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Migration and Integration Fund  
of the European Union



# Towards more effective identification of victims trafficking in human beings – Practices from the OSCE region

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# Today's focus

- I. Introduction
- II. Alternative path of formal identification for long-term assistance
- III. Practices from OSCE participating States: Greece, Latvia, Serbia, Ukraine



# Formal identification and assistance

Assistance to victims of trafficking **should not be conditional** on their willingness to participate in criminal proceedings

*2013 Addendum to the OSCE AP to Combat THB*

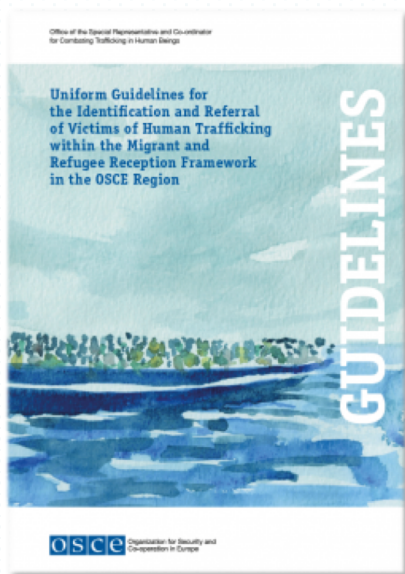
## IN REALITY:

- Identification of victims of trafficking is led by law enforcement
- Multi-agency identification is seldom implemented
- Limitations of the reflection period
- Long-term assistance is hardly provided without a criminal case

## NEED FOR THE ENHANCED ROLE OF SOCIAL SECTOR



# Progress: mixed migration context



## GUIDELINES

for the identification and referral of  
victims of human trafficking within  
the migrant and refugee reception  
framework in the OSCE region

<https://www.osce.org/secretariat/413123>



## Promotion of the 'social path' of identification

- **Human-rights** and **trauma-informed** approach
- **Gender** and **age-sensitive** procedures
- Formal identification **detached from the criminal justice system**
- Provision of **clear and adequate information** to presumed and identified victims
- Necessary **protection and assistance to presumed victims** until a final decision on their formal status is taken
- **Long-term assistance not conditional** on a victim's willingness to participate in the criminal proceedings

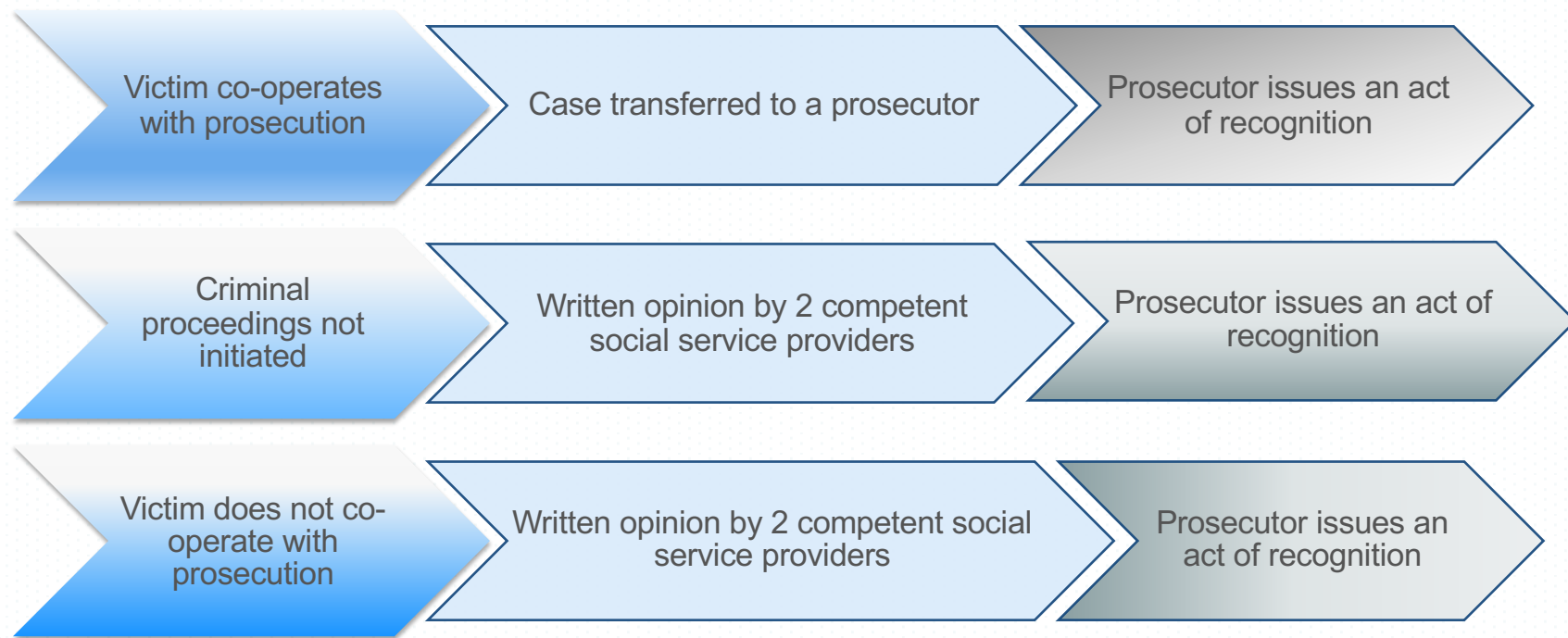


## Greece: national referral mechanism (NRM)

- NRM management is assigned to **National Centre for Social Solidarity (EKKA)** – co-ordinated by the Office of the National CTHB Rapporteur
- EKKA – independent legal entity **supervised by the Ministry of Labour and Social Affairs** (<https://ekka.org.gr/index.php/en/>)
- **Operating principles:** State ownership, engagement of civil society, victim-centred and human rights-based approach, interdisciplinary and cross-sectoral
- **Two pathways** for formal recognition of victims of human trafficking



## Greece: formal recognition procedure



## Greece: long-term assistance

1. **Social integration:** education-training, employment integration, entertainment, independent living
2. **Voluntary repatriation:** informing the victim, assessing the risks, establishing contact with protection authorities in the country of origin, managing a return trip
3. **Relocation to a third country**





## Latvia: formal identification

- **Two pathways** for formal identification of victims of human trafficking
- **State Police** - determined by the presence of sufficient grounds for initiating a criminal case
- **Multi-disciplinary commission** - in the absence of a criminal case
- Commission **assesses a case** and makes a decision by majority vote
- Assessment is sent to the Social Integration State Agency for **state-funded social rehabilitation service**
- Victims enter the **recovery and reflection** period



## Serbia: formal identification

- **Centre for the Protection of Victims of Trafficking (CPVT)** – in charge of the formal identification
- **Referral** is done by a variety of actors – **local multidisciplinary teams** in different locations
- **CPVT interviews** a presumed victim (questionnaire supported by the info from relevant local stakeholders)
- **CPVT determines** whether a person concerned is a victim of trafficking
- **CPVT co-ordinates** victim assistance

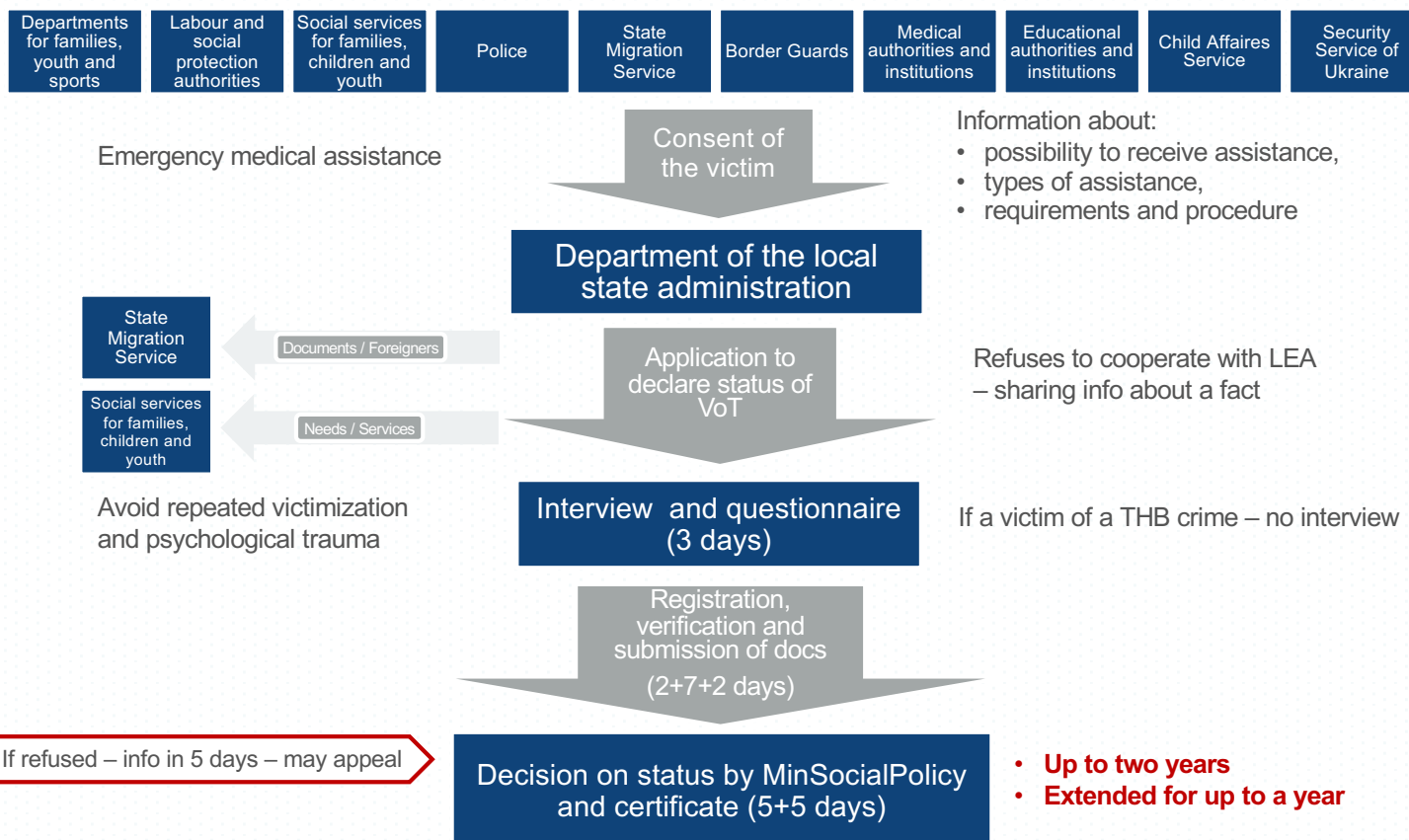


## ‘Bottlenecks’ remain...

- **Participation in criminal proceedings** continues to play an important role - impact on granting a **residence permit** and **long-term assistance**
- A viable criminal THB case is still reliant on a **victim’s testimony**
- **Returns dominate** the decision-making process in the context of long-term solutions



# Ukraine: formal status procedure



## Ukraine: salient features of the procedure

- Formal status and long-term assistance purposes are **fully detached from criminal proceedings**
- Application for the status and subsequent assistance are **administered at the local level**
- Formal status is granted by the **Ministry of Social Policy** (which is also the National CTHB Co-ordinator)
- In case of rejection, applicants still receive assistance as **people in difficult life circumstances**
- Foreign victims receive **temporary residence** and **work permits**
- All victims receive **one-time financial aid**



# Thank you!



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