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## Trafficking in Human Beings as Organised Crime in a World with emerging challenges

### Introduction

Trafficking in human beings is a grave violation of human rights that strikes at the core of human dignity, freedom, and equality. Trafficking encompasses the recruitment, transportation, transfer, harbouring, or reception of persons through coercion, deception, abuse of power, or abuse of a position of vulnerability for the purpose of exploitation.<sup>1</sup> This definition reflects the reality that trafficking is not a single act, but a process of control and exploitation that can occur across borders or entirely within one country, harming and violating a persons autonomy and well-being. The increasingly use of digital means to commit this crime creates a difficult environment to track, support and prosecute this form of violence.

Recent data confirms both the scale and the evolving nature of the crime. The 2022 European Union (EU) statistics show a 20.5 percent increase in the number of registered victims, rising from 7,155 to 10,093, with non-EU citizens representing the majority of identified victims.<sup>2</sup> Sexual exploitation remains the most prevalent form of trafficking, accounting for almost half of all cases, disproportionately affecting women and girls.<sup>3</sup> At the same time, trafficking for labour exploitation continues to grow and now represents more than one third of all cases, primarily affecting men.<sup>4</sup> These trends underline the need for responses that address the full spectrum of exploitation, rather than focusing on a single form.

Trafficking across all victim groups involves gradual and cumulative processes of coercion, psychological manipulation, isolation, economic exploitation and intimidation, sometimes accompanied by physical violence. Traffickers systematically exploit structural vulnerabilities, including poverty, social exclusion, language barriers, precarious migration status, unstable housing, and limited access to support services. Gaps in early identification, referral, and protection continue to enable exploitation.

It is also a form of crime increasingly facilitated by technology. The existing EU legal framework already recognises the role of information and communication technologies in recruitment, control, advertising, and financial transactions linked to exploitation. Online platforms and digital tools are used to identify

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<sup>1</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

<sup>2</sup> Eurostat. (2025, March). *Trafficking in human beings statistics*. Eurostat Statistics Explained. European Commission. [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Trafficking\\_in\\_human\\_beings\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Trafficking_in_human_beings_statistics)

<sup>3</sup> Hogewoning, K. (2025, February 6). *Fifth report on trafficking in human beings in the EU*. La Strada International. <https://www.lastradainternational.org/news/fifth-report-on-trafficking-in-human-beings-in-the-eu/>

<sup>4</sup> Hogewoning, K. (2025, February 6). *Fifth report on trafficking in human beings in the EU*. La Strada International. <https://www.lastradainternational.org/news/fifth-report-on-trafficking-in-human-beings-in-the-eu/>

and groom victims, to advertise exploitative services, and to coordinate criminal networks. This reality requires stronger digital expertise, preventive measures, and demand-reduction strategies, alongside robust safeguards to protect victims' rights and privacy.

Against this backdrop, it is essential to reaffirm a core principle of EU justice systems: the presumption of innocence. Criminal responsibility can only be established through fair and impartial judicial proceedings. At the same time, recognising and **treating an individual as a victim does not depend on a prior conviction or the outcome of a trial**. Victims' rights frameworks are based on reasonable grounds to believe that a person has suffered harm as a result of a criminal offence. This recognition enables access to protection, support services, procedural safeguards, and measures to prevent secondary victimisation. These two principles are not in tension. **Providing support and protection to victims does not prejudge guilt; it reflects a rights-based approach that prioritises safety, dignity, and access to justice while criminal liability is assessed by the courts.**

Victim Support Europe welcomes the opportunity to contribute to the new EU Anti-Trafficking Strategy. Building on evidence, practice, and the lived experiences of victims, this submission emphasises **the need for a genuinely victim-centred approach** that addresses all forms of trafficking, strengthens prevention and early identification, ensures access to safe justice and protection without conditions, and invests in long-term recovery and support services. Only by placing victims' rights and needs at the heart of the Strategy can the EU deliver effective, credible and humane responses to trafficking in human beings (THB) and effectively combat the organised crime that continues to flourish, as ineffective victim protection undermines investigations and contributes to the lack of convictions of perpetrators.

### Lessons from the EU Anti-Trafficking Strategy 2021–2025

Trafficking in human beings remains a highly adaptive form of organised crime in the EU, increasingly facilitated by digital technologies. Despite stronger legislation, including the recast Anti-Trafficking Directive, the main weakness continues to be implementation. Victims still face conditional access to support, unsafe reporting environments, inconsistent application of the non-punishment principle, and limited access to compensation.

Support and protection are often linked to cooperation with criminal proceedings, discouraging victims from coming forward and prolonging exploitation. Safe reporting mechanisms for adults remain inadequate, particularly due to the lack of firewalls from immigration enforcement. Victims of forced criminality, especially in online scam cases, are frequently treated as offenders, while compensation remains largely inaccessible in practice.

The new EU Anti-Trafficking Strategy must shift from coordination to enforcement. It should guarantee unconditional access to support, ensure safe reporting, apply non-punishment early and consistently,

make compensation effective, and strengthen referral systems with civil society at their core, as long advocated by Victim Support Europe.

### Opportunities and Gaps Introduced by the Recast Anti-Trafficking Directive

The recast Anti-Trafficking Directive marks a clear strengthening of the EU legal framework, particularly through enhanced corporate accountability, an expanded non-punishment principle, clearer standards on specialised support services, stronger safeguards for victims in asylum contexts, and recognition of the role of digital technologies in trafficking. These advances provide important tools to improve prevention, protection, and access to justice, provided they are implemented consistently and in a victim-centred manner.

Key strengths include tougher **sanctions for companies** complicit in trafficking, with measures such as exclusion from public funding and the possibility to redirect confiscated assets and fines towards victim compensation, including unpaid wages. The explicit **expansion of the non-punishment principle** to cover all offences victims were compelled to commit, including administrative offences, is a major step forward, as is the clarification that support services must be specialised, free of charge, confidential, and accessible beyond immediate crisis response. The Directive also strengthens **protection in migration and asylum** contexts by confirming victims' right to apply for international protection and limiting returns where there is a risk of degrading treatment. Recognition of technology as an aggravating factor reflects the evolving nature of exploitation and the need to address digital dimensions of trafficking.

At the same time, several implementation risks remain decisive. Support and residence continue to be structurally linked to cooperation with criminal proceedings, undermining a needs-based, rights-centred approach and excluding many of the most vulnerable victims, particularly undocumented migrants. **Safe reporting mechanisms for adult victims remain weak**, with no binding guarantees of effective firewalls between victim protection and immigration enforcement. Access to compensation remains uncertain due to the absence of mandatory national compensation funds, leaving redress dependent on uneven national systems. The expanded scope of trafficking risks overreach if not applied strictly on the basis of exploitation, potentially affecting fundamental rights related to family life. Additional concerns include the limited evidence supporting the criminalisation of the “knowing use” of services, the weakening of independent National Rapporteurs, and persistent training gaps among frontline and humanitarian actors, especially in crisis and migration settings. These elements make the implementation phase critical to ensuring that the Directive delivers concrete, rights-based outcomes rather than formal compliance alone.

### Digital element of exploitation

Across all forms of trafficking, exploitation is increasingly facilitated through digital environments. **Traffickers use online platforms to identify, recruit, groom, control, and exploit victims, benefitting from anonymity, speed, and cross-border reach. Recruitment often relies on deceptive identities, false promises of employment or relationships, and manipulation of victims' needs and vulnerabilities.**<sup>5</sup> Communication is commonly shifted to private or encrypted platforms, and digital tools are used to maintain surveillance and control regardless of physical proximity.

**Digital evidence is central** to investigations and prosecutions in trafficking cases involving both adults and children. Key sources include digital communications, images and videos, metadata, platform and access logs, and financial transactions. Investigative authorities increasingly rely on digital forensics, open-source intelligence, undercover online operations, and cooperation with online platforms to identify perpetrators, document exploitation and support prosecutions.<sup>6</sup>

At the same time, the effective use of digital evidence is constrained by persistent and evolving challenges. These include end-to-end encryption, ephemeral or disappearing content, unreliable or absent identity verification, cross-border jurisdictional barriers, and legal limitations on data access. The volume and fragmentation of digital material, as well as the use of coded language, emojis and platform-specific slang, further complicate evidentiary assessment and judicial interpretation. **While safeguarding victims' privacy and fundamental rights remains essential, a careful balance is required to ensure that lawful access to digital evidence enables effective investigations and the building of robust cases without undermining individual liberties.**

### Trafficking for Forced Criminality, with a Focus on Online Scams

Trafficking for forced criminality has become one of the most rapidly expanding and least visible forms of THB. Despite its growing scale, **it remains systematically under-identified and inadequately addressed within prevention, identification, and victim protection frameworks.** This is particularly evident in cases involving online scam operations and other forms of cyber-enabled exploitation.

Forced criminality can be understood as trafficking of persons for the purpose of exploitation of victims through forcing or otherwise compelling them to commit criminal acts for economic or other gains of

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<sup>5</sup> UNODC (2023). *Technology facilitating trafficking in persons*. <https://www.unodc.org/cld/en/education/tertiary/tip-and-som/module-14/key-issues/technology-facilitating-trafficking-in-persons.html>

<sup>6</sup> VSE, DISRUPT Manual on the use of digital evidence in combating child trafficking- [https://victim-support.eu/wp-content/files\\_mf/1745483228DISRUPTManual\\_January2025.pdf](https://victim-support.eu/wp-content/files_mf/1745483228DISRUPTManual_January2025.pdf)

traffickers or exploiters.<sup>7</sup> These activities may constitute the primary purpose of exploitation or be imposed alongside other forms of trafficking, including labour and sexual exploitation. Online financial scams, cyber fraud, forced begging, theft, drug-related offences and criminalised forms of sex work are among the most frequently reported manifestations.

Evidence from the 2024 Global Report on Trafficking in Persons of the UNODC<sup>8</sup> confirms a sustained increase in trafficking for forced criminality over the past decade. Based on detected cases only, it accounted for 8 percent of all identified trafficking victims globally in 2022, up from 1 percent in 2016 and 6 percent in 2018. In Western and Southern Europe, the proportion rises to more than one fifth of detected victims. Given persistent identification gaps, these figures are widely considered to represent only a fraction of the real scale. **Trafficking for online scam operations is now widely recognised as a key driver of forced criminality.** Organised criminal networks increasingly traffic individuals into large-scale scam operations, often operating from closed compounds, particularly in Southeast Asia but with clear global reach. Victims are forced to conduct romance scams, investment fraud, cryptocurrency scams and other forms of online financial exploitation, generating substantial illicit profits that are closely linked to money laundering and organised crime structures.

Recruitment commonly takes place through fraudulent job advertisements disseminated via social media and online recruitment platforms. Victims are often subjected to sham interviews and offered seemingly legitimate employment, including paid travel. Upon arrival, they are coerced through confiscation of identity documents, debt bondage, threats, physical violence, surveillance and severe restrictions on movement and communication. Non-compliance frequently results in punishment, resale to other criminal networks or exposure to additional forms of exploitation.

**This form of trafficking disproportionately affects men and boys.** UNODC data show that the majority of detected victims of trafficking for forced criminality are men, including a significant proportion of children. The targeting of individuals with language or digital skills illustrates how trafficking patterns are adapting to technological and economic realities, while identification practices continue to rely on outdated assumptions. Victims trafficked for forced criminality are routinely treated as offenders rather than as victims of trafficking. This is particularly acute in cybercrime and financial fraud cases, where trafficking indicators are rarely assessed at the point of arrest or investigation. As a result, victims are frequently prosecuted, detained or penalised for offences they were coerced to commit.

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<sup>7</sup> UNODC, Explainer: What is trafficking for forced criminality? - <https://www.unodc.org/roseap/en/2024/10/trafficking-forced-criminality/story.html>

<sup>8</sup> UNODC, 2024 Global Report on Trafficking in Persons /[https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024\\_BOOK.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf)

While recent legislative developments have strengthened aspects of the EU anti-trafficking framework, trafficking for forced criminality, particularly in online scam contexts, remains insufficiently addressed at strategic level.

Addressing trafficking for forced criminality is essential to prevent further harm to victims and to ensure that evolving, technology-driven forms of exploitation are met with responses that prioritise support, protection, accountability and access to justice for victims.

### Labour Trafficking and Structural Exploitation in High-Risk Sectors

Victims of labour exploitation continue to be significantly under-identified across the EU. Identification practices still rely heavily on victim self-disclosure, despite consistent evidence that fear of retaliation, trauma, language barriers, economic dependency, and lack of information prevent victims from coming forward. As a result, many victims remain invisible and unprotected for prolonged periods.

Labour exploitation is particularly prevalent in a limited number of high-risk sectors, including agriculture, construction, hospitality and food services, the beauty industry, domestic work and logistics. These sectors are often characterised by informal recruitment practices, cash payments, subcontracting chains, and cross-border labour mobility, which dilute responsibility and hinder effective oversight.

Abuse of vulnerability is a central enabling factor in labour trafficking, like all types of trafficking. Victims are frequently exploited due to precarious or irregular migration status, debt bondage linked to recruitment fees, limited access to information, language barriers, and social isolation. Practices such as retention of identity documents, withholding of wages, and restrictions on freedom of movement remain widespread across Member States.

Indicators of labour trafficking are often first detected through **labour inspections**, occupational health and safety checks, or contacts with healthcare and social services. However, these indicators frequently do not trigger anti-trafficking responses and are instead treated solely as labour law or migration infringements, delaying access to protection and support. Delays in intervention allow exploitation to continue and undermine trust in authorities. Exploitation in agriculture also occurs in rural areas, where lower levels of awareness, limited specialised services and fewer trained professionals compared to high-risk urban areas increase the likelihood of victims remaining unidentified and unsupported.

### Child Trafficking and Online Grooming

Child trafficking remains a significant and distinct phenomenon within THB. As outlined in Eurostat's 2022 figures, child trafficking, representing 19% of all trafficking, saw a slight decrease compared to the

previous report, aligning with the trends identified in the UNODC's Global Report <sup>9</sup>, with girls disproportionately affected, although boys remain under-identified.<sup>10</sup> Children are primarily trafficked for forced labour and sexual exploitation, which should remain core priorities in EU prevention and protection actions.

Child trafficking often involves perpetrators known to the child, rather than strangers, and particularly affects children in situations of vulnerability, including migrant and refugee children, children in alternative care, and those lacking stable family or social support. and children with previous experiences of abuse or trauma.<sup>11</sup> Adolescents are particularly exposed due to developmental factors, emotional dependency, and social pressures. Weak or fragmented child protection and safeguarding systems, insufficient early intervention, and gaps in oversight within schools, care settings, and detention facilities further increase children's exposure to exploitation.

Forced begging is one of the most common forms of labour trafficking in children within the EU, whether domestic or across borders, with seasonal intensification in certain areas. Undocumented children and/or children on the move are often found in exploitative situations. Often, parents are directly involved in forcing children into begging.

Online recruitment and grooming have become central to child trafficking dynamics. Children are targeted through social media, messaging services, gaming platforms, and other digital spaces. Traffickers use false identities to pose as peers, romantic partners or recruiters and deliberately exploit emotional vulnerability, unmet needs and social isolation. Grooming typically involves emotional manipulation, enforced exclusivity and a gradual escalation into exploitation, with communication moved to private or encrypted channels to avoid detection. Common exploitation methods include romantic grooming through the so-called lover-boy approach, fraudulent job or modelling offers, sextortion, live-streamed sexual abuse, peer recruitment, and continuous digital monitoring. The growing use of AI-generated images, deepfakes, and synthetic personas further increases risks by enabling deception, coercion and exploitation at scale. VSE's project DISRUPT analysed this phenomenon in dept and produced material in order to support child victims, prevention of this phenomenon and professionals dealing with related cases. <sup>12</sup>

Children are often subjected to multiple, overlapping forms of exploitation within the same trafficking situation, including sexual exploitation, forced labour, begging and petty crime, child marriage, illegal adoption and, in some contexts, use in armed conflict. The impacts of child trafficking are often long-

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<sup>9</sup> Hogewoning, K. (2025, February 6). Fifth report on trafficking in human beings in the EU. La Strada International. <https://www.lastradainternational.org/news/fifth-report-on-trafficking-in-human-beings-in-the-eu/>

<sup>10</sup> [https://www.unodc.org/unodc/frontpage/2024/July/explainer\\_-\\_understanding-child-trafficking.html](https://www.unodc.org/unodc/frontpage/2024/July/explainer_-_understanding-child-trafficking.html)

<sup>11</sup> Counter-Trafficking Data Collaborative, *Family members involved in nearly half of child trafficking cases* <https://www.ctdatacollaborative.org/story/family-members-are-involved-nearly-half-child-trafficking-cases#no-back>

<sup>12</sup> VSE, DISRUPT Project <https://victim-support.eu/what-we-do/our-projects/ongoing/disrupt/>

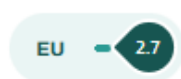


lasting, affecting children's psychological development, education, relationships, and trust in adults and institutions. These realities reinforce the need for trauma-informed, child-sensitive responses as a core principle of EU anti-trafficking action.

### The Gender perspective of THB

Globally, women and girls comprise 71% of the total number of detected trafficking victims.<sup>13</sup> Trafficking for the purpose of sexual exploitation remains the most prevalent form in the EU, and it is overwhelmingly gendered. The vast majority of registered victims of sexual exploitation are women or girls, many of them originating from central and eastern Europe.<sup>14</sup>

#### Women and girls registered victims of human trafficking by EU Member State, rate per 100 000 female population



Source: Eurostat (crim\_thb\_sex), 2022.

Notes: PL: not available

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The lived experience of women trafficked for sexual exploitation closely mirrors other forms of violence against women. Control is exercised through a combination of threats, psychological manipulation, sexual and physical violence, economic coercion, and deprivation of liberty. These patterns of abuse are not incidental; they are central to how exploitation is sustained and are deeply rooted in gendered power imbalances. The consequences are severe and, in some cases, life-threatening.<sup>16</sup>

The impact on a victims' health is profound and long-lasting. Psychologically, many experience post-traumatic stress, depression, anxiety, shame, guilt, isolation, and loss of self-esteem, as well as self-harm, substance misuse, memory difficulties, and sleep disturbances.<sup>17</sup> Physically and sexually, victims may suffer chronic pain, fatigue, reproductive and sexual health complications, the deterioration of

<sup>13</sup> European Institute for Gender Equality. (2018). Gender-specific measures in anti-trafficking actions. Publications Office of the European Union. <https://eige.europa.eu/publications-resources/publications/gender-specific-measures-anti-trafficking-actions-report>

<sup>14</sup> European Institute for Gender Equality. (2018). Gender-specific measures in anti-trafficking actions: Report. EIGE. <https://eige.europa.eu/publications-resources/publications/gender-specific-measures-anti-trafficking-actions-report>

<sup>15</sup> European Institute for Gender Equality. (2025). *Violence domain: Gender Equality Index 2025*. <https://eige.europa.eu/gender-equality-index/2025/domain/violence>

<sup>16</sup> European Institute for Gender Equality. (2018). Gender-specific measures in anti-trafficking actions: Report. EIGE. <https://eige.europa.eu/publications-resources/publications/gender-specific-measures-anti-trafficking-actions-report>

<sup>17</sup> Hossain, M., Zimmerman, C., Abas, M., Light, M., & Watts, C. (2010). The relationship of trauma to mental disorders among trafficked and sexually exploited girls and women. *American journal of public health*, 100(12), 2442–2449. <https://doi.org/10.2105/AJPH.2009.173229>



pre-existing conditions, and injuries linked directly to sexual violence. Many of the harms associated with trafficking for sexual exploitation are distinctly gender-specific, including vaginal injuries, heightened risk of sexually transmitted infections and HIV, and unwanted pregnancies.<sup>18</sup>

Even after escaping exploitation, the risks do not end. Rates of re-trafficking are high, particularly among young people in the first two years following exit. Recovery from the physical, psychological, and social damage caused by trafficking is typically long, complex, and resource-intensive. Without sustained, specialist support, victims remain vulnerable to further exploitation and marginalisation.

Taken together, the evidence confirms that trafficking in human beings, particularly for sexual exploitation, is a highly gendered phenomenon that is closely linked to violence against women and to structural gender inequalities. The disproportionate impact on women and girls, the gender-specific forms of harm they experience, and the high risk of re-trafficking after exit all demonstrate the limits of gender-neutral responses. Anti-trafficking policies and practices must therefore embed a strong gender perspective, recognise sexual exploitation as a form of gender-based violence, and ensure sustained, specialised, and trauma-informed support. A victim-centred and gender-responsive approach is essential both to prevent re-trafficking and to enable long-term recovery, safety, and empowerment for victims.

#### Strategic litigation as a driver of enforcement in forced labour and anti-trafficking cases

While the European Commission does not litigate on behalf of individual victims, it plays a decisive role in driving strategic litigation and systemic accountability in cases of forced labour and trafficking. Through its enforcement powers, interventions before EU courts, and cooperation with civil society, the Commission can transform individual cases into catalysts for structural change across Member States.

The Commission's strongest tool lies in **infringement proceedings** against Member States that fail to correctly transpose or implement EU anti-trafficking and victims' rights legislation. In forced labour cases, these failures often include inadequate victim identification, ineffective investigations, lack of access to support and compensation, and weak enforcement against exploitative employers. Strategic infringement actions can clarify positive obligations under EU law and compel reforms that benefit victims beyond individual cases.

The Commission also shapes jurisprudence through **interventions before the Court of Justice of the European Union**, notably by submitting observations in preliminary ruling procedures. These interventions can promote victim-centred interpretations of exploitation, employer liability, and state obligations, ensuring consistent and effective application of EU law at national level.

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<sup>18</sup> European Institute for Gender Equality. (2018). Gender-specific measures in anti-trafficking actions: Report. EIGE. <https://eige.europa.eu/publications-resources/publications/gender-specific-measures-anti-trafficking-actions-report>

Civil society organisations, including NGOs and networks such as Victim Support Europe (VSE), play a critical role in **triggering Commission action**. By documenting recurring failures, submitting evidence-based complaints, and identifying emblematic cases, civil society provides the factual and legal basis for enforcement. Case law such as *Chowdury and Others v. Greece* has demonstrated how strategic cases can clarify state obligations under Article 4 ECHR and inform EU-level enforcement priorities.

By working closely with NGOs and victim support organisations, the Commission can ensure that forced labour and trafficking are addressed not only as isolated criminal offences, but as systemic violations requiring coordinated legal, regulatory, and institutional responses. Strategic litigation, supported by civil society evidence and Commission enforcement, remains essential to translating EU anti-trafficking commitments into real protection for victims.

To strengthen the use of strategic litigation within the EU Anti-Trafficking Strategy, the following actions are recommended:

1. **Prioritise infringement proceedings** where persistent failures in victim identification, protection, or access to remedies in forced labour cases are documented.
2. **Systematically engage in preliminary ruling procedures** before the CJEU in cases raising questions on forced labour, exploitation, and corporate or state responsibility.
3. **Establish structured channels for civil society input**, enabling NGOs and victim support organisations to submit documented patterns of non-compliance and emblematic cases.
4. **Support pre-litigation and strategic case identification** through targeted funding for legal research, evidence-gathering, and victim-centred litigation support.
5. **Link enforcement under anti-trafficking law with emerging forced labour and corporate accountability instruments**, ensuring coherent application across policy areas.
6. **Mainstream victims' rights across enforcement actions**, ensuring that protection, support, and compensation are treated as integral components of anti-trafficking responses.

Strategic litigation, when combined with robust enforcement and meaningful civil society engagement, remains essential to translating EU anti-trafficking commitments into effective protection and accountability in cases of forced labour.

### From Legal Frameworks to Real Protection: Implementing a Victim-Centred EU Anti-Trafficking Strategy

#### Core implementation priorities

- The Strategy must focus squarely on implementation rather than further norm-setting, ensuring that **legal commitments translate into protection on the ground**.
- **Unconditional access to assistance**, protection and, where relevant, residence must be guaranteed on the basis of victims' needs, safety and vulnerability, rather than cooperation with authorities.

- **Support must be provided for as long as needed**, guided by **individual needs assessments**, and must not be framed as time-limited or dependent on the trajectory of criminal proceedings.
- Confiscated assets, corporate fines and recovered profits should be systematically redirected towards **victim compensation, the recovery of unpaid wages and the sustainable funding of specialised support services**.
- **Safe reporting mechanisms** must be established for all victims, supported by credible and enforceable firewalls between victim protection systems and immigration enforcement and by reporting channels beyond law enforcement. These must include **third-party reporting mechanisms** enabling NGOs, victim support services, labour organisations and other trusted actors to report suspected trafficking or indicators of exploitation on behalf of victims without triggering immigration control or punitive consequences. **Specialised and confidential helplines**, run by civil society with proven expertise and standards, must be recognised as a core reporting channel for both victims and third parties, enabling anonymous disclosure, provision of information and advice, and referral to protection and support services through clear and safe pathways. Technology should be a big asset, with ethical trained AI chatbots that could support victims in a preliminary level.

#### A victim-centred framework grounded in five indivisible needs

##### 1. Respect, recognition and dignity

- Victims must be recognised and treated first and foremost as victims of crime, rather than as offenders, irregular migrants or labour law violators.
- Institutional responses must be free from victim-blaming, stigma and credibility bias, and must acknowledge the impact of trauma on behaviour, including fear, withdrawal, inconsistency or continued contact with exploiters.
- Re-traumatisation and secondary victimisation must be avoided by limiting repeated interviews, unnecessary exposure and intrusive credibility-testing practices.
- Victims must retain informed consent and meaningful control over decisions affecting them, supported by empowerment, autonomy and respect for their own assessment of what feels safe.

##### 2. Early and unconditional access to support

- Victims must have early access to assistance based on reasonable grounds, without any requirement to cooperate with law enforcement authorities.
- Support must be continuous, long-term and recovery-oriented, reflecting the lasting impact of exploitation and trauma.

- Assistance must be integrated and holistic, covering safe and appropriate accommodation, material assistance, medical and psychological care, interpretation and translation services, and free, confidential legal assistance.
- Individual needs assessments should follow a two-stage model, starting with an immediate frontline assessment addressing urgent safety, accommodation and medical needs, and followed by an in-depth assessment led by specialised services to guide medium- and long-term support, protection and procedural safeguards.
- Support must be tailored to specific vulnerabilities linked to age, including child victims, gender and sexual exploitation, disability, trauma and coercion, migration status, and technology-facilitated or online exploitation.
- Accessibility must be ensured in practice through physical, digital, linguistic and procedural measures, including the timely provision of interpreters, translated materials and disability-sensitive support.

### 3. Protection and safety

- Protection must be ensured from the first point of contact, including safeguards against intimidation, retaliation, further exploitation and secondary victimisation during procedures.
- Protection measures must address exploitation-specific risks, including labour-related retaliation, blacklisting and debt enforcement, as well as digital exposure, online surveillance, image-based abuse and cross-border threats.
- The **non-punishment principle** must be applied early and consistently to all victims compelled to commit offences as a direct result of trafficking, including status offences, purpose offences and other acts linked to exploitation.
- Non-punishment must operate as a practical safeguard rather than a discretionary exception, particularly where victims are first encountered through law enforcement, immigration control or financial and cybercrime systems.
- Trust-building must be prioritised through access to safe, neutral spaces for disclosure and interactions that minimise pressure, authority and fear of punitive consequences.
- Individual risk assessments must be actionable and include concrete measures to ensure physical, psychological and digital safety.

### 4. Access to justice

- Victims must receive clear, accessible and progressive information about their rights and available procedures, delivered over time, in a language they understand, and through multiple channels including non-police routes.
- Free legal assistance and representation must be guaranteed from the earliest stage and must not be limited to criminal proceedings.

- Legal aid must cover all procedures linked to a person's victim status, including criminal cases, civil claims, labour proceedings for wage recovery, compensation mechanisms, and procedures related to residence, asylum or immigration status.
- Procedural safeguards and special measures must be adapted to vulnerability and trauma, including child-centred approaches for child victims and trauma-adapted procedures for victims of sexual exploitation.
- Trained, independent interpreters must be available from first contact and throughout all interactions with authorities and support services, ensuring that access to rights does not depend on language proficiency.
- Carefully regulated use of AI tools may support accessibility, particularly in addressing language barriers, provided that human oversight and informed consent are fully ensured.

## **5. Compensation and remedies**

- Victims must have realistic and effective access to compensation and remedies that is not dependent on criminal convictions.
- Support must be provided to enable victims to claim damages, recover unpaid wages and access confiscated assets.
- National compensation systems should be strengthened through dedicated funds that are accessible regardless of residence status and that cover both material and immaterial damages.
- A European compensation model, inspired by civil society proposals, should support consistency across Member States while allowing adaptation to national legal traditions and administrative systems.
- Compensation mechanisms must function effectively in cross-border cases without loss of entitlements, excessive procedural burdens or gaps in continuity.

## **6. Strengthening referral systems and coordination**

- National Referral Mechanisms must be enshrined in law, adequately funded and designed to include civil society actors, recognising the essential role of specialised victim support organisations.
- The Strategy should define a minimum set of core NRM elements while allowing national adaptation, covering proactive identification and referral pathways, structured risk and needs assessments, short-term protection and assistance, long-term recovery and social inclusion measures, professional training and capacity-building, monitoring and feedback mechanisms, child- and gender-sensitive approaches, and support for safe reporting through credible data firewalls.

- At EU level, the European Referral Mechanism should prioritise safe referrals and continuity of support rather than return and be developed in close cooperation with national stakeholders.
- Referral and coordination pathways must be interoperable, ensuring functional links across asylum, migration, labour, social services, victim support systems and cross-border cooperation structures.

## **7.Embedding victim support in emergencies and ensuring accountability**

- Victim support must be embedded within EU and national emergency and crisis response systems, recognising that emergency relief without protection leaves victims behind.
- Emergency coordination mechanisms should integrate victim support components and deploy specialised teams where needed.
- EU-wide minimum standards for victim support in emergencies must be established to prevent uneven protection and exclusion during crises.
- The Strategy should set measurable EU-wide minimum expectations for assistance and support in practice, ensuring services are confidential, free of charge, accessible through multiple channels and available early without waiting for formal decisions.
- Monitoring, guidance and accountability mechanisms must be strengthened so that EU law functions as a minimum baseline rather than a ceiling.

## **Conclusion**

THB remains one of the most severe and complex human rights violations confronting the EU. While recent legislative advances, particularly the recast Anti-Trafficking Directive, have strengthened the EU's normative framework, their impact will ultimately depend on implementation that is consistent, accountable and centred on victims' lived realities. Experience from the 2021–2025 Strategy demonstrates that strong principles alone are insufficient when access to protection, support and remedies remains conditional, fragmented or uneven across Member States.

The next EU Anti-Trafficking Strategy must therefore move decisively from coordination to enforcement and implementation. This requires proactive identification, unconditional access to support, without exceptions based on the migration status of the victim, effective application of the non-punishment principle, and compensation mechanisms that function in practice, including in cross-border and digital contexts. It also requires sustained investment in specialised services, robust oversight, meaningful involvement of civil society, and strategic use of enforcement and litigation tools to address systemic failures.

By embedding victim-centred standards as enforceable baselines rather than aspirational goals, the EU has the opportunity to set a global benchmark in the fight against THB and organised crime, that threats

EU's security by funding its activities by exploiting innocents. A Strategy grounded in dignity, protection and access to justice will not only strengthen accountability for perpetrators, but also ensure that those harmed by trafficking are recognised, supported and empowered to rebuild their lives. Only through such an approach can the EU credibly deliver on its commitment to ensure that no victim is left behind.

#### About Victim Support Europe (VSE)

Victim Support Europe (VSE) is the leading European umbrella organisation which represents all victims of all crime, no matter who the victim is and what the crime is, representing 80 member organisations and providing support and information to more than 2 million people affected by crime every year in 35 countries. VSE actively engages and influences the development of European public and victims' policy to highlight the needs of victims and those affected by crime, as well as to strengthen victims' rights and support in the aftermath of a crime.