Implementation of the Eurojust Action Plan against THB 2012-2016

Final evaluation report

January 2017

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THB Project Team

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Executive Summary

The nature of Trafficking in Human Beings (THB) cases present inherent difficulties for investigations and prosecutions. Most of these obstacles were identified in the *mid-term report on the implementation of the Eurojust Action Plan against THB* and are confirmed by this report. Indeed, THB investigations are complex, involve increasingly well organized groups, target vulnerable victims and generate profits that are hard to track and to confiscate.

Eurojust casework reveals a better understanding of THB specifics by practitioners, a higher level of coordination which, in turn, translates to a larger number of Joint Investigation Teams being set up, as 75 % of the analysed THB cases with a coordination meeting at Eurojust in 2014/2015 translated into a JIT.

In addition, the higher percentage of coordination meetings, organised by Eurojust with the competent national authorities in THB cases can be regarded as an indicator of the willingness and availability of national authorities to cooperate on a higher level, with the assistance of Eurojust, in order to meet the challenges induced by the complexity of THB cases.

It is noteworthy that, in a general context of scarce resources, the allocation of significant financial means to set up JITs and agree on other facilitation tools indicates that the cases brought to Eurojust were assessed as deserving Eurojust's financial and operational assistance.

Finally, an important milestone has been reached with the setting up of the first two JITs in THB cases between an EU Member State and a third State.

In terms of methodology, the Evaluation highlights challenges related to the reliability of the data made available. The report shows that beyond the mere exercise of evaluating the *Eurojust Action Plan*, reliable and complete data are key to designing and promoting a tailor made, informed and accurate policy response to THB. In this respect, Article 13 notification feeds the process of collecting and analyzing relevant information. Such information is essential to identifying potential links to other cases registered at Eurojust and more generally triggers Eurojust's further support where and when appropriate.

THB calls for more cooperation at the EU level to ensure a coordinated holistic repressive approach to circumvent the procedural, practical and legal obstacles that may arise, and particularly the difficulty of gathering solid and admissible evidence. The Agency remains therefore committed to continuing supporting practitioners through JITs and other relevant means, and further disseminating its experience and knowledge as an integral part of this facilitating role.

Eurojust's added value in this respect was underlined by practitioners as pivotal in facilitating judicial cooperation to fight the increasingly complex crime type that is THB.

List of Acronyms

CAU	Case Analysis Unit
CEPOL	European Union Agency for Law Enforcement Training
CMS	Case Management System
EASO	European Asylum Support Office
EAW	European Arrest Warrant
EMPACT	European Multidisciplinary Platform against Criminal Threats
FP	Focal Point
FRA	Fundamental Rights Agency
GRETA	Council of Europe Group of Experts on Action against Trafficking in Human Beings
IOM	International Organisation for Migration
JIT	Joint investigation team
LoR	Letter of request
MLA	Mutual legal assistance
OCG	Organised crime group
TAIEX	Technical Assistance and Information Exchange instrument of the European Commission
TFEU	Treaty on the Functioning of the European Union
THB	Trafficking in human beings
UNODC	United Nations Organisation on Drugs and Crime

Introduction

Purpose

This report presents the final evaluation of the implementation of the *Eurojust action plan against trafficking in human beings 2012-2016* ("the action plan"). Although the action plan was published in October 2012, for the purpose of this final evaluation and ease of reference, the action period covers January 2012 to December 2016.

The final evaluation aims to review Eurojust's work in the fight against trafficking in human beings (THB) during the period from 01 January 2012 until 31 December 2016 (hereinafter "the action period") and for specific issues the work during two years of the action plan 2014-2016 (hereinafter the "reporting period").

The THB Project Team (described in Annex II) appointed by the Trafficking and Related Crimes Team has carried out the evaluation and drafted the report. The report follows a mid-term review which covered the period 2012-2013 (*mid-term report on the implementation of the Eurojust Action Plan against THB 2012-2016*, published in November 2014, hereinafter referred to as the *mid-term report*).

Scope

The findings of the report are based on Eurojust's casework in THB cases registered during the action period, and with regard to specific issues based on the analysis of 28 selected THB cases dealt with by Eurojust ("analysis of casework") in which at least one coordination meeting was held during 2014-2015 and/or in which a JIT was set up during this period.

Structure

The report is structured into eight sections. **Sections 1-6** describe the implementation of the action plan in its six priority areas, as summarized below:

1. Enhancing information exchange;
2. Increasing the number of detections, investigations and prosecutions in THB cases and enhancing judicial cooperation in this area;
3. Training and expertise in THB cases;
4. Increased cooperation with third States in THB cases;
5. Developing multidisciplinary approaches to combating THB;
6. Disrupting criminal money flows and assisting in asset recovery in THB cases.

Each of the first six sections focuses on the level of implementation of the relevant strategic targets mentioned in the action plan.

Section 7 presents other relevant Eurojust activities in the fight against THB during the reporting period, such as the involvement of Eurojust in the Operational Action Plans for the EU crime priority "THB" and the activities of the Eurojust THB Contact Point. **Section 8** summarizes the main conclusions of the THB Project Team for future actions.

Annex I contains a table with an overview of the implementation of the action plan. The methodology used by the THB Project Team in carrying out the analysis of casework is presented in **Annex II** of the report as well as the limitations. Annex II furthermore presents the THB Project Team.

This evaluation completes the project aimed at monitoring the implementation of the *Eurojust Action Plan* against trafficking in human beings. As the final evaluation indicates, Eurojust found that the challenges associated with investigating and prosecuting THB cases are similar to the ones identified in 2012. They are unlikely to change in magnitude and nature in the near future.

Next steps

To maximize the added value of Eurojust in that context, it was assessed that Eurojust should take stock of the challenges and focus in the future on facilitating the smooth processing of casework.

As a result, the THB Project Team intends to focus on supporting operations by providing expert opinions on THB cases during coordination meetings, providing legal and operational expertise and financial support in setting up JITs and keep practitioners abreast of developments in this crime type, which is in a state constant evolution.

1. Exchange of information in THB cases *(Priority One)*

1.1. Coordination meetings and coordination centres at Eurojust

Strategic targets

This section deals with the implementation, during the action period, of the following strategic target of the action plan: *the quantity and quality of coordination meetings and coordination centres at Eurojust increase in THB cases.*

Implementation

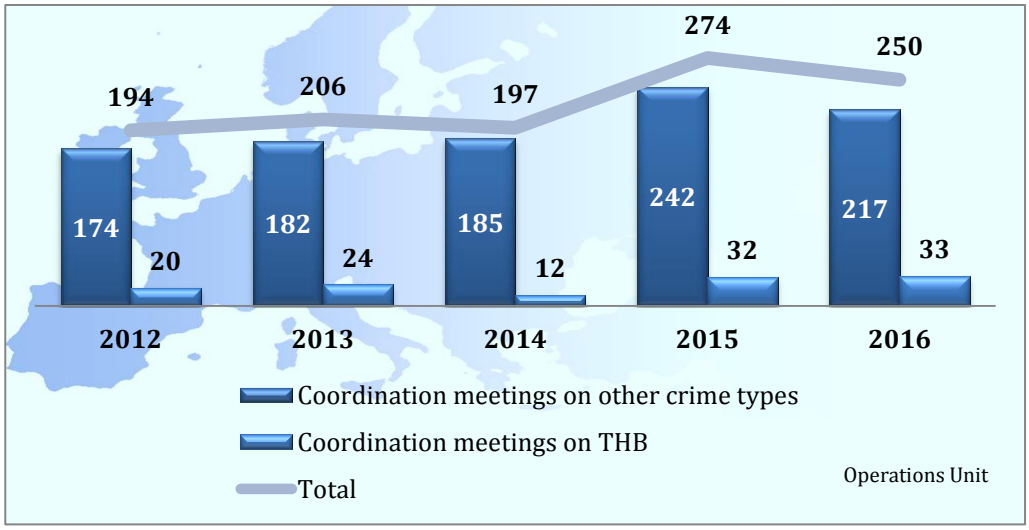
This chapter provides an overview of Eurojust coordination meetings and coordination centres on THB cases during the entire action period and provides more in-depth findings based on the analysis of 28 THB cases where a coordination meeting or coordination centre was organised, and/or a JIT was set up in 2014 and/or 2015.

Number of coordination meetings and coordination centres on THB cases

Coordination meetings at Eurojust are designed to bring together the judicial and law enforcement authorities of the involved states to facilitate the exchange of information, to support mutual legal assistance measures, to coordinate ongoing investigations and prosecutions and to detect, prevent or resolve conflicts of jurisdiction or *ne bis in idem*-related issues.

During the whole action period, Eurojust held a total of 1121 coordination meetings. 121 of these coordination meetings were dedicated to THB cases. The percentage of coordination meetings dedicated to THB (11%) is higher than the percentage of THB cases in general casework (4%). This means that the level of cooperation and coordination in THB cases facilitated by Eurojust is comparatively higher than in most other crime areas.

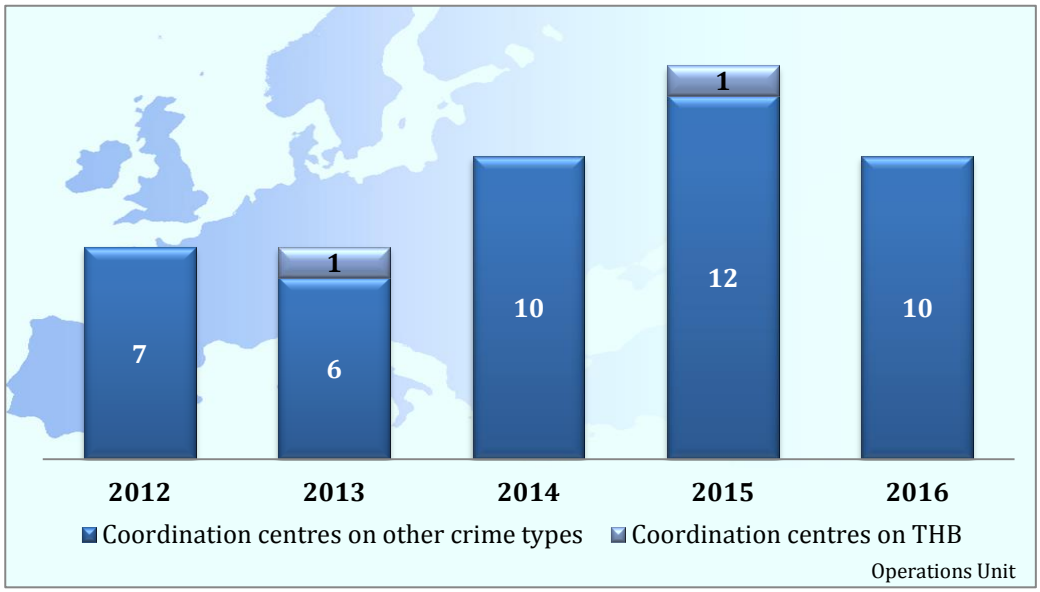
A remarkable increase of coordination meetings in THB cases can be noted in 2015 (32 coordination meetings) in comparison to the previous years; the numbers of coordination meetings in THB cases in 2016 was 33, implying that a sustained increase in the number of cases has developed.



Eurojust's **coordination centres** facilitate the exchange of information among judicial authorities in real time and enable direct support of the coordinated, simultaneous execution of, *inter alia*, arrest warrants, searches and seizures in different states.

During the entire action period, there were just two coordination centres dedicated to THB cases out of a total of 47 coordination centres.

Out of the 28 dedicated THB cases analysed by the THB Project Team, only one case benefitted from a coordination centre. This case concerned France and Romania and involved coordination by Eurojust and the participation of Europol's experts. Law enforcement authorities dismantled a Romanian gang that trafficked young Romanian women to France for sexual exploitation. The majority of the operation took place in Romania and resulted in 25 suspects being taken into custody for THB, 56 house searches being conducted and items being seized that included: EUR 20 000, 12 luxury vehicles, 88 mobile telephones, 79 SIM cards, 25 computers, jewellery, steroids, and drugs, including cannabis.



Findings

Findings from the analysis of the 28 THB cases in which at least one coordination meeting or coordination centre was organised, or a JIT was set up in 2014 and/or 2015[1]:

Level II meetings in THB cases

Level II meetings, which are held between the involved National Desks at Eurojust, mainly serve to facilitate the preparation of upcoming coordination meetings. In 10 out of the 28 THB cases, a Level II meeting was held, which represents a slight decrease since the last reporting period.

[1] The analysis focuses on THB cases with coordination meetings and/or a JIT set up in 2014/2015. Only when significant discrepancies or changes could be noted in comparison to the previous reporting period 2012/2013 (see also the findings of the *mid-term report*), a reference is made to the previous reporting period.

The Level II meetings dealt with several topics, including discussions on possible suitable dates and the list of participants for the coordination meeting. Furthermore, half of the Level II meetings addressed the possible setting up of a Joint Investigation Team (JIT) or draft JIT agreement. Other issues at stake were: the exchange of information on the state of the respective investigations (and investigation deadlines), the identification of overlaps and potential conflicts of jurisdiction, the extension of the case towards other states and the state of the execution of Letters of Request (LoRs).

Information exchange and preparatory requests prior to a coordination meeting

In at least 21 of the 28 THB cases, information was exchanged prior to the coordination meeting, in particular on the national authorities involved, the nature of the case and the existence and state of parallel investigations, previous police and judicial cooperation and, in one case, information on the legal possibilities for setting up a JIT with a third State.

In 13 cases, documents from national files were exchanged (such as investigative files, copies of LoRs, Arrest Warrants, draft JIT agreements).

Preparatory requests prior to coordination meetings were sent in 14 cases. The requests included to verify the existence of or the state of play of parallel investigations and to forward and/or comment on draft JIT agreements. In some cases, the National Desks were requested to forward LoRs or to check their state of execution, or to check the availability of the national authorities to attend a coordination meeting.

Preliminary case note

In some of the more complex cases, National Desks require the former Case Analysis Unit, CAU (now called the Operations Unit) to analyse all documents transmitted by the national authorities and prepare an overview of the case and related judicial cooperation issues in view of discussions to be held at coordination meetings (called “preliminary case note”). Out of 28 THB cases, a (preliminary) case note was prepared by the CAU in five cases. One of these cases was particularly complex and required preparation for three coordination meetings. More details can be found under Chapter 6 dealing with Financial Investigations and asset recovery.

Participation in coordination meetings

With the exception of three cases, all involved states attended the coordination meetings, which took place with regard to the analysed cases. Four cases had coordination meetings in which not all delegations included external participants (national authorities).

Outcome of coordination meetings

The analysis of the 28 THB cases has confirmed the great added value of coordination meetings at Eurojust, since in **all cases** a **joint strategy for coordinated action or joint investigation** was agreed in the framework of the coordination meeting (as opposed to 68% in the previous reporting period).

It is to be noted that nine of the analysed 28 THB cases were particularly complex and required more than one coordination meeting.

A **JIT** was set up in 21 cases (75%) which is a **remarkable increase** since the last reporting period (in which in 48% of the analysed cases a JIT was set up).

Furthermore, in comparison to the previous reporting period an increase could be noted in relation to the following issues: the stages of investigations and related operational needs were identified in 14 cases (50% as opposed to 36% in the previous reporting period), future actions were agreed on in 11 cases (39% as opposed to 20% in the previous reporting period) and jurisdictional strategies (covering issues as ne bis in idem, avoiding a conflict of jurisdiction, transfer of proceedings, coordination of parallel proceedings) were discussed in 10 cases (36%).

Other topics discussed in the framework of the coordination meetings were the issuing and execution of EAWs and LoRs, strategies to dismantle an Organised Crime Group (OCG), the initiation of investigations in another state or links to a state not previously involved, possible judicial cooperation with non-cooperative third States and the involvement of Europol.

A decrease could be noted in relation to two issues: the secure and/or spontaneous exchange of information and evidence was discussed in 5 cases (18%, as opposed to 36% in the previous reporting period); and as a result of a coordination meeting, LoRs and/or EAWs were sped up in at least 13 cases (46% as opposed to 56% in the previous reporting period).

This decrease however, could be linked to the increased setting up of JITs in THB cases, resulting in a more effective exchange of information without the need for LoRs.

Follow up

In 21 of the analysed cases (75%, as opposed to 60% in the previous reporting period), it is documented in the file that the conclusions of the coordination meeting were followed up (JITs were set up or extended, JIT funding was requested, the execution of LoRs/EAWs was facilitated, operational measures were conducted, Action Days took place, evidence was shared; in one case, a non-binding recommendation concerning the transfer of proceedings was issued by a National Member). In six cases, the conclusions were followed-up only partially, mainly because the cases are still open and ongoing.

However, in one case, even though a JIT was set up between two states, one state

planned and conducted an Action Day without prior consultation with the other JIT partner. The lesson learned in this case was that especially in the context of a JIT, good communication/consultation, as well as transparency, prior to any action are of utmost importance at the level of the responsible persons (JIT leaders) in order to prevent misunderstandings.

Conclusions

Taking into account Eurojust THB casework during the whole action period and the main findings from the in-depth analysis of the 28 THB cases with a coordination meeting and/or JIT set up in 2014/2015, **it can be concluded that the strategic target of increasing the quantity and quality of coordination meetings at Eurojust related to THB cases, was achieved.**

In particular the significant increase of coordination meetings in THB cases in 2015 and 2016 has to be highlighted, as well as the remarkable increase in the setting up of JITs in THB cases.

However, the strategic target of increased numbers of coordination centres at Eurojust to support Action Days in THB cases was not achieved with only two coordination centres having been held in the entire action period.

1.2. Europol's involvement in THB cases registered at Eurojust

Strategic targets

This section deals with the implementation during the reporting period of the following strategic target of the action plan: *the number of Eurojust's THB cases and THB coordination meetings where Europol is invited to participate increases.*

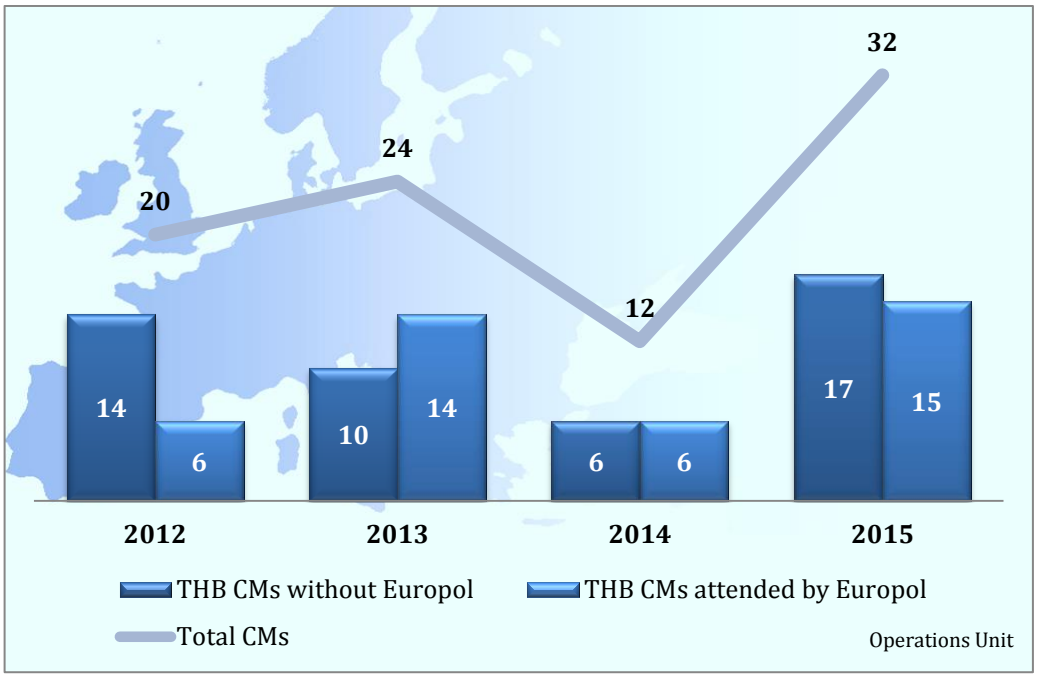
Implementation

This chapter provides an overview of THB cases with Europol's involvement and of coordination meetings on THB attended by Europol. The findings are based on data extracted from the 28 THB cases analysed by the THB Project Team.

Involvement of Europol

Europol was involved in 20 of the 28 THB analysed cases, representing an increase to 71% as opposed to 64% in the previous reporting period. In at least nine of those 20 cases, an operational meeting took place at Europol either before or after the coordination meeting. In four of the nine operational meetings, Eurojust was present as well. According to the information available in the files at Eurojust, in one operational meeting, national prosecutors were present.

Europol participated in 21 coordination meetings in 2014 and 2015. These 21 coordination meetings related to 18 of the 28 analysed cases (some cases of greater complexity were dealt with in more than one coordination meeting). In two cases, Europol was involved but did not attend the coordination meeting at Eurojust. In 13 cases, Europol was represented by a Focal Point in the coordination meeting and in 10 cases by at least one member of the National Liaison Bureau. In six cases, it was both.



The above chart on THB coordination meetings attended by Europol takes into account participation of a Focal Point (THB coordination meetings were not only attended by FP Phoenix, but also FP Furtum and FP Checkpoint) and/or at least one member of the National Liaison Bureau at Europol (Liaison Officer). This methodology is in line with the one used in the *mid-term report*. However, the THB Project Team is aware of the fact that Liaison Officers are not under the command of Europol and its Director and act in accordance with the law of their own Member State.

This chart does not cover THB cases with coordination meetings in 2016, as the in-depth analysis was conducted only for the years 2014-2015 (and 2012-2013 in the framework of the *mid-term report*).

Contribution

Europol contributed before and after the coordination meetings with data-analysis, cross-matching data, facilitating cooperation on the law enforcement level between the national authorities and explaining the possibilities for Europol assistance (especially the preparation of analytical reports, the organisation of operational meetings, the deployment of a Mobile Office and the use of Universal Forensic Examination Tools).

Conclusions

With involvement of Europol in 71% of the 28 THB cases analysed (representing an increase to the previous reporting period), it can be noted that **the strategic target of increasing the number of Eurojust's THB cases and THB coordination meetings where Europol is invited to participate, has been reached.**

1.3. Information on THB cases based on Article 13 of the Eurojust Decision

Strategic targets

This sub-section deals with the implementation, during the action period, of the following strategic targets of the action plan:

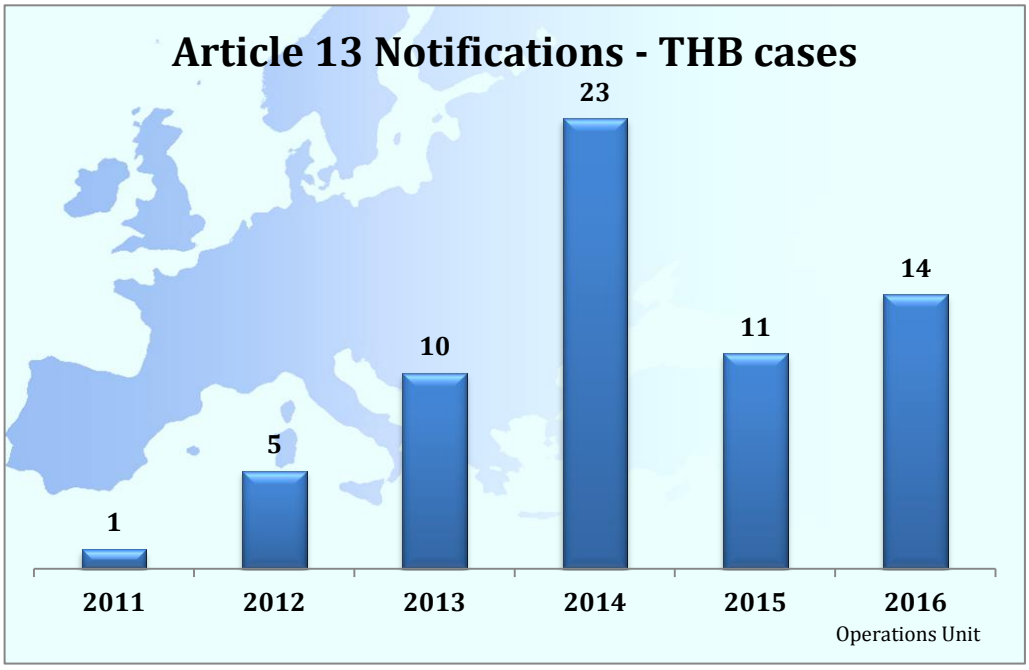
- *Increased number of serious THB cross-border cases sent by the Member States to Eurojust on the basis of Article 13 of the Eurojust Decision;*
- *Feedback and links identified by Eurojust and communicated to the Member States in a timely fashion.*

Implementation

With the adoption of the Eurojust Council Decision in 2009, a reporting obligation for the Member States to Eurojust was introduced. Article 13 of the Eurojust Decision lists a set of specific circumstances in which the Member States are obligated to report a minimum level of information to Eurojust in a structured manner. Eurojust National Members are responsible pursuant to Article 13a of the Eurojust Decision for providing feedback to the competent national authority on the results of processing the information, including when a link is confirmed with a case already stored in the Eurojust Case Management System (CMS).

A total of 64 notifications were received in relation to THB cases from the deadline for the transposition of the Eurojust decision (4 June 2011) until 31 December 2016, showing a remarkable peak in the year 2014 with 23 notifications. 25 of these 64 notifications were registered as operational cases at Eurojust.

The notifications in THB cases represent 6.2 % of the total number of Article 13 notifications received by Eurojust (1025 notifications since 4 June 2011).



The analysis of the 28 selected THB cases has shown that in relation to two of cases an Article 13 notification was sent to Eurojust. In one of the two cases, Eurojust provided feedback and identified links and the case was registered at Eurojust as a result of the notification.

Conclusions

Overall, the Strategic Target has been achieved. There was a substantial increase in Article 13 notifications in THB cases in the year 2014. However, in 2015 and 2016 the amount of Article 13 information sent by the Member States decreased again. The total number of Article 13 notifications in THB cases still remains low.

Notifications are key to identifying potential links to other cases registered at Eurojust and more generally trigger Eurojust's further support where and when appropriate.

Eurojust invites the national authorities to send Article 13 notifications to Eurojust and shall send, where appropriate, feedback and links to the Member States.

2. Investigations and prosecutions of THB cases and judicial cooperation in this area *(Priority Two)*

2.1. Overview of THB cases registered at Eurojust

Strategic targets

This section deals with the implementation, during the action period, of the following strategic targets of the action plan:

- *The number of THB cases registered at Eurojust increases.*
- *The number of multilateral THB cases compared to the total number of THB cases registered at Eurojust increases.*

Implementation

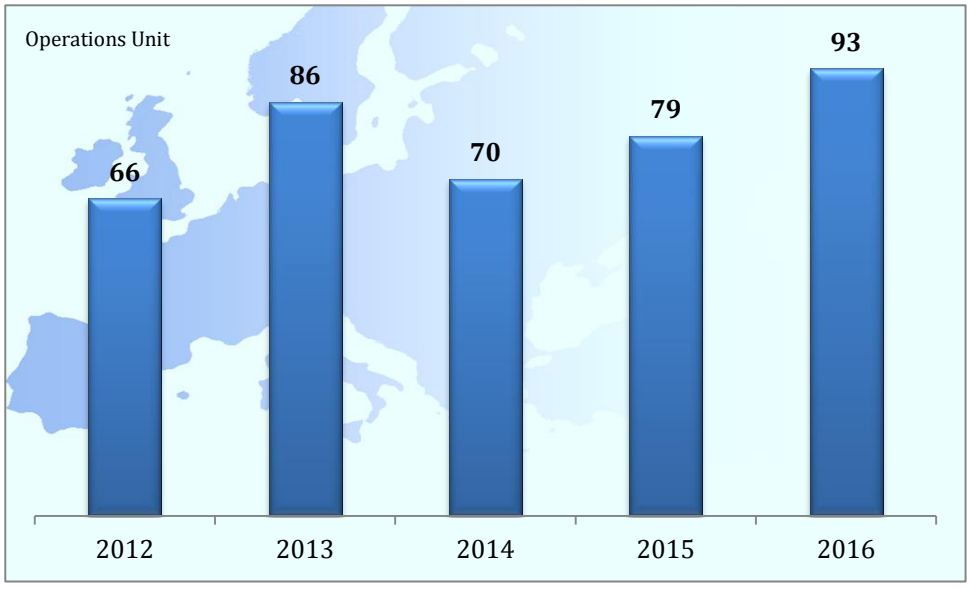
This chapter provides an overview of THB cases registered at Eurojust during the entire action period. The findings are based on quantitative data extracted from the CMS.

Please note that, with reference to the below figures, there are minor variations to the figures included in the *mid-term report*. This is due to the fact that the figures are extracted from a database (the Case Management System – CMS), which is subject to modifications by the users in time. The CMS is a living database and the data are not frozen at the end of the calendar years. The cases at Eurojust have an evolving nature and as such there might be small discrepancies when data are extracted at different times.

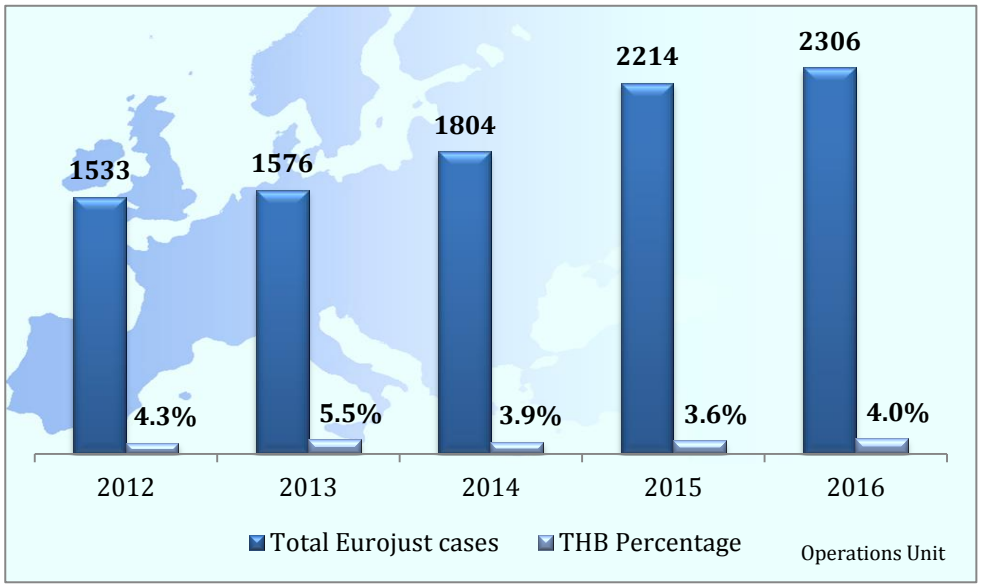
Number of registered THB cases

The number of THB cases at Eurojust remained relatively stable throughout the action period.

However, in the past years an increase could be noted from 70 registered THB cases in 2014 to 79 registered THB cases in 2015. In 2016, the highest number of THB cases can be noted with 93 cases being registered.

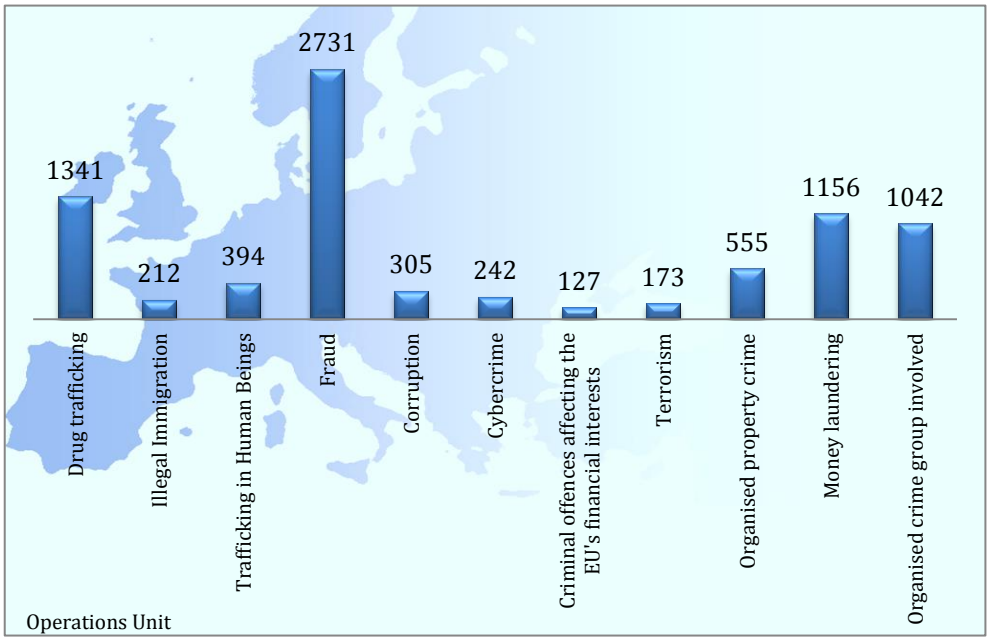


However, the chart below on percentages of registered THB cases in relation to the total number of cases registered at Eurojust demonstrates the relatively low number of THB cases. In the entire action period, an average of only 4.3% of all cases registered at Eurojust dealt with THB.



Distribution of crime types

The chart below illustrates the number of cases registered in the entire action period per Eurojust crime type priority. By far the most cases at Eurojust were registered in relation to fraud, followed by drug trafficking, money laundering and involvement of an organised crime group. THB is sixth in the ranking of all cases.



Associated crime types

The crime type most frequently associated to THB cases registered at Eurojust over the entire action period is the involvement of a criminal organisation (in 2012 and 2016, approximately 30% of all registered THB cases; in 2013, 2014 and 2015, around 20% of all registered THB cases). Other crime types which were associated to THB cases over the action period include:

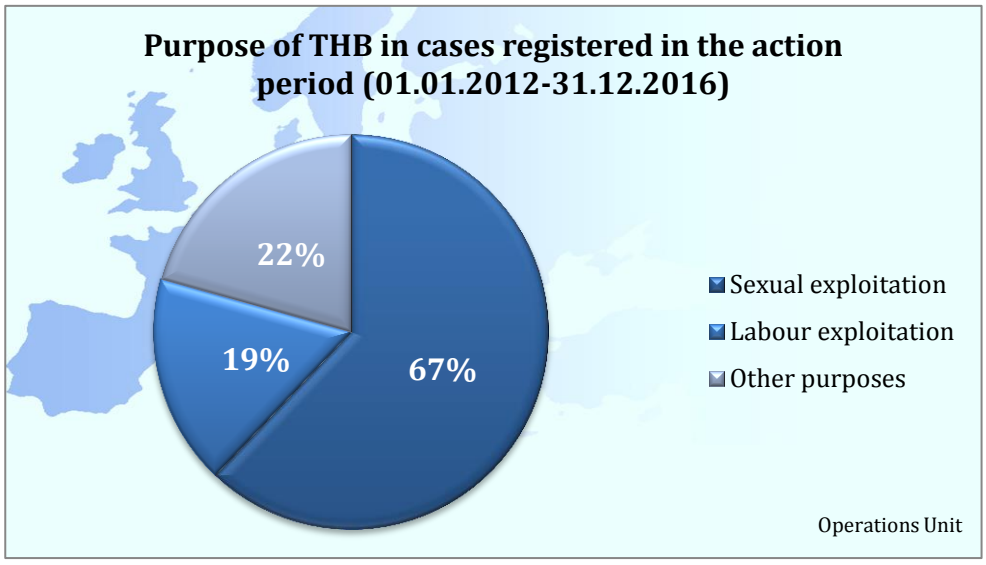
- Money laundering (a slight but steady increase could be noted from 2013 onwards; see also Chapter 6.1.);
- Forgery of administrative/official documents;
- Drug trafficking; and
- Crimes against life, limb or personal freedom.

Two associated crime types appear in every year of the action plan (2012-2015), except 2016: illegal immigration, and swindling and fraud.

Terrorism was an associated crime type in connection to two THB cases which were registered in 2015.

Purpose of THB

Sexual exploitation is the main category of THB in Eurojust cases. Taking into account the entire action period, 264 cases (67%) out of a total of 394 registered THB cases were marked in the CMS as THB for sexual exploitation, 73 cases (19%) as THB for labour exploitation and 86 cases (22%) dealt with THB for other purposes.



Disclaimer: one case can have more than one subcategory

In more than half of the cases[2] (45 cases) which were registered as THB for other purposes in the CMS, the National Desk at Eurojust registering the case has not

[2] According to the information available in the CMS under 'Brief Case Summary'.

received specific information on the purpose of THB from the national authority. Furthermore, this sub-category was used in 12 cases which - according to the Brief Case Summary in the CMS - are dealing with illegal immigration. There are two possible reasons for this:

- either it could have been unclear in the beginning of the investigation whether a case qualifies as THB or illegal immigration (or possibly both); or
- the word 'trafficking' has been misinterpreted as 'smuggling'.

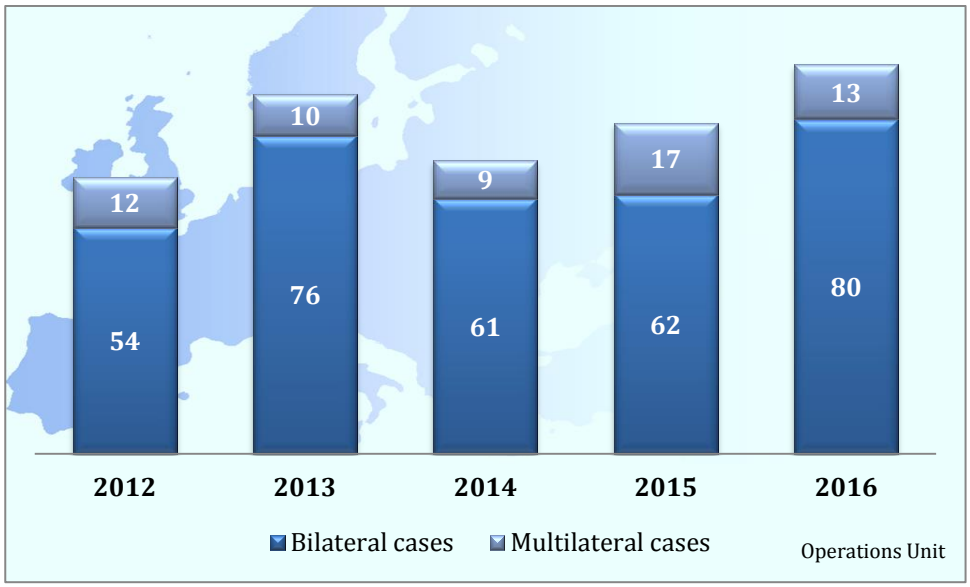
One case, which was opened at Eurojust for both, illegal immigrant smuggling (IIS) and THB, dealt with an OCG operating from outside the EU, with cells active in EU Member States, which organised the illegal transit of migrants into EU Member States and at a later stage exploited some of these migrants (for example, in the agricultural sector). From this case it becomes apparent that the boundaries between THB and IIS can be blurred and that the two crimes sometimes intertwine. Smuggled migrants can, at later stage, become victims of trafficking because the smuggler/facilitator changes his conduct and uses coercion for the purpose of exploitation and other manifestations of abuse (threats, violence or deception). It is therefore of utmost importance to assess all stages of the smuggling/trafficking in order to identify the correct legal definition of the conduct of the smuggler/trafficker.

In the course of the analysis of selected THB cases, in which a coordination meeting took place and/or a JIT was set up in 2014/2015, three cases were identified by the THB Project Team as illegal immigration cases and were therefore not considered for this report.

Eight THB for other purposes cases dealt with the trafficking of victims (sometimes minors) for the purpose of committing crimes against property, such as forced begging, pickpocketing or stealing; six cases dealt with arranging sham marriages with citizens of third States; five cases dealt with the trafficking of pregnant women for the purpose of selling their babies; in four cases the trafficking of minors is mentioned without specifying the purpose of THB; two cases were linked to the trafficking of persons for terrorist purposes; and one case each dealt with child abduction, social security benefit fraud and facilitation of identity fraud.

Proportion of multilateral/bilateral cases

Considering all THB cases registered in the action period, it is to be noted that the strategic target to increase the number of multilateral THB cases at Eurojust has not been achieved. From 18% multilateral THB cases in 2012, a decrease can be registered in the years 2013 (12%) and 2014 (13%). In 2015, there was an increase (22% multilateral THB cases), but unfortunately the figures for 2016 show another decrease to just 14% of THB cases were multilateral.



Conclusions

The analysis of Eurojust THB casework in the action period leads to the conclusion that the strategic target to increase the number of THB cases registered at Eurojust was met. However there was no increase in the number of multilateral THB cases compared to the total number of THB cases registered at Eurojust. Overall, the percentage of registered THB cases in relation to the total number of cases registered at Eurojust remained low over the entire action period (average of 4.3%) and the same applies to the percentage of multilateral THB cases as opposed to bilateral cases(average of 15.9%).

Eurojust will therefore continue to encourage national authorities to refer THB cases to Eurojust, in particular multilateral cases, in accordance with its mandate.

2.2. Best practices and obstacles to judicial cooperation in THB cases

Strategic targets

Enhanced judicial cooperation in THB cases facilitated by Eurojust represents one of the main priority areas of the action plan.

Implementation

This section builds on the previous findings and identifies the main difficulties encountered in judicial cooperation during the reporting period. The THB Project Team analysed 28 dedicated THB cases, in which a coordination meeting took place in 2014/2015 and/or a JIT was set up in this period. THB cases which were opened in 2016 were not taken into account in order not to jeopardize ongoing investigations.

Main obstacles identified:

The analysis of the casework finds that the most significant difficulties identified in the *Final Report of the Strategic Project on Eurojust's action against trafficking in human beings* published in October 2012 remain acute. Most of the findings were

already pointed out in the *mid-term report* which covered the period 2012-2013.

In essence, the main obstacles continue to be related to the **gathering and admissibility of evidenc**e, in particular evidence collected from THB victims. In a significant number of cases, victims or their relatives perceive themselves as, or are at risk. This impacts on the **reliability of their statements**. **Identification and location** of victims are also reported as posing difficulties during the investigations, as victims usually fear for their security or the security of their families. Additional issues related **to the conflict of jurisdiction**, the **execution of EAWs**, **difficulties in proving the offence of money laundering** and in gathering sufficient evidence to prosecute THB cases, were also reported.

The analysis of the case work indicates that the use of cross border special investigative techniques, such as intercept material, in general seems to be recurrently posing a problem, as in at least 10 cases out of 28 this was identified as an issue. In particular, the difference in legislation in relation to wiretapping measures was identified as a hindrance in one particular case involving Bulgaria, the legal system of which provides that wiretapping measures can only be conducted for a maximum period which, in that case, could not accommodate the joint investigations.

Other difficulties stem from the differences between the substantive and criminal law of the Member States. As an illustration, the lack of harmonisation regarding drugs legislation is an incentive for illicit smuggling in the EU with the use of trafficked individuals. For example, Eurojust assisted in organising a coordination meeting and setting up of a JIT regarding trafficked Hungarian women who were forced to smuggle Khat from the UK where it is a legal substance, to Denmark, where it is not.

While the **approximation of substantive and procedural laws** remains an issue that hampers judicial cooperation, in several cases Eurojust was instrumental in mitigating this factor. The organisation of coordination meetings proved to be key to clarifying the issues and finding a common understanding on how to best overcome them.

This was notably the case in three illustrative cases open at Eurojust. The first one concerned *inter alia* the **definition of THB**.

Case illustration #1 – "*JIT Atelier*"

In spring 2013, based on suspicions that child abuse materials (CAM) produced in the Czech Republic had been spread to the USA, Canada and other States through an intermediary in Sweden, a case was opened at Eurojust. The Czech target took advantage of socially and financially disadvantaged children by convincing them to pose for him for the production of pornographic materials. As a result, close to 70 children became victims. The suspects then distributed these illegal child abuse images off- and on-line to customers abroad, who were thought to be part of a worldwide network, which included elements in Spain and the USA.

Investigations were opened in Sweden for aggravated child pornography crime and gross exploitation of children for sexual purposes. In the Czech Republic investigations were opened for the production and other disposal with child pornography and abuse of a child for the production of pornography and later on also for the trafficking in human beings for sexual exploitation/for other purposes, specifically for the production of pornographic material. Subsequently, investigations were opened in Spain for child abuse images and participation in a criminal organisation.

In conjunction with an operational meeting organised at Europol to exchange police information, a coordination meeting was convened at Eurojust that resulted in a JIT being established between Sweden and the Czech Republic. Joint investigations established that the CAM had been spread more broadly, including to Spain. Judicial cooperation with Spain was initiated by issuing MLA requests regarding an identified suspect. Spain subsequently joined the JIT, which facilitated cooperation with the other JIT members. Eurojust provided financial support to the JIT which amounted to 55 000 EUR.

In at least three respects, the case presented interesting features:

1. First, the case is emblematic of the scope of the application of the definition of THB. In the Czech Republic, it was proven that a mother intentionally sent her daughter to pose for the photographer and received financial reward for thiss. The mother was sentenced on the count of the crime of THB, as the Czech legal system allows the prosecution of THB "for the production of pornographic material". The case is ongoing in the Czech Republic as to the main perpetrator, the photographer, and whether he can be charged for THB too, as advocated by the prosecutor.

2. Second, the coordination meetings allowed for the responsible authorities to determine the weakest link in the criminal chain. It was indeed found that one of the key features of the case was the encryption of the vast majority of the CAM. The coordination meetings allowed the authorities to determine that one of the accused had stored unprotected data. The latter could be seized by the Spanish authorities and shared with the other states involved.

3. Finally, the case highlighted the procedural constraints related to the gathering of children-related evidence. These constraints were circumvented *inter alia* as the Czech authorities invited the Swedish authorities to participate when children were interviewed. As a result, video statements were taken, thus complying with Swedish legislation and maximising the added value of the JIT.

While part of the proceedings is still ongoing in the Czech Republic, they are completed in Sweden and Spain. As a result of Eurojust's coordination and facilitation, five of the accused were sentenced from 2 to 12 years imprisonment,

child abuse material was confiscated, as were the proceeds of crime, and financial compensation was allocated to victims.

Given the quality and the nature of the information exchange and the interactions between investigators (all teams were present during interviews, thus alleviating obstacles related to the admissibility of evidence at an early stage), practitioners indicated that solely relying on traditional MLA would not have achieved such a result.

Another case illustration highlighted the **practical difficulties of THB investigations and the use of THB to engage in other forms of crime**.

Case illustration #2 – *"JIT Hvepsebo"*

In the Summer of 2014 Danish authorities started the investigation into a Romanian cross-border OCG specialised in THB for the purpose of labour exploitation. Victims were Romanian nationals, who were lured with false promises of job opportunities in Denmark and forced to engage in theft, money laundering and fraud, including tax fraud.

Approximately 300 victims are believed to have been exploited by the OCG, mainly poorly educated or unemployed males, making the case the largest THB case of that sort in Denmark and revealing new and complex forms of crimes and exploitation.

From an investigation perspective, the case illustrated *inter alia* difficulties in Romania in identifying whether individuals were victims or members of the OCG. Difficulties in launching investigations in small towns, without alerting the suspects, had also to be overcome.

In response, a JIT was formed and three coordination meetings were held. They helped address issues such as admissibility of evidence arising from searches. In this case for example, it was agreed that before the Danish Action Day on 25 February 2015, Denmark needed to submit a prior request, precise information on the house held by the main target and the provision of a list of assets and properties to be seized, as well as the relevant addresses, in order to facilitate the seizure.

The action day which took place in Denmark allowed the gathering of a better understanding of the structure and *modus operandi* of the organization, which, in turn, revealed that the THB was associated with organized fraud, tax fraud and data fraud for an illegal gain of around 7 200 000 EUR.

The case highlighted *inter alia* **the benefit of a multidisciplinary approach** involving NGOs, tax departments, immigration services and law enforcement agencies. It is also illustrative of the measures put in place to build victims' confidence and respond to the specific challenges related to the assistance of male groups of victims. For example, immediate assistance was provided in the form of housing, assistance in voluntarily returning to Romania and reintegration assistance were offered and follow-up/monitoring was put in place.

Finally, another case is illustrative of the **nexus between THB and sham marriages**.

Case illustration #3 – *"GROF/White cup case"*

An OCG was suspected of trafficking women from the Czech Republic to Ireland to conclude sham marriages with non-EU nationals for the purposes of facilitating illegal immigration into the UK. It was also suspected that some of the women involved might be forced into prostitution. Money laundering investigations were also started.

The case is illustrative of the link between facilitation of illegal immigration through organising sham marriages and trafficking in human beings. Interesting features of this case included the displacement effect (in this case from the UK to Ireland) caused by efforts to strengthen UK law and procedure to prevent marriages concluded for the purpose of acquiring immigration rights.

The case also highlighted the differences in legislation between the Czech Republic and UK, both of which recognises sham marriages as a form of THB for other purposes, and Ireland, where the concept of sham marriage was not recognised under Irish law at the time and therefore the act of luring women into the country for this purpose is not regarded as a trafficking offence, unlike for sexual and/or labour exploitation.

Two Eurojust co-ordination meetings were held and a JIT established between the UK and Czech Republic. Ireland provided evidential support to the JIT parties. It was determined that any information/evidence shared with Ireland could be used to support investigations into other offences, including being a member of, directing, or facilitating the activities of an organised criminal group, money laundering and, if evidence of sexual and/or labour exploitation came to light, THB.

As a facilitator of information and evidence exchange, Eurojust was instrumental in establishing a legal framework (the JIT) to enable information/evidence to be exchanged both between the Czech Republic and the UK and exchanged to or from the JIT by the Irish authorities. This case is on-going.

Best Practices

The casework analysed in the reporting period identified **various approaches** to minimizing the obstacles mentioned above. For example, to ensure witness protection, a JIT agreement (signed between Germany and Romania) included a specific point on this issue, as the parties agreed to support each other's witness protection measures according to their national laws and to cooperate to ensure that protected witness statements can be used in each other's proceedings, pursuant to their respective legal requirements.

The facilitating role of Eurojust, notably in setting up JITs and organising coordination meetings, helped minimize national procedural constraints notably by **taking advantage of evidence already gathered**. For example, in one of the

cases analysed above, a police officer from Sweden was present during the interview in the Czech Republic, thus ensuring smooth investigations across the board.

Yet another topical example reflecting the successful use of all judicial cooperation instruments and demonstrating the key role of Eurojust could be found in a case involving parallel investigations in Spain and Romania. In this case, a conflict of jurisdiction (*ne bis in idem*) was avoided thanks to a first coordination meeting organised in August 2014, under the auspices of Eurojust, which lead to the creation of a JIT. In a second coordination meeting held in November 2014, the discussions focused mainly on the transfer of proceedings to Romania and the issuing of EAWs. In order to comply with the Romanian procedural law on the hearing of a witness by a judge before the issuing of a EAW, it was decided that the Spanish authorities would **facilitate the hearings through the use of a video conference**. As planned in a third coordination meeting, three action days took place. Action days were attended by representatives of both states, making them smooth and efficient.

In another case, the **determination of the best forum to prosecute was, to a large extent, based on financial investigation** and could be determined due to the facilitation role of Eurojust. This concerned a case of THB for the purpose of sexual exploitation in which Denmark found itself the better placed to prosecute offenders from Estonia, as it could be determined through a JIT that Denmark was the only one able to identify the financial profits of the accused persons.

Main lessons learnt

The so called "*JIT Atelier*" case is emblematic of the added value of **ensuring that investigations are at a comparable stage of advancement** when subject to judicial cooperation. In this case, it was indeed decided that one state would not participate in the JIT, due to its less advanced stage in investigation, to ensure that one participant does not delay the whole process.

One case also highlighted the **benefit of associating with third States and states outside the JIT.** In practical terms, it was decided in at least one occurrence to organise coordination meetings between the JIT members alone the day before the meeting involving states not participating in the JIT,. This allowed i) the development of a joint approach towards non-JIT states and ii) a review of the progress made within the JIT and the planning of subsequent steps.

In the reporting period **a lack of knowledge about THB was reported as an issue** in seven cases. The lack of familiarity with the specifics of THB (such as distinguishing a THB case from an illegal immigration smuggling case, or using appropriate means to approach and interview vulnerable victims) may indeed impact on the qualification of the crime and the quality of the evidence collected, thus contributing to a weakening of a case.

Assessment

It appears that **prior involvement** in judicial cooperation initiatives, such as JITs, were instrumental in one case to the setting up of a JIT by the Irish authorities in record time. This demonstrated that the familiarity with the procedure and purpose of JITs is an important element for the successful and speedy set up of a JIT.

The analysis of the casework of Eurojust indicates a clear pattern that shows that the **obstacles identified in 2012** by the *Strategic Project on Eurojust's action against trafficking in Human Beings* and confirmed by the *mid-term report* are still affecting judicial cooperation.

It is apparent that **judicial cooperation mitigates to a great extent the risks** inherent in THB cases by identifying at an early stage conflicts of jurisdiction and by sharing the burden of investigations through the determination of which state is in the best position to prosecute and on what count.

The analysis also clearly indicates that judicial cooperation is **challenged by the very nature of THB cases**. They are complex, involve increasingly well organized groups, target vulnerable victims and generate profits hard to track and confiscate.

As such, THB calls for more cooperation at the EU level to ensure a holistic repressive approach, as a means of circumventing the difference in legislation and the difficulty of gathering solid and admissible evidence.

Conclusions

The strategic target is met, as Eurojust's added value has constantly been underlined by practitioners as pivotal to facilitating judicial cooperation throughout the action period.

Through coordination meetings appropriate solutions can be identified and implemented, trust amongst competent national authorities can be enhanced and prosecutorial strategies can be more easily designed, resulting in concrete deliverables (such as the conducting action days and the setting up JITs).

Eurojust's most effective tool in its operational activities are coordination meetings, during which practitioners meet in person to identify obstacles, share information and agree on a way ahead in conducting investigations and prosecutions.

The analysis indicates that the level of cooperation and coordination in THB cases is comparatively higher than in most other crime areas. This is a clear indication that practitioners recognize the added value of joining efforts and specifically relying on Eurojust to facilitate the process.

2.3. JITs on THB cases supported by Eurojust

Strategic targets

This section deals with the implementation, during the action period, of the following strategic targets of the action plan:

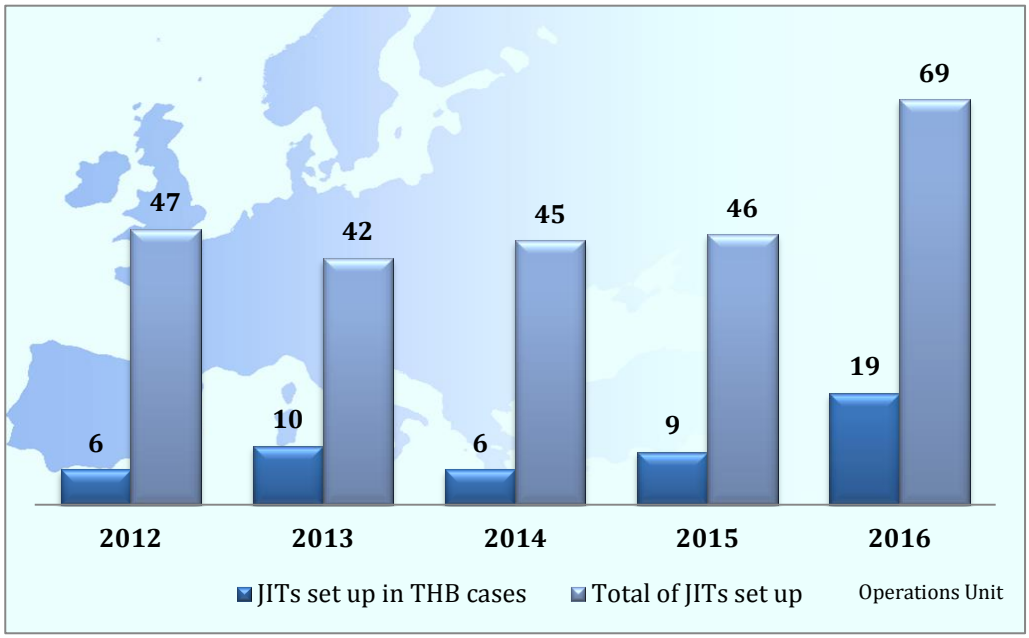
- *The number of JITs in THB cases supported by Eurojust increases.*
- *Report on the results of the works of JITs in THB cases referred to Eurojust.*

Implementation

Number of JITs

Over the entire action period, a total of **50 JITs were set up in THB cases**. In particular the substantial increase of JITs set up in THB cases in 2016 has to be highlighted. 19 JITs out of a total of 69 newly set up JITs in 2016 are dedicated to THB.

Of particular relevance is that in 2015, the first JIT with a third State was set up in a THB case (JIT between France and Bosnia and Herzegovina (BiH); see also below). Another JIT involving BiH was set up in 2016.



The analysis of the 28 THB cases in which a coordination meeting took place and or a JIT was set up in 2014/2015 revealed that a JIT was set up in 21 cases (75%) which is a **remarkable increase** since the last reporting period (covering the period 2012/2013, during which in 48% of the THB cases analysed a JIT was set up).

All 21 JITs were set up bilaterally and between Member States on the basis of the 2000 MLA Convention and the 2002 Framework Decision on JITs, except one JIT which was set up between France and BiH. The JIT between France and BiH was set up on the basis of Article 20 of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters.

JITs funding

20 out of the 21 analysed JITs received JITs funding from Eurojust. The JITs received between one and six positive award decisions.

In 2014[3], 17 applications for funding concerning seven of the JITs analysed were submitted to Eurojust, of which 16 received a positive award decision. In 2015, 25 funding applications concerning 13 of the JITs analysed in THB cases were submitted, of which 21 received a positive award decision. In 2016, seven of the JITs analysed made a total of 13 applications for JITs funding, of which 12 received a positive award decision.

The awarded funds were spent on translation, interpretation, accommodation and travel costs.

Article 13 (5) of the revised Eurojust Decision – Report on the results of the work of JITs

One of the actions in the *Eurojust Action Plan against trafficking in human beings 2012-2016* is to encourage Member States to communicate to Eurojust the setting up of JITs and the results of the work of JITs in THB cases, in accordance with Article 13 (5) of the Eurojust Decision.

In relation to the 21 THB cases analysed, in which a JIT was set up, Eurojust was informed thereof by having been involved in the process of the setting up of the JIT(in particular, in the framework of coordination meetings).

As already highlighted in the *mid-term report*, the situation is a different one when it comes to Eurojust being informed on the results of the work of JITs in THB cases. In nine of the 21 cases with JITs analysed, Eurojust was informed on the results of the work of the JIT (representing an increase from 13% to 43% since the last reporting period) either:

- In the framework of a JIT evaluation meeting that took place at Eurojust or with a JIT Evaluation Form filled in by the national authorities;
- Regular updates by the national authorities on the progress of the JIT; or
- Indirectly through information included in JIT funding requests received by Eurojust.

At least four of the JITs who have thus far failed to report to Eurojust on the results of the work of the JITs, were still ongoing at the time of the analysis. In relation to the other JITs, there was no information on file regarding the results of the work.

[3] The funding figures per year refer to the 21 JITs that were set up in relation to the THB cases analysed (in which a coordination meeting took place or a JIT was set up in 2014/2015).

Added value of JITs

The analysis of the 21 THB cases in which a JIT was set up has confirmed the added value of JITs as previously underlined in the *mid-term report*. The following main advantages of setting up JITs were highlighted:

- Fast and direct gathering and exchange of information;
- Admissibility of the information as evidence before court without the need for MLA requests;
- Fast and direct contacts between JIT members, speedy decision-making and fruitful cooperation; as a consequence of the increased cooperation, mutual trust is built between practitioners from different jurisdictions and work environments;
- An investigation at the national level can reach an international level, for example when a state initiates its own investigations in anticipation of the setting up of a JIT;
- Coordination of the ongoing proceedings and organisation of joint actions with the possibility for other JIT members to be present (synchronised measures such as simultaneous house searches, arrests and hearings);
- Clarification of legal requirements, such as on the admissibility of evidence or the disclosure of information;
- Solutions for translation/interpretation issues;
- JITs funding provided by Eurojust;
- Through a joint investigative effort, the chances of detecting and dismantling an OCG as a whole are increased;
- Increased tracing, securing and confiscation of the proceeds of crime;
- Assessment of which jurisdiction is most appropriate for the prosecution of the investigated crimes, to avoid potential conflicts of jurisdiction and infringements of the rule *ne bis in idem*;
- Supporting each other's victim protection measures.

However, as previously mentioned in one of the analysed cases, the JIT did not lead to the desired outcome since a JIT partner organised an Action Day without prior consultation with the other JIT partner. The lesson learned in this case is that for future cooperation, especially in the context of a JIT, good communication/consultation and transparency prior to any action is of utmost importance, in particular at the level of the responsible persons (JIT leaders), in order to prevent misunderstandings.

Support provided by Eurojust

The analysis of the 28 THB cases has confirmed the findings from the *mid-term report* that Eurojust plays a significant supporting role in connection to JITs. In 21 out of the 28 cases analysed (75%), a JIT was set up. Eurojust supported the Member States in the setting-up, running, financing and evaluation of the JITs.

Eurojust support in the setting-up process included:

- Advice regarding the suitability of a JIT and highlighting the advantages of JITs;
- Clarification of legal and formal requirements and assistance in the JIT agreement drafting process (advice as to the suggested content, description of the investigation and members; advice on special provisions such as for confidentiality and disclosure issues or the admissibility of evidence, for example the use of intercept material);
- Level II meetings and coordination meetings at Eurojust served as a platform to discuss the possible setting-up of a JIT, the draft JIT agreement and/or whether to sign the JIT agreement; and
- Explanation of JIT funding rules.

In connection to the running of JITs, Eurojust organised coordination meetings in which the JIT members discussed future actions and strategies, facilitated the extension or amendment of JIT agreements and provided JITs funding (or explanations on the decision reject funding applications).

In at least three of the analysed THB cases with JITs, Eurojust facilitated the evaluation of the JIT after its conclusion, either by organising a JIT Evaluation meeting and/or assisting in the filling in of the JIT Evaluation Form.

In one case it was mentioned by national authorities that the JIT funding rules (such as on time slots and available funding) were perceived as challenging. The national authorities noted that with a fast moving OCG, it would be difficult to foresee what travels will need to be made and what documents would arise in upcoming months that require translation. In the specific JIT, there was no individual who was appointed to manage the financing. As a lesson learned, the national authorities noted that for future JITs, they might appoint a person responsible for JIT funding applications.

JITs constitute a very efficient and effective cooperation tool, which facilitates the coordination of investigations and prosecutions conducted in parallel in several states.

Conclusions

The strategic target to increase the number of JITs in THB cases supported by Eurojust has been achieved. In particular in 2016, a significant increase could be noted of newly set up JITs in THB cases supported by Eurojust. Furthermore, the analysis of 28 dedicated THB cases has shown that in 75% a JIT was set up.

Eurojust has provided support to all JITs at different stages (setting-up, running, financing and evaluation of the JITs). Furthermore, the analysis of the 21 THB cases in which a JIT was set up has revealed an increased percentage of Eurojust being informed of the results of the work of JITs (43% as opposed to 13% in the last reporting period).

In relation to the evaluation of JITs, it is worth mentioning that the JITs Network, the Secretariat of which is hosted by Eurojust, has published a JITs Evaluation Report[4] in December 2015 (drafted on the basis of 42 JIT evaluations received between April 2014 and October 2015 – seven evaluated JITs dealt with THB for sexual exploitation).

2.4. Feedback on Eurojust interventions in THB cases

Strategic targets

This section deals with the implementation, during the reporting period, of the following strategic target of the action plan: *feedback on the outcome of Eurojust's interventions in THB cases received and evaluated.*

Implementation

In connection to this strategic target, there are two different issues at stake:

- Feedback on the added value of Eurojust's support in judicial cooperation measures (such as JITs, LoRs/EAWs or Action Days)
- The possible effect of Eurojust's involvement in relation to the outcome of such cases (*Judgements in the involved states*)

In the framework of coordination meetings at Eurojust, the states involved agree on certain measures to be taken and a way forward. The analysis of the 28 THB cases selected has revealed that in all cases except one, information on whether or not the conclusions were followed-up could be found.

In at least 21 of the cases analysed – the vast majority - it is documented in the file that the conclusions were followed up (see also *Chapter 1.2 on Coordination meetings and coordination centres at Eurojust*, under the heading *Follow-up*). Therefore, it can be concluded that the involvement of Eurojust led to measurable progress in judicial cooperation in these cases. Namely, applicable indicators for the added value of Eurojust assistance in the THB cases analysed are: the number of JITs set up, JITs funding requests supported, LoRs/EAWs facilitated, Action Days that took place and the amount of evidence shared. In relation to six cases, the conclusions were followed-up partially, mainly because the cases are still ongoing.

A different issue is whether Eurojust received feedback on the (final) outcome of the case at the national level. According to the Eurojust Decision, there is no obligation for national authorities to inform Eurojust on the outcome of cases facilitated by Eurojust. Furthermore, it has to be kept in mind that there are multiple factors besides the level of judicial cooperation, which influence the outcome of a case in terms of court decisions.

Eurojust welcomes feedback from national authorities as to how the case evolves and to what extent the assistance of Eurojust has brought added value.

[4] The JITs evaluation report has been produced to provide information to practitioners (law enforcement and judicial authorities) and relevant stakeholders. Should you wish to access this document, please email jitsnetworksecretariat@eurojust.europa.eu

In seven of the 28 THB cases analysed, Eurojust has received information on judgements issued in relation to the case, representing a significant increase in comparison to the previous reporting period (the percentage doubled from 12% to 25%). The information available in the files concerned final court decisions, information on confiscation of the criminal proceeds and/or information on the payment of compensation to the victim(s).

However, a judgement in one state does not necessarily mean that the case, as such, is closed, since the stages of investigation/prosecution sometimes differ across the states involved. This is reflected in the fact that 25 of the 28 THB cases analysed were still pending at Eurojust at the time of the analysis (89%), which implies that criminal proceedings were still ongoing at national level in at least one state.

Three of the 28 THB cases analysed were already closed at Eurojust at the time of the analysis. In connection to two of them, the final outcome of the case is known at Eurojust. In one case, the investigation was closed when the credibility of the victim was questioned and there was no additional evidence to support the victim's claims. With regard to the other case, Eurojust was informed of the final judgements in one state (in the other state, the case did not end in convictions).

Conclusions

The strategic target to receive and evaluate feedback on the outcome of Eurojust's interventions in THB cases was achieved as the analysis of the 28 THB cases shows that in all cases except one, there was information in the file that the conclusions agreed on in the framework of coordination meetings were, at least partially, followed-up. The involvement of Eurojust thus led to measurable progress in judicial cooperation in these cases. Furthermore, in 25% of the 28 THB cases analysed, Eurojust has received information on the outcome of the case at the national level, while 89% of the cases were still ongoing at the national level in at least one of the involved states at the time of the analysis.

Eurojust appreciates receiving feedback on how cases evolve at the national level, as this exchange of information allows Eurojust to adjust its practice and tailor future assistance, particularly in relation to JITs and other types of operational assistance.

3. Training and expertise on THB *(Priority Three)*

3.1. Eurojust's participation in training sessions on THB

Strategic targets

This section deals with the implementation, during the reporting period, of the following strategic target of the action plan: *Eurojust participates in training sessions on THB.*

Implementation

Criteria considered for the assessment of the implementation of this strategic target include the quality of the trainings, composition of the audience, geographical distribution of the sessions, as well as their systematic nature.

Eurojust shared its experience in dealing with THB cases primarily with audience from the Member States, but also beyond. The main target audience were judges and prosecutors. These sessions allowed experiences and best practices in the combatting of THB to be shared among practitioners, but also to allowed the establishment of contacts, hence paving the way for further cooperation.

In addition to training sessions, Eurojust has been involved in longer-term educational activities, for example, in the project "*The use of JITs in the fight against THB in the Western Balkans"*, which was a continuation of the project *"The introduction of the requirements for establishing Joint Investigation Teams to fight Trafficking in Human Beings in South-eastern Europe (JIT THB)"*.

Annex II to this Report provides an overview of Eurojust's involvement in projects, meetings and conferences during the reporting period. Although some of them were not primarily aimed at education, they have been included considering their nature (e.g. meetings attended in the framework of the EMPACT project on THB). Interventions delivered by the National Desks were not included in this list.

Finally, Eurojust has also been seeking synergies by participating and collaborating with other international partners such as GRETA, CEPOL, IOM, TAIEX, UNODC and the FRA.

Conclusions

Taking into account the information stated above, it can be concluded that **the strategic target that *Eurojust participates in training sessions on THB* has been achieved.**

Eurojust wishes to continue participating in these activities in order to further enhance cooperation in this area.

Finally, taking stock of Eurojust's wealth of information, experience and knowledge, the Agency welcomes any opportunity to allow practitioners to benefit from its extensive experience in facilitating the investigation and prosecution of THB cases.

3.2. Specialised THB units within prosecution services

Strategic targets

This section deals with the implementation, during the reporting period, of the following strategic target of the action plan: *Whenever requested contacts are established with national authorities for the setting up of specialized units within national prosecution services.*

Implementation

This target was identified in order to support setting up specialized THB units. This stems from the EU Anti-trafficking Strategy which acknowledged the very complex nature of fighting trafficking and which also stressed that specialization has proven to be beneficial.

Legal definitions and related legislative challenges: challenges practitioners have to face when investigating and prosecuting THB can include, the cross-border element, the high level of latency and the high cost of certain investigations.

In response, Eurojust has been offering its contacts, experience and knowledge to address requests for assistance from Member States when establishing such specialized units. Nonetheless, such requests have not been received.

Conclusions

Eurojust could not fulfill this target since this support has not been demanded by the relevant Member States authorities.

4. Cooperation with third States *(Priority Four)*

4.1. The involvement of third States in THB cases

Strategic targets

This section deals with the implementation, during the action period, of the following strategic target of the action plan: *increasing the number of Eurojust's THB cases and THB coordination meetings attended by third States.*

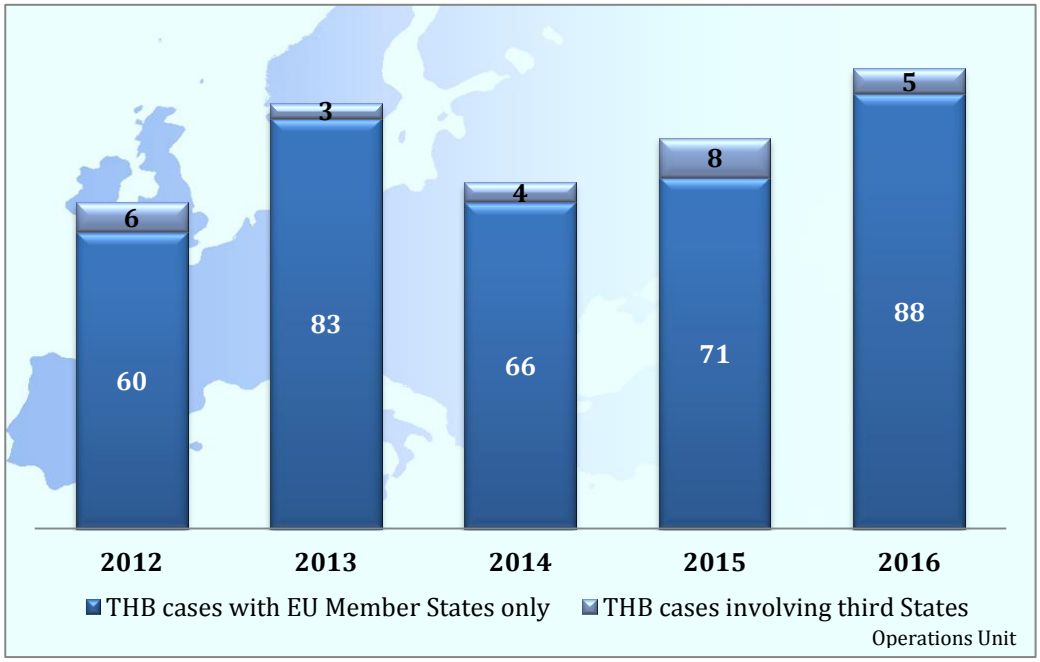
Implementation

The percentage of all cases (covering all crime types) registered at Eurojust with the involvement of third States remained stable throughout the entire action period (between 12%-14%). However, when it comes to THB cases, the percentage of cases with the involvement of third States in the action period was subject to fluctuations between 3.5% and 10.1% (with a peak in 2015). The average percentage of THB cases with third State involvement in the action period is 6.6% and thus below the percentage of third States involvement in general Eurojust casework.

Despite the increased number of Eurojust Contact Points in third States, Eurojust faces inherent difficulties, attached mainly but not exclusively to its mandate and the demanding rules governing personal data protection in relation to the facilitation of investigation and prosecution with third States.

Such limitations, however, cannot explain in full the fact that there seems to be a disconnect between the amount of victims originating from third States[5] and the very limited number of cases concerning them in Eurojust's casework.

Below chart highlights the number of THB cases involving third States as well as THB cases with EU Member States only.

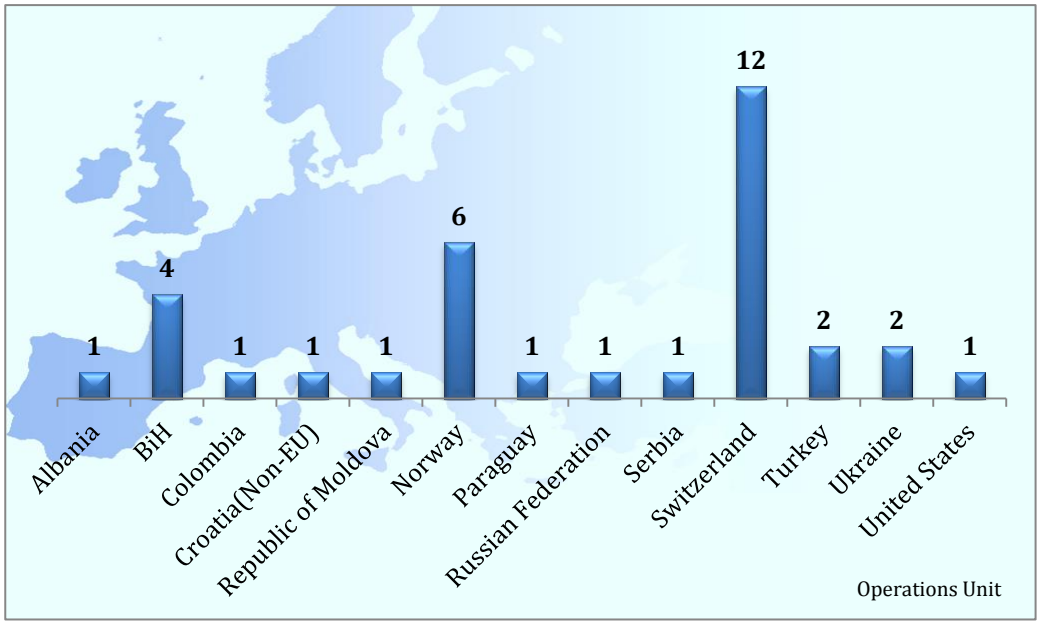


Switzerland is by far the most involved third State in THB cases registered in the action period (12 cases), followed by Norway (6 cases) and Bosnia and Herzegovina, BiH (4 cases).

In relation to BiH, it is worth mentioning that in 2015, the first JIT with a third State in a THB case was set up between France and BiH. Another JIT involving BiH was set up in 2016.

[5] Admittedly, the identification of victims of trafficking in human beings depends on national systems in Member States and limitations related to the differences in recording mechanisms and definitions. Nonetheless figures made available by Eurostat indicate a pattern which is not reflected in Eurojust's casework. See Eurostat Working Paper dated 2015, page 36 and onwards : https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf

The below chart lists the third States which were involved in THB cases registered at Eurojust in the action period.



In 2016, a new trend could be observed in the THB casework at Eurojust: for the first time in THB cases at Eurojust, there are two Latin American states involved as requested states, namely Colombia and Paraguay.

In relation to the 28 THB cases analysed, four cases had third State involvement. However, one case was not registered with the third State since the requesting national authority did not need specific support from Eurojust in relation to the third State. The other three cases were registered with the third State involved and in two of these cases a JIT was set up involving the third State (BiH).

Conclusions

The strategic target of increasing the number of Eurojust's THB cases with third State involvement has not been reached. However, as already highlighted in the *mid-term report*, Eurojust, apart from promoting contact points in third States, has very limited possibility to influence the referral of such cases.

In qualitative terms, an important milestone has been reached with the setting up of the first two JITs in THB cases between an EU Member State and a third State.

4.2. Eurojust contact points in third States

Strategic targets

This section deals with the implementation, during the reporting period, of the following strategic target of the action plan: *increasing the number of Eurojust's contact points in third States.*

Implementation

Eurojust´s contact points in third States have proved to be instrumental when it comes to cooperation with states outside of the European Union. Daily lessons

confirm how important it is to have a partner in a foreign jurisdiction who is competent, capable and available to respond to Eurojust´s queries. At the beginning of 2012, there were in total 27 Contact Points. In the action period the following Contact Points were newly established: in 2012 Tunisia, in 2013 Georgia and Taiwan, in 2014 Bolivia and Peru, in 2015 Chile, Palestinian National Authority, Lebanon, Jordan, Algeria, Iraq and Saudi Arabia and in 2016 Colombia and Libya. As of the end of the action period there are 41 Contact Points.

Conclusions **Considering the appointment of 13 new Eurojust Contact Points in third States in the action period, which amounts to an increase of 32 %, it may be concluded that the target has been achieved**.

4.3. Cooperation agreements between Eurojust and third States

Strategic targets This section deals with the implementation, during the reporting period, of the following strategic target of the action plan: *increasing the number of cooperation agreements with third States.*

Implementation Cooperation agreements which enable Eurojust´s representatives to exchange personal data with states outside the EU and allow for the appointment of liaison magistrates both at Eurojust and in third states are another very helpful tool supporting international judicial cooperation. Eurojust conditions the signature of such Cooperation agreements on strict personal data protection requirements. Typically, third states have to adjust their legal systems to the EU European data protection standards prior to the signing of a cooperation agreement. This is naturally a rather cumbersome and lengthy process.

In the action period the following cooperation agreements were signed and came into force: Liechtenstein signed and entered into force in 2013; the Republic of Moldova signed in 2014 and entered into force in 2016; Montenegro and the Ukraine signed in 2016.

Eurojust is fully aware of the necessity of further engaging with key third States. Despite constraints, mainly but not exclusively related to the protection of personal data, Eurojust is aiming at initiating a dialogue with other states.

Conclusions **Three new cooperation agreements were signed in the reporting period, therefore it might be concluded that the strategic target was achieved.** The process is long, however, before such agreements can be signed and implemented.

5. Multidisciplinary approaches to combatting THB *(Priority Five)*

5.1. Promotion of the multidisciplinary approach to THB, as complementary to judicial approaches

Strategic targets

This sub-section deals with the implementation of the following strategic target of the action plan: *Whenever appropriate, Eurojust should encourage Member States to use a multidisciplinary approach in THB cases and include this point in the agenda of coordination meetings.*

Implementation

During the action period, Eurojust has continued to participate in a number of initiatives focusing on the multidisciplinary approach in fighting organised crime, including THB.

Eurojust continues to participate in the CARIN network in the field of asset recovery and in Europol's Platform of Experts.

The added value of tackling THB in a multidisciplinary fashion was specifically addressed during the *Strategic meeting on trafficking in human beings* organised by Eurojust on 16 and 17 April 2015. In particular, when discussing best practices in prosecuting THB cases for the purpose of labour exploitation, participants agreed *inter alia* that authorities should be encouraged to promote multidisciplinary approaches by involving other relevant actors, such as labour inspectorates, immigration and nationalization services for instance as well as NGOs, also with a view to raising barriers to minimize opportunities in this field of crime.

Eurojust attended, from 18-19 January 2016, a conference organised by the Dutch Presidency *"Team Work! Strengthening multidisciplinary cooperation against THB for labour exploitation"* and moderated a workshop devoted to the topic of *"Prosecuting THB for labour exploitation".* As a result of the workshop, a manual[6] was produced for practitioners in which the support Eurojust can offer to competent national authorities investigating and prosecuting THB cases is specifically mentioned. The manual is aimed at experts and intended to help inspire and strengthen the policy and practice, in all organisations concerned, used for addressing THB for labour exploitation. More specifically, it aims to stimulate multidisciplinary and cross-border cooperation and a comprehensive approach against this phenomenon.

Eurojust is also interacting with the academic world and NGOs. For example, Eurojust also took part in the HOTT Project. This is an international research project aimed at 'combating trafficking in persons for the purpose of organ removal' (THBOR). An initiative of the Erasmus MC University Medical Center,

[6] https://www.government.nl/documents/publications/2016/01/18/manual-for-experts-on-multidisciplinary-cooperation-against-trafficking-in-human-beings-for-labour-exploitation

Rotterdam, The Netherlands, which leads the project, the project also collaborates with Lund University, Sweden, the Bulgarian Center for Bioethics and the Academic Society for the Research of Religions, and the Academic Society for the Research of Religions and Ideologies (SACRI), Romania. HOTT is the first EU-funded project against this 'new' and neglected form of trafficking in human beings. As a result, scientific, empirical research on THBOR in states across the globe was conducted[7]. For more information see: http://hottproject.com/reports/reports.html

From the analysis of the 28 THB cases selected, it seems that in none were multidisciplinary measures either considered or recommended. Therefore it is clear that Member States still need to be encouraged to be more innovative by using multidisciplinary approaches to fight THB.

Conclusions

Overall, the strategic target was partially met. Eurojust continues to participate in several initiatives aimed at promoting a multidisciplinary approach to THB cases (such as conferences, seminars, expert groups, etc.). Eurojust has also encouraged a thorough discussion on the advantages of using multidisciplinary approaches to fight THB for labour exploitation during the Eurojust strategic meeting of 17 April 2015. Nevertheless, the possibility of involving other authorities, such as social services, labour inspectors, immigration offices, etc. could be further explored, as appropriate.

5.2. Support to national multidisciplinary law enforcement units on human trafficking

Strategic targets

This sub-section deals with the implementation of the following strategic target of the action plan: *Contacts should be established and support shall be provided to the national multidisciplinary law enforcement units on human trafficking.*

Implementation

The implementation of this strategic target is exclusively dependent on requests sent to Eurojust by national multidisciplinary law enforcement units on human trafficking.

The establishment of such units was called for in the *EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016*. During the action period, no requests for support were received at Eurojust from national multidisciplinary law enforcement units on human trafficking.

Conclusions

The strategic target has not been met. Eurojust will endeavor to provide the necessary assistance in accordance with its mandate to respond to requests for assistance by national multidisciplinary law enforcement units on human trafficking. The latter are encouraged to recourse to Eurojust when and where appropriate.

[7] For more information see: http://hottproject.com/reports/reports.html

6. Financial investigations and asset recovery in THB cases *(Priority Six)*

6.1. Eurojust's support

Strategic targets

This section deals with the implementation, during the action period, of the following strategic targets of the action plan:

- *Whenever appropriate, Eurojust should promote the use of financial investigations in THB cases and include this point in the agenda of coordination meetings.*
- *Whenever appropriate, Eurojust should encourage the Member States to analyse asset recovery possibilities and include this point in the agenda of the coordination meetings.*

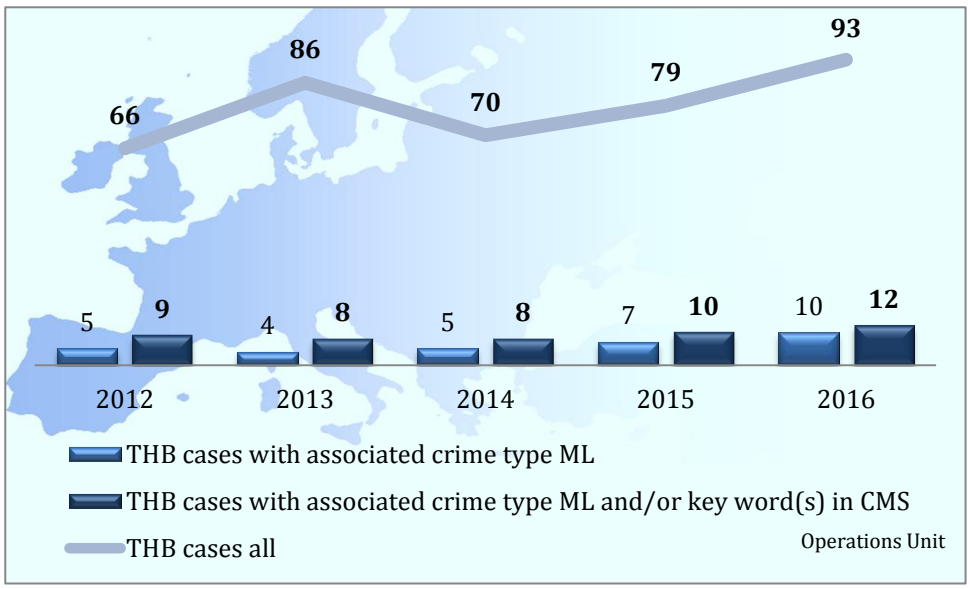
Implementation

Financial investigations and asset recovery in THB cases registered at Eurojust in the action period

Money laundering frequently appears as a cross-cutting offence and is linked with most of the Eurojust crime priorities, such as THB.

A slight but steady increase could be noted over the action period with regard to money laundering as an associated crime type to THB cases registered at Eurojust (see below chart).

Taking into account additional search criteria in the CMS, in particular the key word(s) "financial", "money", "asset", "frozen", "seized", "bank" and "confiscation" in the Brief Case summary field in the CMS, additional THB cases with parallel financial investigations could be identified.



Financial investigations and asset recovery in the THB cases analysed by the THB Project Team

In relation to **financial investigations**, the analysis of the 28 THB cases indicates that in 21 cases (75%), financial investigations were discussed in the framework of coordination meetings. Issues addressed were parallel money laundering investigations, following the money flows, the identification of criminal assets, the freezing of bank accounts, legal requirements concerning asset recovery and the confiscation of the proceeds of crime (such as real estate, luxury goods, cars).

In one case, the state involved agreed that they would involve financial experts with respect to the possibility of seizures.

In another case, the national authorities faced difficulties in following the money flow, since the proceeds of the crime were channelled through the Hawala banking system (with the participation of at least two intermediaries). In addition, most of the proceeds were laundered through non-EU Member States. In this case, Eurojust's operational support (in particular through the various analytical reports prepared by CAU) highlighted the potential links between several of the trafficked victims, the (Western Union and MoneyGram) payments and phone calls made by their family members to the traffickers and the top echelons of the OCG.

The analysis has furthermore shown that many JIT agreements include special clauses on parallel financial investigations. One JIT agreement, for example, mentions 'A financial investigation of the criminal organization will also be conducted as is necessary.' One of the specific purpose of the JIT was to 'locate and secure the retrieval of assets issuing from the crime'.

Out of the 28 THB cases analysed by the THB Project Team, 16 saw **asset recovery** being discussed in the framework of coordination meetings. The majority of those cases were still ongoing at the time of the analysis. However, at least two of these cases resulted in actual confiscations, including the confiscation of property amounting to 4 452 625 DKK (approx. 598 655 Euro). In one case the decision was taken at an early stage of the judicial cooperation as a special clause was included in the JIT agreement.

Best practices emerging from Eurojust casework in relation to financial investigations and asset recovery in THB cases

Proactive financial investigations to seize and recover criminal assets and for taking actions against money laundering are crucial for weakening the criminal networks involved in THB.

- Eurojust encourages Member States to **launch proactive financial investigations at an early stage** and promotes the use of confiscation procedures to seize and recover criminal assets.
- Eurojust encourages Member States to **cooperate and exchange information with other Financial Investigative Units** to ensure access

to suspicious transactions. Furthering cooperation with Financial Investigative Units/Asset Recovery Offices and other relevant networks on financial flows in the area of THB is essential in the fight against this crime-type.

- The bank systems currently available to facilitate money transfers, combined with the lack of centralised bank registers in some states and strict bank secrecy regulations in others, can make the task of "following the money" considerably more difficult. Gathering information from, *e.g.*, MoneyGram, Western Union (WU) or the 'hawala' banking system might be a cumbersome and lengthy endeavour, and the execution of MLA requests might be complex and time consuming. In such cases, **Eurojust assists competent national authorities in coordinating actions on an Action Day or in speeding up requests for legal assistance.**
- Finally, **cooperation with private actors** is also crucial in this respect. Money flows continue to be operated through banks, but also financial service providers, *e.g.* WU. A successful example of this practice was recalled during Eurojust's Strategic Meeting on THB, held at Eurojust in April 2015, where the National Public Prosecutor for human trafficking and people smuggling for the Netherlands noted that in a THB case, thanks to good cooperation by WU and MoneyGram, investigators were successful in following the money trail, even though huge sums had been channelled via underground banking ('hawala') and criminals had resorted to the 'smurfing' technique(i.e. breaking down the transaction values so that they are below the threshold of anti-money laundering reporting).
- **Eurojust encourages a multidisciplinary approach** to tracing the financial activity of OCGs, for instance by involving in coordination meetings or in JITs, experts from Asset Recovery Offices, Financial Investigative Units, customs officers, Europol and private sector financial investigators and financial institutions.

Conclusions

Financial investigations and asset recovery procedures in Eurojust THB cases have been discussed and used to a large extent during the action period. **As such, this strategic target has been met.**

Eurojust is committed to continuing its promotion of the use of financial investigations and confiscation procedures in THB cases and to encouraging national authorities to refer more asset recovery cases to Eurojust.

In so doing, Eurojust promotes the *Council Conclusions and action plan on the way forward with regard to financial investigation*[8] adopted by the Council on 9 June 2016.

[8] http://data.consilium.europa.eu/doc/document/ST-10125-2016-INIT/en/pdf

The Conclusions, along with the recommendations set in the *Manual for experts on multidisciplinary cooperation against trafficking in human beings for labour exploitation,* emphasize the need to include this dimension in investigating and prosecuting serious crimes and, notably, THB-related cases.

6.2. The outcomes of Eurojust's interventions in confiscation procedures

Strategic targets

This section deals with the implementation, during the reporting period, of the following strategic target of the action plan: *Outcomes of Eurojust's interventions in confiscation procedures in THB cases received and evaluated.*

Implementation

The analysis of the THB cases selected has shown that in only two of the 16 cases, in which asset recovery was discussed in the framework of coordination meetings, information was included in the file on the amounts seized and confiscated. The target therefore, has not been met.

The low level of feedback can be explained by the fact that all cases except one were still ongoing at the time of the analysis. This implies that a final judicial decision regarding the outcome of asset recovery procedures has not been reached at the national level. The fact that according to the Eurojust Decision, there is no obligation for national authorities to inform Eurojust of the outcome of asset recovery procedures discussed at or facilitated by Eurojust, might also explain the low feedback on the outcome.

Eurojust welcomes feedback from the national authorities as to how the cases evolve and whether the intervention of Eurojust has assisted the freezing, confiscation and/or return of assets. This would help Eurojust evaluate its intervention and the effectiveness of cross-border action, specifically in cases supported financially, through JITs or coordination meetings for example.

Conclusions

Although **the strategic target has not been achieved**, the four year span of the action period is relatively short when it comes to assessing, in a meaningful way, the true impact of Eurojust intervention in relation to asset seizure/confiscation. Eurojust invites Member States to send more information on whether the intervention of Eurojust has assisted the freezing, confiscation and/or return of assets. The information received should be evaluated by Eurojust.

7. Other relevant activities

7.1. The involvement of Eurojust in the EMPACT on THB

THB has been considered by the Council as among the EU priorities for the fight against serious and organized crime between 2014 and 2017. Eurojust continued to contribute to the European Multidisciplinary Platform against Criminal Threats (EMPACT) meetings on THB[9].

In 2015 and 2016, Eurojust actively participated at all EMPACT meetings on THB (including the EMPACT Trafficking in Human Beings for Labour Exploitation Meeting; the drafting sessions of the Operational Action Plans for 2016 and 2017; the 2015 Financial Investigation & Asset Recovery Expert Meeting) and was associated with the operational activities of the sub-projects ETUTU (focusing on Nigerian THB victims) and Chinese THB (targeting Chinese criminality linked to THB). Eurojust presented its activities in the fight against THB, in particular statistics on THB cases registered at Eurojust (general figures, coordination meetings, JITs supported by Eurojust), updates on the THB Project and the main findings from the Eurojust Strategic meeting on THB, which took place in April 2015 (see also Section 7.4.).

Eurojust participated and co-chaired a workshop at the THB Financial Investigation & Asset Recovery Expert Meeting, which took place 7-8 December 2016. This was the opportunity to get direct feedback from the practitioners and to promote "tracing money" as both a significant deterrent to criminal activities and an important source of evidence.

7.2. The activities of Eurojust's THB Contact Point

In October 2011, on the occasion of the 5th EU Anti-Trafficking Day, Eurojust along with other EU Justice and Home Affairs Agencies endeavored to ensure that JHA agencies address THB in a coordinated, coherent and multidisciplinary manner, also taking into account their respective mandates and competencies. This translated to, in practical terms, the appointment in each agency of a THB Contact Point. At Eurojust, a National Member who is already part of the Trafficking and Related Crimes Team has been acting as THB Contact Point since 2011.

The Contact Point represents Eurojust in EU and other relevant fora and ensures improved communication between Eurojust and EU institutions, agencies and bodies, intergovernmental organisations and NGOs active in the field of THB. The Eurojust THB Contact Point meets regularly (on average, three times per year) with the other THB Contact Points of the JHA agencies and representatives of the Office of the EU Anti-Trafficking Coordinator, to discuss common joint priorities and activities at an expert level.

As a concrete example of coordination efforts, a document summarizing the activities of the JHA Agencies is produced and is regularly updated and discussed in the context of the cooperation of the JHA Agencies. The emphasis of this initiative is put on the joint actions of the agencies and at the same time is intended to provide information on activities carried out by individual agencies in the context of the EU Strategy towards the eradication of Trafficking in Human Beings 2012-2016, hereinafter the EU Strategy.

[9] For more information on EMPACT THB related activities in the years 2012-2014, please consult the Eurojust *mid-term report on the implementation of the Eurojust Action Plan against THB 2012-2016*, published in November 2014.

The EU Strategy concretely refers to several actions under its priority C "Increased prosecution of traffickers" requesting Member States to carry out proactive financial investigations of trafficking cases and cooperation with EU agencies, including Eurojust. It encourages the creation, where relevant, of joint investigation teams and the involvement of Europol and Eurojust in all cross-border trafficking cases. It also invites all interested parties to make full use of EU agencies and to share information with a view to increasing the number and quality of cross-border investigations at the level of law enforcement and at the judicial level. The EU Strategy states that, in accordance with their mandates, EU agencies should actively share information among themselves and with Member States and highlights the need for cooperation between Member States and Eurojust in implementing the *Eurojust Action Plan* against trafficking in human beings.

On 14 June 2016, the Contact Point facilitated the visit of the EU Anti-Trafficking Coordinator to Eurojust. This was the opportunity to discuss *inter alia* the impact of national laws which criminalise the use of services which are the object of exploitation of THB as per Articles 18 par 4 and 23 par 2 of the Anti-trafficking Directive 2011/36/EU.

The latest meeting of the THB Contact Points of the JHA agencies took place on 22 November 2016. Participants focused *inter alia* on the implementation of the EU legal and policy framework including the state of the transposition of the Anti-trafficking Directive 2011/36/EU[10].

7.3. THB involving the exploitation of children

a) The activities of the Eurojust's Contact Point on child protection

Since its establishment, Eurojust has played an active role in fighting criminality related to children, even when those crimes appear not to be perpetrated in an organised manner. This child protection offered by Eurojust also extends to procedural situations, where children are used as witnesses in investigations or trials. Child trafficking, as reported by Member States, is one of the trends that has increased most sharply across the EU. The statistical data for 2013-2014 shows that out of the 15 846 registered victims of trafficking in the EU, at least 2 375 were children[11].

Eurojust actively engaged as early as 2007 in designing a dedicated structure to respond to these challenges. Upon the initiative of the Belgian Minister of Justice, Eurojust appointed a Eurojust National Member to be **the contact point for child protection,** whose remit includes matters such as missing children, sexual abuse of children, trafficking in children and child abuse material. As a result, the Eurojust Contact Point carries out a number of activities, including but not limited to: (i) ensuring that Eurojust has access to best practice in the field, (ii) following the work of national authorities, law enforcement organisations and other bodies in the field of child protection, and (iii) maintaining statistical overviews of all the cases dealt with in Eurojust related to the topic.

For example, in 2009, Eurojust became a member of the European Financial Coalition against the commercial sexual exploitation of children online, and organised a seminar in 2011 touching upon travelling child sex offenders with a view to mapping out the main challenges and solutions thereto in investigations and prosecutions of this type of crime. The Contact Point also participates in the

[10] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF
[11] Report from the Commission to the European Parliament and the Council, *Report on the progress made in the fight against trafficking in human beings* (2016), COM(2016) 267 final, page 7

Europol Focal Point Twins, where such cases are analysed. The Focal Point recently produced a report on challenges and best practices in the investigation and prosecution of child sexual exploitation online, based on cases referred to Eurojust.

In February 2016, the Contact Point expressed support for the Missing Children Europe Project INTERACT. The Project is designed to reduce (re)trafficking of unaccompanied migrant children. As a result, the Contact Point has also been nominated as the Eurojust contact in the Expert Network dealing with these matters.

b) Eurojust statistics on THB involving children exploitation

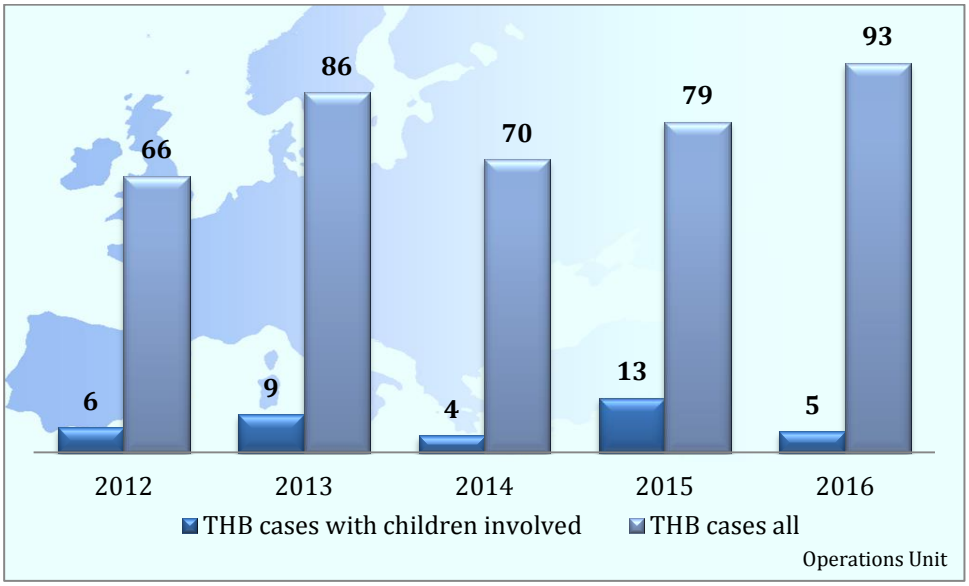
THB cases registered in the action period involving children

Children are one of the most vulnerable groups targeted for trafficking in human beings. Eurojust's casework in the action period reveals that approximately 9 % (37 out of 394 THB cases) of all registered THB cases involve children as victims of various types of THB, such as: THB for sexual exploitation, THB for the exploitation of begging, and/or theft/pickpocketing, the selling of new-born babies or child abduction.

The source for these statistics is the CMS. Different searches have been made in the CMS in order to retrieve the relevant cases, based on the following search criteria:

- THB cases marked with the particularity "Children involved": 2 cases identified;
- THB cases with the key word(s) "child(ren)", "minor", "baby", "under 18s" and "girl/boy" in the Brief Case summary field in the CMS: 36 cases identified.

The chart below outlines the number of THB cases concerning children, registered with Eurojust per year.



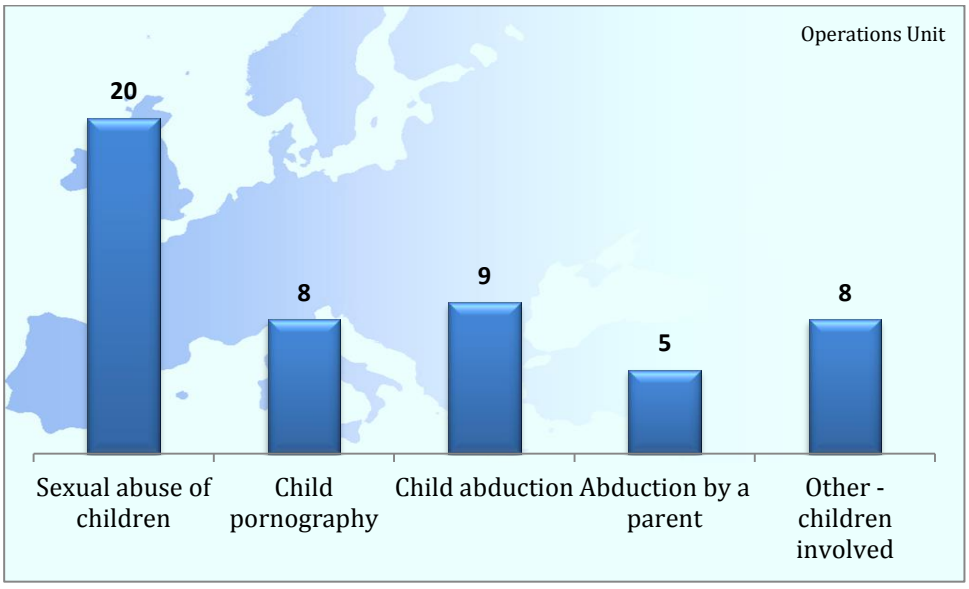
All cases registered at Eurojust between 01 January 2015-31 December 2016 involving children (except THB)

The THB Project Team also looked into all other cases registered at Eurojust in 2015 and 2016 (all crime types except THB, see above for more information) to identify further cases concerning children.

A search was conducted for cases with the key word(s) "child(ren)", "minor", "baby", "under 18s" and "girl/boy" in the Brief Case summary field in the CMS. This search resulted in the identification of 43 cases concerning children.

20 of the identified cases dealt with the sexual abuse of children, 14 cases dealt with child abduction of which 5 were specified as parental abduction and 8 cases addressed child pornography.

Two cases addressed the murder/homicide of a minor. One case dealt with a minor who was forced to carry out acts of terrorism; another with the transportation of persons to Syria, including children, for terrorist purposes; another with the assault (no further specification) of a one year old child; the assault of a minor (no further specification); the sale of a minorand a case involving violence against a baby.



7.4. Eurojust strategic meeting on THB

On 16 and 17 April 2015, Eurojust held a strategic meeting on THB in The Hague. Over the course of two days, in-depth analyses were made on the obstacles related to THB investigations and prosecutions. The meeting was attended by THB experts, prosecutors, law enforcement authorities and judges from Member States, Switzerland, Norway, USA and Japan. Representatives of the European Commission, Europol, UNODC, FRA, Western Union, the University of Cambridge and Facebook also attended.

The main focus of the meeting was on strengthening and improving cooperation between national judicial authorities in the fight against THB. Special attention was given to the challenges encountered in gathering and obtaining evidence, and in prosecuting THB crimes for labour exploitation. The

participants further examined judicial cooperation issues related to the setting up and running of judicial investigation teams (JITs), the use of special investigation techniques, financial investigations, and the collection of e-evidence. Lastly, the value of Eurojust's involvement in THB cases was thoroughly discussed.

During the plenary session presentations were delivered on the main challenges and best practices in the investigation and prosecution of THB. The representatives of Facebook and Western Union presented the THB-related obstacles that they encounter and pointed out possible avenues of cooperation with judicial authorities.

Three workshops were organised for the participants, addressing the following topics: (i) challenges encountered in judicial cooperation regarding hearing and protecting victims or witnesses of THB; (ii) finding the best practices in prosecuting THB cases for the purpose of labour exploitation; (iii) obstacles found in judicial cooperation in conducting an investigation involving several States, and the associated problems with collecting evidence.

Recommendations and best practices emerged from the workshops. It was found that there is a need to:

- Enhance direct contact between national authorities in judicial cooperation requests;
- Include NGOs in investigations as early as possible;
- Use multiple sources of evidence and not to solely rely on victims' statements;
- Ensure continued assistance from Eurojust in organising coordination meetings and the setting up JITs.

As a result of the meeting, each working group came up with 6–10 recommendations to improve the combating of THB. The outcome report[12] of the meeting reflects all the recommendations that the working groups concluded.

7.5. Eurojust report on prosecuting THB committed for the purpose of labour exploitation

In December 2015 Eurojust published a report entitled *Prosecuting THB for the purpose of labour exploitation*[13]. The findings of the report are based on the analysis of, *inter alia*, 32 judgments from 11 states and cases of human trafficking for labour exploitation registered at Eurojust.

The report serves principally as source of information to practitioners involved in the investigation and prosecution of THB by identifying possible indicators of THB for labour exploitation purposes and assessing the interpretation of the concept in national case law.

[12] http://www.eurojust.europa.eu/doclibrary/Eurojust-framework/Casework/Outcome%20report%20Eurojust%20THB%20meeting%2016-17%20April%202015/Outcome%20report%20Eurojust%20THB%20meeting%2016-17%20April%202015.pdf

[13] https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/report_on_prosecuting_thb_for_the_purpose_of_labour_exploitation_en_1.pdf

The following indicators are considered by the national courts: i) poor living and working conditions, ii) coercion and limitations on freedom of movement, iii) language limitations, iv) seizure of identification documents by or on behalf of the employer, v) illegal/irregular entry or residence to the state, vi) bondage debt, vii) no or limited medical insurance and social security contributions

Secondly, the report presents a brief overview of THB for labour exploitation cases handled at Eurojust, on the basis of which some of the challenges faced by the involved states are described. This involves clarifying links and/or possible overlap between parallel judicial proceedings, competing European Arrest Warrants, difficulties in judicial cooperation and the execution of Letters of Request. Best practices in judicial cooperation as well as the possible assistance of Eurojust are emphasised, namely through facilitating the prompt exchange of information, organizing coordination meetings and centres, assisting in the setting up and funding of JITs and assisting in the execution of LoRs.

Finally, the report analyses the responses to the THB External Questionnaire, which was submitted to the national authorities of Member States, Norway and Switzerland. It appears from the questionnaire that 25 states have legislations, guidelines or case law providing indicators for determining the 'labour exploitation' purposes in a THB case and that the other states use international sources as guidelines. Another relevant conclusion is that prosecutions related to THB for the purpose of labour exploitation are very difficult and thus the number of convictions is very low. Proving the 'labour exploitation' purpose in THB is the most challenging step for the prosecution.

8. Conclusions

The Final Evaluation confirms that the fight against THB presents distinct features and challenges.

They originate *inter alia* from the complex nature of the investigation prompted by the increasingly well-organized nature of the groups operating in this crime type and the fact that THB generates profits that are hard to track and confiscate. The varying scope of definitions of THB amongst Member States and the high evidentiary requirements contribute to making facilitation of investigation and prosecution more complex.

The fact that THB tends to target vulnerable victims is yet another challenge faced by practitioners as it renders particularly difficult the gathering of solid and admissible evidence.

The Final Evaluation confirms the peculiarities of THB cases, which had been stressed in the *Strategic Project on Eurojust's Action against Trafficking in Human Beings*, October 2012, (see table on the next page for an overview of the challenges and possible responses).

The Evaluation also indicates that:

- Eurojust casework reveals a better understanding of THB specifics by practitioners and a higher level of coordination which, in turn, translates in a larger number of joint investigation teams being set up (75 % of the THB cases analysed with a coordination meeting at Eurojust in 2014/2015 translated into a JIT).
- The higher percentage of coordination meetings, organised by Eurojust with the competent national authorities in THB cases, can be regarded as an indicator of the willingness and availability of national authorities to cooperate on a higher level with the assistance of Eurojust in order to meet the challenges deriving from the complexity of THB cases.
- The casework also indicated an increased cooperation with Europol.
- In a general context of scarce resources, the allocation of significant financial means to set up JITs and agree on other facilitation tools is indicative that the cases brought to Eurojust were assessed advanced enough and that solid grounds were demonstrated that they would benefit from Eurojust financial and operational assistance.
- An important milestone has been reached with the setting up of the first two JITs in THB cases between an EU Member State and a third State.
- Finally, a holistic approach to curbing THB calls for fostering asset recovery and more generally financial investigations.

From a methodological viewpoint, the THB Team encountered challenges related to the reliability of the data made available. In a number of occurrences, the blurred delineation between THB and illegal immigrant smuggling, for example, have contributed to make the analysis of the casework more difficult.

Beyond the mere exercise of evaluating the *Eurojust Action Plan*, reliable and complete data are key to designing and promoting strategic follow up, specifically at a time when a new policy document is being drafted by the Commission.

Article 13 notifications feed the process of collecting and analysing relevant information. Such information is key to identifying potential links to other cases registered at Eurojust and more generally triggering Eurojust's further support where and when appropriate.

While overcoming the complex nature of THB cases through operational assistance is clearly a prerequisite, the Final Evaluation finds that it might not be sufficient. Down the line, difficulties related to the clear identification and appropriate processing of THB cases at an early stage of investigation, for example, have been experienced by a number of practitioners.

In this context, Eurojust has accumulated a wealth of experience, information and knowledge. Eurojust remains committed to disseminating this expertise as an integral part of its facilitator role.

In sum, due to the very nature of THB, countering this phenomenon calls for more cooperation at the EU level.
In this context, Eurojust's added value is underlined by practitioners as pivotal in facilitating judicial cooperation.

Table reflecting the main findings of the Strategic Project on Eurojust's action against THB, October 2012.

Main difficulties	Identified problems	Proposed solutions
High evidentiary requirements in THB cases	• Victim testimony difficult to obtain • Oral evidence not corroborated by other evidence • Judicial cooperation problematic • Lack of resources	• Protection and assistance for victims • Non-prosecution and compensation of victims • Use of all possible sources of evidence • Use of financial investigations • Involve Eurojust and Europol, and use JITs
Identification of THB cases and victims	• Lack of knowledge, awareness and experience • Prosecution of less severe crimes Shifting modus operandi of traffickers • Difficulties in detecting traffickers and victims (collusion control) • Uncooperative and fearful victims	• Education and awareness • Specialisation necessary, but not sufficient • Knowledge and guidelines to identify THB • Covert investigations • Evaluation of cases and sharing of experiences • Involve Eurojust, Europol, and Frontex, and use JITs
Multilateral dimension of THB cases	• THB is complex to investigate and prosecute • Focus on national dimension of the case • Problems in judicial cooperation • Insufficient cooperation with stakeholders • Lack of resources	• Include all states involved • Involve Eurojust and Europol, and use JITs • Improve cooperation with third States • Multidisciplinary approaches • Establish network of THB prosecutors

Main difficulties	Identified problems	Proposed solutions
Lack of knowledge and experience in THB cases	• Lacks of basic knowledge and awareness • THB specialisation often not available • Confusion with other crimes • Prosecuting crimes other than THB • Understanding the entire THB phenomenon • Lack of resources	• Training of law enforcement, prosecutors and judges is essential • Involve experts and use experience of NGOs • Learning by doing • Involve Eurojust and Europol, and use JITs • Inter-institutional cooperation
Asset recovery in THB cases difficult to obtain	• Asset recovery not sufficiently used • Problems in locating and tracing assets • Lack of resources, knowledge and expertise • Differences in legislation • Execution of MLA requests is problematic	• Always initiate financial investigations • Training of law enforcement and judiciary • Use of special investigation techniques • Involve Eurojust • Use JITs

Annex I – Overview of the final implementation of the strategic targets of the *Eurojust Action Plan against THB 2012-2016*

PRIORITIES	STRATEGIC TARGETS	Progress made Yes/Partially/No
1. **Enhancing information exchange to obtain a better intelligence picture at the EU level in the field of THB.**	Amount of Article 13 information sent by MSs increases. Feedback and links identified by Eurojust and communicated to the MSs.	Partially
	The quantity and quality of coordination meetings and coordination centres at Eurojust increase in THB cases.	Yes
	Number of Eurojust's THB cases and coordination meetings where Europol is invited to participate increases.	Yes
2. **Increasing the number of detections, joint investigations and prosecutions in THB cases and enhancing judicial cooperation in this area.**	Number of THB cases registered at Eurojust increases.	Yes
	The number of multilateral THB cases compared to the total number of THB cases increases.	No
	Enhanced judicial cooperation in THB cases facilitated by Eurojust.	Yes
	The number of JITs in THB cases supported by Eurojust increases.	Yes
	Feedback on the outcome of Eurojust's intervention received and evaluated.	Yes
3. **Improving coordination mechanisms, in particular for training, expertise and operational activities.**	Eurojust participates in training sessions on THB.	Yes
	Contacts are established with the national authorities whenever support in establishing specialised THB units within prosecution services is requested.	No
4. **Increased cooperation with third States in THB cases.**	Number of THB cases and coordination meetings in THB cases attended by third States increases.	No
	Number of Eurojust contact points in third States increases.	Yes
	Number of cooperation agreements increases.	Yes
5. **Using alternative approaches to combat human trafficking, such as multidisciplinary approaches.**	Whenever appropriate, Eurojust should encourage Member States to use multidisciplinary approaches in THB cases and include this point in the agenda of coordination meetings.	Partially
	Contacts established with the national multidisciplinary law enforcement units on human trafficking and support provided.	No
6. **Disrupting criminal money flows and asset recovery in THB cases.**	Whenever appropriate, Eurojust should encourage Member States to analyse asset recovery possibilities and include this point in the agenda of coordination meetings.	Yes
	Outcome of Eurojust's interventions in confiscation procedures in THB cases received and evaluated.	No

Annex II – THB meetings and conferences attended by Eurojust

Note that activities and projects for the reporting period 2012-2013 can be found in the midterm review. This part of the Evaluation covers only the period 2014-2016.

2014-2016
PROJECTS
The use of JITs in the fight against THB in the Western Balkans (JIT THB WB) The JIT THB WB project started in October 2013. It was carried out in partnership with the Ministry of Interior of the Republic of Bulgaria and funded by the European Commission's ISEC Programme for prevention and fight against crime. It was a continuation of the project *"The introduction of the requirements for establishing joint investigation teams to fight Trafficking in Human Beings in South-eastern Europe (JIT THB)"*, which concluded in June 2013. Eurojust participated in this project and attended several workshops, organised within the project. The purpose of the workshops was to present the concept of joint investigation teams (JITs) as well as the international and national legal bases for setting up JITs. In addition, the support provided by Eurojust, Europol and the JITs Network to JITs was outlined. The workshops were attended by prosecutors and law enforcement officers from Croatia, Bosnia-Herzegovina, FYRoM, Serbia and Montenegro. The project was concluded with a final conference in 2015.
Oxford Knowledge Exchange Initiative Eurojust participated in the Oxford Knowledge Exchange Initiative. The goal of the initiative was to improve the strategic analysis capacity at Eurojust and to enhance the exchange of knowledge and expertise between Eurojust and academics. The University of Oxford envisaged the Knowledge Exchange Initiative as an addition to the ongoing (since 2010) Eurojust - Oxford cooperation started with the FIDUCIA project. The initiative covered topics including drug trafficking and human trafficking. In this context, a first exchange programme was organised at Eurojust on 8-9 January 2015. Two researchers from Oxford University and 30 persons from Eurojust, involved in drafting strategic analysis reports, participated and received technical training followed by a more interactive exchange module. The second part of the initiative took place on 20 February 2015 at Oxford, bringing together scholars and practitioners with an interest in organised crime.
International Organization for Migration regional project 'Strengthening the fight against trafficking in persons and migrant smuggling in the Western Balkans' The project, which was financed by the Italian government, aimed at strengthening the capacity and cross-border cooperation of the stakeholders from the Western Balkans region in fighting cross-border transgressions such as trafficking in human beings and migrant smuggling. The first workshop took place in Skopje in December 2014 and Eurojust continued to be involved in the project in 2015.
RACE project The project was the initiative of the Anti-Slavery International NGO, working at local, regional and international level to eliminate all forms of slavery around the world. In the course of the project ASI prepared a book named ''Trafficking for Forced Criminal Activities and Begging in Europe''. The main subject of the book is THB for the purpose of forced criminal exploitation as a phenomenon in the EU. Eurojust attended the final phase of the RACE project on 30 September 2014 in Brussels.

HOTT Project

The HOTT Project was an international research project on 'combating trafficking in persons for the purpose of organ removal' (THBOR) and was an initiative of the Erasmus MC University Medical Center, Rotterdam, The Netherlands, which led the project in close collaboration Lund University, Sweden, the Bulgarian Center for Bioethics and the Academic Society for the Research of Religions, SACRI, Romania. It is the first EU-funded project against this 'new' and neglected form of trafficking in human beings. The aim was to increase knowledge and information, raise awareness about the crime and improve its non-legislative response. Eurojust attended the Writers' Conference on 20 November 2014 and the International Symposium on 21 November 2014, both hosted by Europol.

2014	
MEETINGS and CONFERENCES:	
29-30 January	EMPACT meeting at Europol on Trafficking in Human Beings
11-13 March	The 2nd workshop of the JIT THB WB project (project on the Use of joint investigation teams to fight Trafficking in Human Beings in the Western Balkans at the local level) (Croatia)
17-18 March	The role of JHA Agencies regarding THB. EASO 1st Expert Meeting on Trafficking in Human Beings and Asylum (Malta)
7-8 April	ERA seminar on THB (Lisbon)
15-17 April	JIT THB WB workshop (Sarajevo)
22-23 April	EMPACT THB meeting at Europol
19 May	Coordination meeting of THB Contact Points JHA Agencies (Brussels)
4-5 June	THB Expert meeting at Europol
1-2 July	EMPACT THB meeting at Europol
3 July	EMPACT THB Sub-project Chinese THB meeting at Europol
8-10 July	JIT THB WB workshop (Skopje)
11 September	FIDUCIA event (Prague)
16-18 September	JIT THB WB workshop (Belgrade)
30 September	RACE Project, International Anti-trafficking Conference (Brussels)
7 October	EMPACT meeting at Europol: THB sub-group Chinese THB
8-9 October	EMPACT THB OAP 2015 drafting meeting at Europol
10 October	EU Anti-Trafficking Day (Brussels)
28 October	Human Trafficking Conference (The Hague)
11-14 November	3rd INTERPOL Global Trafficking in Human Beings Conference (Lyon)
20-21 November	Symposium HOTT Project: Combating Trafficking in Human Beings for the Purpose of Organ Removal
21 November	Vienna Dialogue Forum: Stop Human Trafficking - Mission Impossible?
25-27 November	JIT THB WB workshop (Budva, Montenegro)
27-28 November	SELEX Project, FRA Expert Meeting on severe forms of labour exploitation
4-5 December	Annual EUCPN conference on THB (Rome)
17-19 December	IOM Seminar "The cross-border cooperation in investigating cases of human trafficking and smuggling" (Skopje)

2015	
MEETINGS and CONFERENCES:	
28 January	EMPACT THB Sub-project Chinese THB Conference Call
2-3 February	EMPACT THB kick-off meeting at Europol
3 February	Workshop 'Enhancing national and regional criminal justice response to trafficking in children in South Eastern Europe' (Sarajevo)
18-19 March	EMPACT THB Sub-project ETUTU meeting (Bilzen/Belgium)
24-26 March	7th Workshop of the project "Use of joint investigation teams to fight trafficking of human beings in the Western Balkans at the local level" (JIT THB WB) in Tirana, Albania
29-30 April	FP Phoenix's Annual THB meeting on Financial Investigation and Asset Recovery, related to EMPACT THB
6-7 May	EASO Expert Meeting on the Identification of victims of trafficking in Human Beings who may be in need of International Protection
13-15 May	IOM Seminar "Strengthening the fight against trafficking in persons and migrant smuggling in the Western Balkans" (Bečići/Montenegro)
20-22 May	Closing Conference of the JIT THB WB Project in Portoroz, Slovenia
2 June	Launch conference "Severe labour exploitation in the EU" (Brussels)
8-9 June	Europol EMPACT THB meeting
7-8 July	Europol EMPACT THB - Multidisciplinary approaches against human trafficking for the purposes of labour exploitation
10-11 September	Seminar on judicial co-operation in countering THB (Riga)
14 September	Presentation via VC at the CEPOL webinar on trafficking of human beings
15-17 September	JIT THB WB Workshop (Sarajevo)
8-9 October	EMPACT THB OAP 2016 drafting meeting at Europol
8-9 October	JHA Council meeting
20 October	EU Anti-Trafficking Day' Conference (Brussels)
29-30 October	Santa Marta Group Human Trafficking Conference (El Escorial)
10 November	EMPACT THB Sub-project Chinese THB Conference Call
19 November	Debate conference on the fight against THB at the European Parliament (Brussels)
24-25 November	Transnational Seminar on Prosecuting Trafficking in Human Beings (Vienna)
1-2 December	THB Financial Investigation & Asset Recovery Expert Meeting (The Netherlands)
8-10 December	JIT THB WB – workshop (Belgrade)

2016	
MEETINGS and CONFERENCES:	
18-19 January	Conference under the Dutch Presidency "TeamWork! Strengthening multidisciplinary cooperation against THB for labour exploitation" (Amsterdam)
28 January	Final Conference of the project "Referral of and Assistance for victims of human trafficking in Europe" (RAVOT-EUR) (Budapest)
16-17 February	Europol EMPACT THB kick-off meeting
14-15 March	THB Expert Subgroup-Demand meeting organised by the EU Anti-trafficking Coordinator (Brussels)
7-8 April	JHA Agencies Network Workshop (Vienna)
21 April	THB seminar (Prague)
21 June	Coordination group meeting of THB Contact Points in JHA Agencies, organised by the EU Anti-trafficking Coordinator (Brussels)
4-8 July	GRETA plenary meeting (Strasbourg)
12-13 July	THB Strategic Meeting at Europol
20 September	THB Contact Points in JHA Agencies meeting (Brussels)
13 October	Conference on THB in international cooperation (Sweden)
19-21 October	4th INTERPOL Global Conference on Trafficking in Human Beings (Lugano)
20-21 October	EMPACT THB OAP 2017 drafting meeting at Europol
26 October	THB Conference (Hosted by the Council of Baltic Sea States) on new forms of THB (Helsinki)
22 November	THB Contact Points in JHA Agencies meeting (Brussels)
7-8 December	THB Financial Investigation & Asset Recovery Expert Meeting (The Netherlands)

Annex III – Methodology, case analysis template and staff acknowledgements

Methodology

The THB Project Team carried out the following activities:

- *The THB Project Team agreed to apply the same methodology as used in the mid-term report (collection of information on cases in a systematic way following the strategic targets of the Action Plan).*

Selection of THB cases for analysis: 28 THB cases registered at Eurojust in which at least one coordination meeting was held in 2014/2015 and/or in which a JIT was set up during this period. THB cases, which were opened at Eurojust in 2016 were not analysed in-depth (they were taken into account for the quantitative analysis) in order not to jeopardize ongoing investigations. Collection of available documents for the THB cases analysed: minutes of the meetings, presentations, case evaluation forms, JIT agreements, outcome of coordination centres, etc.

- Analysis of THB cases based on the case analysis template and drafting of case analysis reports.
- Consolidation of the replies to the research questions: a matrix was produced by the THB Project Team to allow an overview of all case analysis reports.
- Drafting the final evaluation report on the implementation of the *Eurojust Action Plan against THB 2012-2016*.

Limitation

Please note that, with reference to the figures reported in this report, there are minor variations to the figures included in the *mid-term report*. This is due to the fact that the figures are extracted from a database (the Case Management System – CMS), which is subject to modifications by the users in time. The CMS is a living database and the data are not frozen at the end of the calendar years. The cases at Eurojust have an evolving nature and as such there might be small discrepancies when data are extracted at different times.

There are several noteworthy limitations to the evaluation methods due to data availability constraints or issues around the attribution of observed trends and developments to the Action Plan. In reporting on the collected evidence, the THB Project Team has made those caveats and limitations explicit where and when appropriate in the core of the text. In drawing conclusions, the report has been cautious not to over-interpret the evidence. In some instances, the available data did not allow for any firm conclusions.

Case analysis template

The research questions contained in the case analysis template are structured according to the priority areas of the Action Plan, namely:

<u>Priority One – Exchange of information</u>

1.1. Notification on Article 13 of the Eurojust Decision sent in the case?

1) Is the case under analysis a result of the Article 13 notification?

2) Was there any feedback/links provided by Eurojust as a result of the notification?

1.2. Quality of coordination meetings (CM)/coordination centres (CC)

1) Did a Level II meeting take place prior to the CM?
2) Information exchange/preparatory requests prior to CM:
   a) Was there an exchange of information prior to the CM?
   b) Were preparatory requests addressed to the involved states prior to the CM?
3) Was there a preliminary case note by CAU?
4) Was a joint strategy (coordinated action or joint investigation) agreed at the CM?
5) MLA/EAWS sped up?
6) Are there conclusions to the meeting?
7) Meeting minutes.
8) Follow up/outcome:
   a) Were the conclusions of the CM followed up?
   b) Is the judgment known?
   c) Was there a press release in this case?
   d) If yes, is Eurojust mentioned in the press release?
9) Is there a Eurojust (written) opinion/advice about conflict of jurisdiction?
10) Was a coordination centre set up?
11) Did a videoconference take place during the CM?
12) Was the Eurojust Case Evaluation Form completed?
13) Attendance at the CM:
   a) Did all involved states attend the CM?
   b) Were external participants present for all delegations?

1.3. Europol involvement

1) Did an operational meeting at Europol take place in connection with this case?
2) Did Europol participate at a CM at Eurojust?

Priority Two – Investigations, prosecutions and judicial cooperation

2.1. Bilateral/Multilateral case

1) Is this a multilateral case?
2) Was the case extended to other states (origin/transit/destination) as a result of the CM/Eurojust (EJ) assistance?

2.2. Joint investigation teams

1) Was a JIT set up in this case?
2) Did the JIT receive Eurojust funding?
3) Did EJ give advice regarding the suitability of setting up the JIT?
4) Did EJ give advice and information on, for example:
   - differing formal requirements for setting up the JIT
   - differences in legal systems with regard to rules on gathering and admissibility of evidence
   - disclosure of information
   - time limits for data retention
   - conflicts of jurisdiction
   - transfer of proceedings
   - involving other Member States or third States as JIT members

- other, please specify.

5) Did Eurojust give advice on drafting/extending the JIT agreement and Operational Action Plan?
6) Did Eurojust provide coordination on action days?
7) Did Eurojust support the JIT via coordination meetings?
8) Did Eurojust provide support for the evaluation of the JIT?

2.3. Financial investigations (e.g. location, identification, tracing of money flows)

1) Was the issue of financial investigations discussed at Eurojust?
2) Were financial investigations conducted with support from Eurojust?

2.4. Judicial cooperation

1) Were issues in judicial cooperation discussed?

If YES, please specify which issues, e.g.:

- Difficulties in identifying the THB victims
- Reliance only on victims' testimonies, lack of other sources of evidence
- Gathering/admissibility of evidence, in particular with regard to victims and witness testimony
- Cross-border special investigative techniques used (e.g. controlled delivery of persons, undercover agents, interceptions, infiltration, cybercrime investigations etc.)?
- Use of expert witnesses (e.g. voodoo priest)
- Protection of witnesses
- Witnesses with hidden identity
- Complex case due to its multilateral dimension
- Lack of specialised knowledge of THB
- Legislative problems
- Others, please specify.

Priority Four – Cooperation with third States

Are third States involved in this case?

1) If YES, please specify third State contribution:
2) If NO, please specify reasons for not involving third State:

- No request towards third State
- Budget constraints
- Lack of agreement
- Others, please specify.

Priority Five – Multidisciplinary approach

Which innovative/alternative ways were used to tackle organized crime?

Priority Six – Asset recovery

1) Was asset recovery discussed at Eurojust?

If YES, please specify which asset recovery procedures were discussed, e.g. tracing, freezing, confiscation, sharing, return of proceeds of THB.

2) Did asset recovery take place?

- What was the role of Eurojust, for example, to assist in reaching an agreement for sharing/return of the assets?
- What was the outcome of the asset recovery process?
- Is this outcome known at Eurojust?

For more information

The THB Project Team will be happy to respond to any query and welcomes feedback from the readers. Do not hesitate to contact us at: THBProject@eurojust.europa.eu.

You may want to also visit Eurojust's dedicated webpage[14]. It contains a wealth of information on Eurojust's activities pertaining to THB, including background documents, reports, press releases and casework-related information.

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THB Project Team *(Note that the Case Analysis Unit and the Legal Service were merged into the Operations Unit as of 1 January 2017)***:**

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[14] http://www.eurojust.europa.eu/Practitioners/operational/THB/Pages/THB-project.aspx

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