficking. Swedish authorities also cooperates with NGOs.

UKRAINE

1. Please briefly outline how your country has been affected by the migration crisis in terms of number of asylum seekers, transiting migrants and irregular border crossings. Please also name preparedness and response measures deployed by the government in this regard

As generally evaluated by European experts, the Eastern illegal migration route (through the Russian Federation, the Republic of Belarus, Ukraine and the Republic of Moldova) via the territory of Ukraine does not pose a threat to the European Union. European institutions and BG agencies consider the situation at Eastern EU borders in recent years as a stable and controlled.

In 2015, numbers of attempts to cross the state border illegally to EU countries increased in 2.4 times (1146 attempts in 2015 vs 460 in 2014), including 6-fold rise at the border with Hungary (709 in 2015 vs 119 in 2014), 25% rise at the border with the Slovak Republic (276 in 2015 vs 220 in 2014); 18% rise at the border with the Republic of Poland (91 in 2015 vs 77 in 2014); and 37% rise at the border with Romania (70 in 2015 vs 50 in 2014).

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6 The Aliens’ Act (2005:716) Chap. 5 § 15
7 Council Directive 2004/81/EC of 29 April 2004 on the issue of residence permits to third-country nationals who have been victims of human trafficking or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.
In the case of Ukraine - Hungary border, growing numbers of apprehended illegal migrants were associated with nationals of the following countries: Afghanistan (306 in 2015 vs 21 in 2014), Syria (138 in 2015 vs 41 in 2014), Iraq (47 in 2015 vs 4 in 2014), Georgia (34 in 2015 vs 20 in 2014), Sudan (35 in 2015 vs 7 in 2014) and Somalia (32 in 2015 vs 5 in 2014).

Numbers of foreigners who attempt to enter Ukraine illegally for eventual illegal migration to EU countries continue to increase.

In particular, in 2015, 17.3 thousand illegal migrants were apprehended for different offences and refused entry to Ukraine by the State Border Guard Service of Ukraine.

From the above overall figure, 13.7 thousand foreigners (potential illegal migrants) were issued substantiated refusals to enter Ukraine; 1.8 thousand illegal migrants were apprehended for illegal crossing (attempted illegal crossing) of the state border and 1.7 thousand persons were apprehended for non-compliance with rules of stay in the country and other offences.

In comparison with the similar period of 2014, the overall number of apprehended and rejected migrants increased by 45%. The number of migrants who were apprehended for illegal crossing of the state border increased in 1.9 times, the number of persons who were apprehended for non-compliance with the rules of stay in the country and other offences increased by 2%, while the number of potential illegal migrants who were rejected entry to Ukraine increase in 1.5 times.

### 2. To what extent have you identified networks of smugglers and trafficking in human beings during the past year (including also those not related to the migration crisis) as part of the migration route to your country? Please name response measures deployed by the government in this regard

Operational information and results of checks suggest that organisers of criminal activities seek to explore alternative routes for migrant smuggling, including the ones via the territory of Ukraine. They plan to use already existing illegal migration routes of Syria, Afghanistan and Iraq nationals who travel to the European Union via the territory of Ukraine from Russia, using both legal entry options and crossing the “green” border.

In 2015, no applications were submitted by foreigners to the Ministry of Social Policy for recognition of victims of THB status.

In 2012-2014, the Ministry of Social Policy recognised 6 foreigners as THB victims (6 male citizens of Pakistan, labour exploitation; 1 female citizen of Moldova, labour exploitation; 1 minor female citizen of the Russian Federation, sexual exploitation).

According to Art. 16 of Law of Ukraine on Combating Trafficking in Human Beings:

A foreigner and a stateless persons with recognised victim of trafficking status at the territory of Ukraine shall be entitled to receive, free of charge:

1) information on his/her rights and available options in a language he/she understands;

2) medical, psychological, social, legal and other necessary assistance;

3) temporary accommodation (on consent of the victim and if he/she lacks accommodation) in accommodation facilities for victims of human trafficking, for up to 3 months (if deemed necessary, the latter term may be extended by a local state administration, in particular in connection of participation of the victim in criminal proceedings as a victim of crime or as a witness);

4) employment assistance, assistance in access to education and vocational training;

5) interpretation services.
A foreigner and a stateless person with recognised victim of trafficking status at the territory of Ukraine shall be entitled to:

1. temporary stay in Ukraine for up to 3 months (if deemed necessary, the latter term may be extended, in particular in connection of participation of the victim in criminal proceedings as a victim of crime or as a witness);
2. permanent residence at the territory of Ukraine;
3. compensations for moral and material damages incurred at the expense of the offenders according to procedures stipulated by the Civil Code of Ukraine;
4. a non-recurrent finance assistance according to procedures set by the Cabinet of Ministers of Ukraine.

3. What is the scale (number) of foreigners with irregular status of stay (persons without permission of stay when apprehended) identified as the victims of THB? If possible, please describe the general profile of such group (with respect to the nationality, gender, age)

Officials of the State Migration Service have not identified any foreigners with irregular status as victims of human trafficking.

In 2015, no applications were submitted by foreigners to the Ministry of Social Policy for recognition of victims of THB status.

4. Please, describe the general rules of the National Referral Mechanism of your country with a particular focus on agencies/institutions authorised to identify foreigners as victims of human trafficking officially

According to Art. 15 of Law of Ukraine on Combating Trafficking in Human Beings, the Cabinet of Ministers of Ukraine sets procedures for identification of victims of THB.

The overall duration of the procedure of identification of victims of THB cannot exceed one month from the date of interviewing a relevant person by a local state administration.

In the case of a decision to recognise a person as a victim of human trafficking, the person is issued a certificate.

Decree # 783 of the Cabinet of Ministers of Ukraine of 22.08.2012 on Approval of Procedures of Interaction of Actors in the Sphere of Combating Trafficking in Human Beings sets a mechanism of interaction of actors in the sphere of combating human trafficking and stipulates procedures of assistance and protection of victims of THB.

The range of actors is defined by items 2-5 of para 1 and para 2 of Art. 5 of Law of Ukraine on Combating Trafficking in Human Beings (the National Police, the Ministry of Education and Science, the Ministry of Public Health, the Ministry of Foreign Affairs, the Administration of the State Border Guard Service, the State Migration Service and other agencies).

Tasks of ensuring interaction of the actors are fulfilled by relevant structural units of local state administrations and relevant officials according to the Procedures of Identification of Victims of Human Trafficking (approved by CMU Decree # 417 of 23.05.2012).

Any of the above actors may identify a victim of THB and provide him/her information of available assistance options.

The identification procedure incorporates the following stages:

- Referring a person to a responsible unit (in the case of minors relevant notifications are also submitted to MoI bodies and to the Service on Children’s Matters);
- Interviewing the person by the responsible official of the unit involved and referring him/her to the Centre of Social Services for Family,
Children and the Youth (CSSFCY) for assessment of needs;

The Ministry of Social Policy decides on matters of recognition of victim of THB status based on submissions of local state administrations (CMU Decree # 417 of 23.05.2012).

CSSFCY develops a plan for rehabilitation of the victim and initiates a joint meeting of the actors to approve the plan.

According to item 10 of CMU Decree # 783 of 22.08.2012, if a victim does not have ID documents, a responsible unit should apply to a territorial SMSU body/unit for expedited restoration or issuance of such ID documents.

If a victim is a foreigner or a stateless person, the responsible unit should (within 2 office days from his/her application) submit a written notification on the person to a territorial SMSU body/unit.

If the foreigner/stateless person does not have documents on his/her citizenship, country of permanent residence or his/her rights to reside at the territory of a relevant country, the territorial SMSU body/unit should request the country of origin of the person to check his/her identity and citizenship; and should inform the responsible unit on results of the request.

According to Art. 16 of Law of Ukraine on Combating Trafficking in Human Beings, a foreigner or a stateless person who was recognised as a victim of THB at the territory of Ukraine - in addition to the rights stipulated by papa 1 of the Article - is also entitled to: temporary stay in Ukraine for up to 3 months (if deemed necessary, the term may be extended, in particular on grounds of their participation in criminal proceedings as victims or witnesses); permanent residence at the territory of Ukraine according to the legislatively set procedures.

A person with the right to stay in Ukraine, who resided permanently at the territory of Ukraine for three years from the date of recognition as a victim of human trafficking, is entitled the right to a permit for immigration according to legislatively set procedures.

International and non-governmental organisations play extremely important roles in implementation of the state counter-trafficking policies: the Coordinator of OSCE Projects in Ukraine, the IOM Mission in Ukraine, La Strada - Ukraine International Women's Human Rights Centre, the Ukrainian coalition of counter-trafficking NGOs, etc.

5. How do you identify victims of trafficking in the asylum and return procedures? Please describe both proactive and reactive measures. Does the fact that an asylum seeker is identified as a victim of trafficking affect the likelihood of obtaining a residence permit?

According to Law of Ukraine on Immigration, persons who resided permanently at the territory of Ukraine for 3 years from dates of their recognition as victims of human trafficking, are granted rights to immigrate to Ukraine.

If counter-trafficking actors have reasonable grounds to suspect that foreigners or stateless persons who are victims of human trafficking may face threats to life, physical or mental health, freedom or personal inviolability in the case of their return to countries of origin after expiration of their terms of stay in Ukraine, their status of victims of THB may be extended according to the set procedures, providing thus grounds for issuance of permits for stay at the territory of Ukraine up to cessation of relevant circumstances.

A person with the right to stay in Ukraine, who resided permanently at the territory of Ukraine for three years from the date of recognition as a victim of human trafficking, is entitled the right to a permit for immigration according to legislatively set procedures.

According to item 8 of para 2 of Art. 4 of Law of Ukraine on Immigration, permits for immigration under immigration quotas may be issued to persons who resided permanently at the territory of Ukraine for 3 years from dates of their recognition as victims of human trafficking.

CMU Decree # 195-r of 25.02.2015 provided immigration quotas for 4 persons whose 3-years terms of stay at the territory of Ukraine from dates of their recognition as trafficking victims expired: 1 person in Kyivska oblast (from 20.09.2015); 1 person in Nikolaevska oblast (from 07.09.2015); 2 persons in Odesska oblast (07.10.2015). So far, none of these persons has applied for issuance of immigration permits.
### 6. What kind of assistance is available to persons identified as victims of trafficking? Do they have access to compensation?

According to Law of Ukraine on Combating Trafficking in Human Beings, a person who was recognised as a victim of human trafficking, has rights to ensuring his/her personal safety and respect, and to provision of free support: information on his/her rights and available options in a language he/she understands; medical, psychological, social, legal and other necessary assistance.

Non-recurrent finance support payments to victims of human trafficking are made according to CMU Decree #660 of 25.07.2012 on Procedures of Non-recurrent Finance Support Payments to Victims of Human Trafficking.

These finance support payments are made non-recurrently at the level of subsistence incomes for relevant categories of persons (i.e. children under 6, children of the age group from 6 to 18 years, employable persons, unemployable persons), as set at the date of application for support.

According to Art. 7 of Law of Ukraine of the State Budget of Ukraine for 2016, in 2016, the following monthly personal subsistence incomes were set: UAH 1330 from January 1, 2016; UAH 1399 from May 1, 2016; and UAH 1496 from December 1, 2016. The following monthly subsistence income levels were set for main social and demographic population groups:

- children under 6: UAH 1167 from January 1, 2016; UAH 1228 from May 1, 2016; and UAH 1313 from December 1, 2016;
- children of the age group from 6 to 18 years: UAH 1455 from January 1, 2016; UAH 1531 from May 1, 2016; and UAH 1637 from December 1, 2016;
- employable persons: UAH 1378 from January 1, 2016; UAH 1450 from May 1, 2016; and UAH 1550 from December 1, 2016;
- unemployable persons: UAH 1074 from January 1, 2016; UAH 1130 from May 1, 2016; and UAH 1208 from December 1, 2016.

### 7. Does your country conduct any type of information campaign towards migrants on the risks of irregular migration and trafficking in human beings?

In the course of communicating with illegal migrants, officials of the State Migration Service raise their awareness on these matters. Since 02.12.2014, the Ministry of Social Policy, jointly with the Mission of the International Organisation for Migration in Ukraine, implemented a national information campaign. In the framework of the campaign, art installations "The Invisible Ones" were installed in cities of Ukraine - more than 120 shade-picture figures, personifying victims of human trafficking, with texts of real stories of victims of the modern slavery. The campaign activities covered Kiev, Ivano-Frankovsk, Lvov, Dnepropetrovsk, Odessa, Kharkov, Poltava, Chernovtsy and Ternopol.

Public information and awareness raising activities are conducted permanently to inform people on specifics of employment abroad in different countries and associated risks, explanations are provided on advantages of legal employment abroad, on potential adverse consequences of illegal labour abroad. Relevant information is posted on the official web-site of the Ministry of Social Policy (www.mlsp.gov.ua).

In connection with the World Anti-trafficking Day (30.07.2015), a large-scale information campaign was conducted at the whole territory of Ukraine, with involvement of national, regional and local mass media outlets.

In 2015, the State Committee of Ukraine for Radio and TV promoted media coverage of public information and awareness raising activities to combat human trafficking in Ukraine in information programs and separate topical programs of the National TV and Radio Broadcasting Company of Ukraine and its central and regional directorates.

Public TV and radio outlets covered specifics of different stages of trafficking crimes - abduction, recruitment, transportation, transfer of persons with use of fraud, violence, threats of violence and other forms of coercion.

Public TV and radio outlets regularly cover in their broadcasts important aspects associated with stay and employment abroad.

Printed media and web-based media outlets maintain topical columns "We and people around us", "Society", "We are different but we are
together", "Countries", "Social protection", "The Social Service informs", providing explanations on rights and freedoms of refugees and migrants, including Ukrainian migrants who return to Ukraine.

In order to minimise adverse consequences of foreign labour migration, in regional employment centres and in Kiev, topical seminars are conducted on matters of prevention of illegal migration, human trafficking and exploitation of child labour. These events seek to raise public awareness of these matters and understanding of the problem, in particular to reduce numbers of potential victims of these crimes and to reduce numbers of illegal labour migrants.

<table>
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<tr>
<th>8. What forms of cooperation and partnership are in place in your country within and outside of the governmental structures for combating trafficking in human beings and migrant smuggling?</th>
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</thead>
</table>

Forms of cooperation and partnerships are defined by Decree # 783 of the Cabinet of Ministers of Ukraine of 22.08.2012 on Approval of Procedures of Interaction of Actors in the Sphere of Combating Trafficking in Human Beings, and by other laws and regulations.

The main stages of the National Interaction Mechanism (NIM) include the following ones:

1. Any of NIM actors identifies a victim of THB and provides him/her information of available assistance options.
2. Referring a person to a responsible unit (in the case of minors relevant notifications are also submitted to MoI bodies and to the Service on Children's Matters).
3. Interviewing the person by the responsible official of the unit involved and referring him/her to the Centre of Social Services for Family, Children and the Youth for assessment of needs.
5. The Centre of Social Services for Family, Children and the Youth (the Service on Children’s Matters) develops a plan for rehabilitation of the victim and initiates a joint meeting of the actors to approve the plan.

Functions of the main actors.

The Ministry of Social Policy of Ukraine - serves as the national counter-trafficking coordinator.

- coordination of activities of central and local executive bodies, local authorities for NIM implementation by actors in the sphere of counter-trafficking activities;
- recognition of status of victims of human trafficking;
- organisation of non-recurrent finance assistance payments;
- implementation of the state counter-trafficking program;
- drafting new laws and regulations and improvement of existing ones in the sphere of counter-trafficking activities;
- development of annual reports on combating human trafficking;
- cooperation with international organisations and NGOs.

The Department for Combating Crimes Related to Human Trafficking of the National Police of Ukraine

- participation in development and implementation of state policies;
- prevention, detection, supressing and disclosure of crimes associated with THB;
- provision of assistance for issuance of passports;
- registration of places of residence (stay) of trafficking victims;
- provision of assistance to foreign victims of human trafficking in their return to countries of origin;
- ensuring security of recognised trafficking victims, witnesses and other participants of criminal proceedings on THB cases;
- ensuring restoration of rights of THB victims;

The Ministry of Public Health of Ukraine

- organisation of professional medical examination and treatment of victims of THB;
<table>
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<tr>
<th><strong>The Ministry of Education and Science of Ukraine</strong></th>
<th><strong>The State Employment Service of Ukraine</strong></th>
<th><strong>The State Migration Service of Ukraine</strong></th>
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<tbody>
<tr>
<td>• ensures addressing issues associated with provision of necessary medical assistance to foreigners and stateless persons who are victims of human trafficking and stay at the territory of Ukraine;</td>
<td>• meeting temporary/permanent employment needs of victims of THB;</td>
<td>• ensuring meeting needs of trafficking victims for their return to countries of origin (in the case of foreigners and stateless persons);</td>
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<td>• addressing needs of education, vocational training and re-training;</td>
<td>• facilitating provision of unemployment benefits to victims of THB;</td>
<td>• processing and issuance of documents for temporary stay or permanent residence in Ukraine to foreigners and stateless persons, as well as documents for their departure from Ukraine;</td>
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<tr>
<td>• development of curricular course for schoolers and students who are victims of trafficking;</td>
<td></td>
<td>• implementation of measures for repatriation of foreigners and stateless persons who are victims of THB.</td>
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<tr>
<td>• facilitates engagement of schoolers and students who are victims of trafficking into social activities and interests groups in secondary schools, extra-curricular education facilities, professional schools and higher education facilities;</td>
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</tr>
<tr>
<td>• organises training of specialists of bodies, services and facilities for children, as well as for persons who contact with children in spheres of education, sport, culture and recreation, on matters of identification of minor trafficking victims and provision of assistance to these children;</td>
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The State Employment Service of Ukraine

- Meeting temporary/permanent employment needs of victims of THB;
- Facilitating provision of unemployment benefits to victims of THB;

The State Migration Service of Ukraine

- Ensuring meeting needs of trafficking victims for their return to countries of origin (in the case of foreigners and stateless persons);
- Processing and issuance of documents for temporary stay or permanent residence in Ukraine to foreigners and stateless persons, as well as documents for their departure from Ukraine;
- Implementation of measures for repatriation of foreigners and stateless persons who are victims of THB.