



EUROPEAN COMMISSION

DIRECTORATE-GENERAL JUSTICE, FREEDOM AND SECURITY

Directorate B : Immigration, Asylum and Borders

Unit B2 : Immigration and asylum

MIGRAPOL

European Migration Network

Doc 142

EUROPEAN MIGRATION NETWORK
TRAFFICKING – COMMON RESEARCH TEMPLATE

FINAL Version of 26th June 2008

Subject: Development of common template for research on trafficking.

Summary: This template has been developed in co-operation with the National Contact Points of the European Migration Network (EMN).

Given the extensive information and studies which exist already, the aim is not to produce new research, but instead to analyse the information available in order to provide, in a concise format, comparative information that EU policy-makers involved in tackling human trafficking require.

It is not the intention for the EMN to undertake this activity. The common template might, therefore, be developed further by any entity(ies) undertaking the research. One should always bear in mind, however, the focus mentioned above.

Disclaimer: *The European Commission and the EMN National Contact Points are in no way responsible for the use made of this template by a third party, nor for any conclusions arising from the use of the template.*

I. Introduction

According to the JHA Council Conclusions on 8-9 November 2007, the Commission is expected to issue this year a Report on the implementation of the "[EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings](#)" (OJ 2005/C 311/01 9.12.05).¹ In particular, the Council underlined the importance of receiving from the Commission the evaluation and monitoring report, with a view to ensuring that the action against human trafficking will continue in 2008.

Section 2 (Scoping the Problem) of the Annex to this EU Plan, foresees the EMN:

- a) developing a common research template for Member States to use to increase research available on specific areas, starting with child trafficking;
- b) at least contributing to the development of common guidelines for the collection of data including comparable indicators, including taking account of differences between types of trafficking and categories of victims. Such work should also take account of re-trafficked victims.

To this end, an ad-hoc query was launched on 5th March 2008 asking EMN members to provide any suggestions/recommendations/input on the following:

- a) Are you aware of a research template used in your Member State? If so, can you provide me with at least an outline of its structure?
- b) If you were to develop a common research template (which I would also understand could be in the form of a questionnaire or specifications), what items/issues would you consider should be included?
- c) Similarly, would you have any suggestions/recommendations with regard to the collection of data in a manner which would permit comparison between Member States? Again, information on any existing approaches you are aware of would be useful.
- d) Any other ideas/suggestions/comments are also most welcome.

Responses were gratefully received from AT, BE, DE, EE, FIN, IE, PL, NL, SI, UK. This document aims to present a possible common research template, incorporating the responses received from these 10 EMN NCPs, which would provide information of direct relevance to policy-makers.

Initial analysis of the responses identified difficulties associated with the definition used for trafficking and the lack of comparability of the data available, which might be limited and possibly unrepresentative owing to the nature of trafficking.

¹ Available from <http://europa.eu.int/eur-lex/lex/Notice.do?checktexts=checkbox&val=418514%3Acs&pos=1&page=1&lang=en&pgs=10&nbl=1&list=418514%3Acs%2C&hwords=&action=GO&visu=%23texte>.

II. Common Research Template

The template given below is to be used for producing a National Report from each Member State. A Synthesis Report, highlighting the main findings within an EU comparative perspective, could then be produced. For example, comparing the different types of trafficking.

When preparing a National Report, note that the aim is not to produce new research, but instead to analyse the information available in order to provide, in a concise format, comparative information that EU policy-makers involved in tackling human trafficking require.

1. EXECUTIVE SUMMARY (2-3 pages)

The Executive Summary should summarise the main findings which are considered to be of most relevance to policy-makers. They should be ordered according to the following main Chapters.

2. INTRODUCTION: OVERVIEW OF RELEVANT LEGISLATION AND MAIN ACTORS IN [Member State] (2-3 pages)

Provide a *brief* overview of the relevant legislation, particularly with respect to the necessary measures undertaken to comply with [Council Framework Decision 2002/629/JHA](#),² as well as of the main actors involved (including governmental and non-governmental) in tackling trafficking in your Member State. If applicable, outline the structure, e.g. describe how the different entities are linked to each other.

If this already exists in another publication, make specific reference (including with web address, if possible) to this and provide only an outline here.

3. DEFINITION OF TRAFFICKING (1-2 pages)

One of the main difficulties in producing a comparative report is the different definitions and/or their understanding between Member States. In order to provide a basis for comparability, the definition given in Council Framework Decision 2002/629/JHA should be used, i.e.:

Trafficking in human beings means the recruitment, transportation, transfer, harbouring, subsequent reception of a person, including exchange or transfer of control over that person, where:

- (a) use is made of coercion, force or threat, including abduction, or*
- (b) use is made of deceit or fraud, or*
- (c) there is an abuse of authority or of a position of vulnerability, which is such that the person has no real and acceptable alternative but to submit to the abuse involved, or*
- (d) payments or benefits are given or received to achieve the consent of a person having control over another person*

² Available from

http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32002F0629&model=guichett.

for the purpose of exploitation of that person's labour or services, including at least forced or compulsory labour or services, slavery or practices similar to slavery or servitude,

or for the purpose of the exploitation of the prostitution of others or other forms of sexual exploitation, including in pornography.

The report should be written on the basis of this definition. If this is not possible, then detail what definition(s) is used in your Member State and how this might relate to the definition above.

Also, in order to maintain the focus of this study, only those persons who have been trafficked, according to the definition above (or your national equivalent) should be considered. This means, for example, that persons who have been smuggled into the EU or are working illegally must not be covered.

4. METHODOLOGY (2-3 pages)

This section should outline how the report was produced and who has contributed. Information to be provided includes:

- an overview of the type and sources of information used, including an assessment as to their quality/reliability and how representative these are considered to be. This is particularly important for any statistical data you will provide (e.g. are they considered to be 'official' data and/or do the data come from other reliable sources);
- which, if any, organisations/institutions have been contacted to obtain the relevant information;
- any ethical considerations followed, e.g. whether and, if so, how the confidentiality of the victim of trafficking is not compromised. Details on what these ethical considerations are, and how they were determined, should be provided;
- what problems were encountered in doing the study;
- whether some aspects (or statistics) could not be addressed (or provided) in accordance with these specifications. If alternative information is provided, outline how it should be interpreted with relation to what is requested in these specifications;
- what (if any) reservations/caveats one should apply to any of the findings and, if so, how.

5. TYPES OF VICTIMS OF TRAFFICKING

For each of the types of victims of trafficking listed below, provide, if possible, information on:

- who are the traffickers (e.g. their typical profile(s)/background(s));
- how the victim and the trafficker crossed the border, e.g. whether it was a legal or illegal entry, whether the victim and the trafficker used real/false identity papers;
- indicators exhibited by suspected victims;
- how victims of trafficking are identified;
- nature of exploitation;
- methods for protection of victims;
- methods for prosecution of suspected traffickers;

- information on source and transit countries;
- methods/processes for trafficking (the various stages from recruitment onwards);
- nature of demand for services of trafficked persons (e.g. push/pull factors);
- their "employment conditions" and types of human rights abuses;
- support and rehabilitation of victims, including long-term impacts of trafficking on the victim, potential for re-trafficking of victims and rescue measures;
- whether issuing of a visa and/or residence permit is considered to act as a 'pull factor', in particular the effect of 'entertainment visas' on human trafficking.

The emphasis should be on trafficking into the EU-27. However, trafficking within the EU-27 may also be included, if this would be considered relevant information on the situation in your Member State to provide to policy-makers involved in tackling human trafficking.

Include also any statistical data (including the number of trafficked persons, their country of origin and transit, their nationality, gender, age and occupation and, if available, statistics on traffickers). Ideally a common template/table for each category below should be developed and data provided on a yearly basis from 2002 onwards. A number of projects/reports exist which have developed guidelines for such statistical data and thus can be referenced for the development of such a common template/table, in particular:

- "Trafficking in Human Beings – Guidelines for Data Collection" undertaken by the Austrian Federal Ministry of Interior and IOM Vienna and supported by DG JLS (Details available from <http://www.iomvienna.at/index.php?module=Content&func=display&id=249>)
- SIAMSECT "*Elaboration of an EU template and collection plan for Statistical Information and Analysis on Missing and Sexually Exploited Children and Trafficking in Human Beings*" (Daphne II Project 2004-2014-WYC, <http://www.daphne-toolkit.org/prjFiche.asp?prj=20042014&lang=fr>).
- The ILO's "*Methodologies for global and national estimation of human trafficking victims: current and future approaches*", available from http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang--en/docName--WCMS_081989/index.htm.
- RETA "*System for Registration and Statistics of Trafficking in Persons and Related crimes*" developed by Peru, see <http://www.chs-peru.com/trata/index.php>, details of which were presented at the UNGIFT Vienna Conference in February 2008 (see <http://www.ungift.org/ungift/en/vf/index.html>).
- The ICMPD's "Programme for the Enhancement of Anti-trafficking Responses in South Eastern Europe: Data Collection and Information Management", details available from http://www.anti-trafficking.net/fileadmin/IIMS-documents/ICMPD/DCIM/DCIM_Project_Description.pdf.

Each category below is further sub-divided to address first Children³ (defined as a person below the age of eighteen years unless under the law applicable to the child, majority is attained earlier) and then Adults. Both males and females should be addressed in each of these sub-categories and, if considered necessary, further sub-categories may be added (e.g. Families).

³ Note that the Fundamental Rights Agency is currently (June 2008) preparing a report on trafficking of children.

5.1 Trafficking for undertaking Criminal Activities (6-8 pages)

5.1.1 Children

5.1.2 Adults

5.2 Trafficking for Sexual Exploitation (6-8 pages)

5.2.1 Children

5.2.2 Adults

5.3 Trafficking for Labour Exploitation, including Forced Labour (6-8 pages)

5.3.1 Children

5.3.2 Adults

5.4 Trafficking for Organ Trade (6-8 pages)

5.4.1 Children

5.4.2 Adults

6. POLICY RECOMMENDATIONS (3-4 pages)

Summarise any recommendations which you consider are of relevance for further consideration by policy-makers, indicating also the source of these (e.g. from your Member State government, NGOs, Research entities). For example, how to better identify victims of trafficking, the effect of issuing visas, particularly entertainment visas.
