

Questionnaire on protecting victims of human trafficking

Eradicating trafficking in human beings by countering the impunity that fosters the crime and realising the rights of the victims are a priority for the EU, its Member States and its JHA agencies.

In 2018, the JHA agencies have renewed their Joint Statement of commitment to working together against trafficking in human beings. Building on the progress made in the past years, the JHA agencies are committed to continue to cooperate on a number of actions. One of them is to assist Member States in improving early identification of victims and ensuring access to and realisation of their rights.

The protection of victims has been chosen as one of the thematic topics of the JHAA Network in 2020, chaired by Eurojust. A short paper will be produced by the network at the beginning of 2021 with an overview of agencies' support to victims of human trafficking. The paper can be then disseminated to the Member States to make them aware of the roles and victims' related actions undertaken by the JHA agencies in the implementation of the 2018 Joint Statement. The paper could also contribute to the implementation of the Council Conclusions on Victims Rights adopted in December 2019 and of the EU Strategy on Victims Rights 2020-2024 adopted in June 2020 and upcoming strategic approach against trafficking in human beings in relation to the Agenda to tackle Organised Crime.

A questionnaire has been prepared in view of drafting the short paper. All JHA agencies are kindly requested to reply to the questions below by sending an email to Eurojust's Operations Department at [REDACTED] by 23 December 2020. Eurojust will prepare a draft paper based on your responses. A meeting with all agencies to finalise the paper will take place in Q1-Q2 of 2021.

Thank you in advance for your contributions.

Please indicate in the tables below your agency's role and actions/measures undertaken until present in the implementation of the 2018 Joint Statement to assist Member States in:

1. Increasing the early identification of victims of trafficking in human beings.

Early identification of victims	Agency's role	Agency's actions/measures
	YES/NO If YES, please summarise	YES/NO If YES, please summarise.

2. Improving the protection and assistance of victims of trafficking in human beings.

Support and assistance of victims	Agency's role	Agency's actions/measures
	YES/NO If YES, please summarise	YES/NO If YES, please summarise, describing in particular: <ul style="list-style-type: none"> • child sensitive actions • gender specific actions

		<ul style="list-style-type: none"> • attending to victims' special need, including pregnancy, their health, a disability, a mental or psychological disorder they have, or a serious form of psychological, physical or sexual violence they have suffered • building on synergies foreseen in relevant EU instruments in specific areas (e.g. drugs) • supporting coherent and effective joint activities with all relevant stakeholders including labour market intermediaries and recruitment agencies • increasing regional and cross-border cooperation amongst public authorities and social partners • actions regarding non-prosecution or non-application of penalties to the victim for crimes compelled to commit during their exploitation • actions so that assistance and support for a victim are not made conditional on the victim's willingness to cooperate in the criminal investigation, prosecution or trial • actions concerning information on a reflection and recovery period, granting international protection.
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3. Ensuring access to justice, compensation of victims of trafficking in human beings.

Access to justice, protection of victims in criminal investigations and proceedings compensation of victims	Agency's role	Agency's actions/measures
	YES/NO If YES, please summarise	YES/NO If YES, please summarise, describing in particular: <ul style="list-style-type: none"> • operational actions to bring perpetrators to justice • child specific actions • gender specific actions • actions for appropriate protection of victims on the basis of an individual risk assessment • access to witness protection programmes or other similar measure

		<ul style="list-style-type: none"> • specific treatment aimed at preventing secondary victimisation of victims during the criminal proceedings • actions with regard to free legal counselling and free legal representation
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4. Prevention as a mean to protect vulnerable people from criminals

Prevention to protect vulnerable people from criminals	Agency's role	Agency's actions/measures
	YES/NO If YES, please summarise	YES/NO If YES, please summarise, describing in particular, where relevant: <ul style="list-style-type: none"> • actions on awareness raising (education, training, campaigns) for reducing the risk of people, including children, becoming victims of THB • training for officials likely to come into contact with victims or potential victims of THB, including front-line police officers, aimed at enabling them to identify and deal with victims and potential victims • actions regarding the use of services which are the objects of exploitation of victims of THB

In your replies, please indicate in short whether any of the actions/measures at questions 1, 2 or 3 was related to identification, protection or assistance of vulnerable groups of victims, in particular women and children, persons with disabilities, migrants and asylum seekers, etc. When known, please also indicate the purpose of exploitation relevant for the activities of your agencies (sexual exploitation, labour exploitation, forced begging, slavery, removal of organs or any other purposes). Please consider also articles 11-18 of Directive 2011/36/EU.

There is no victim unless there is someone using their services