

**Answers to the Group of Experts on Action against Trafficking in Human Beings (GRETA) Questionnaire
on Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings
by the Parties – Second Evaluation Round**

Annex 1 – Länder Annex

A. Follow-up questions		
Q	Question	Länder responses
1.	Please provide information on developments since GRETA's first evaluation report on your country in the following areas:	
	- the main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims);	<p><u>Baden-Württemberg</u> The judiciary in Baden-Württemberg reported that victims are often lured into coming to Germany through the prospect of a job. Payment of the German minimum wage is not an issue as the workers are happy to accept far less – somewhere between €4 and €5 per hour. Wages of between one and two euros have also been found. In many cases, workers do not even receive the low wage agreed. Delaying tactics are used to keep them waiting for their pay. When they eventually demand to be paid, they are told they can go. They then receive at best the cost of their inbound journey and some money for cigarettes and food. In their desperation, some workers turn to the customs authorities or resort to stealing to keep their heads above water or to finance their return journey home. It is not uncommon for their labour exploitation to be hidden behind a smokescreen of pseudo self-employment. The workers are told that the business or trade registration paper is a permit allowing them to work in Germany. Invoices are written by the employer because the employees are unable to do so themselves. The invoice amounts are determined at will. Some are paid and some are not.</p> <p>The specialised counselling centres for victims of human trafficking for the purpose of sexual exploitation funded by the Ministry for Social Affairs and Integration reported a significant increase in cases in 2016 compared with previous years. This was especially the case regarding refugee victims of human trafficking and the number of people seeking advice from non-EU states.</p> <p><u>Bavaria</u> Sexual exploitation continues to be the main focus of measures taken to combat human trafficking.</p> <p>A public prosecutor in Bavaria reported yet another form of human trafficking for the purpose of labour exploitation: when coming to live in Germany, Arab families bring domestic staff with them and force them to work in what are essentially illegal employment relationships. These employees usually remain within the homes of the families they work for and have no contact with the outside world</p>

Berlin

With regard to the various forms of human trafficking, the Land Berlin again observed continued focus on sexual exploitation, especially of minors. In such cases, initial contact with the victims largely occurred via the internet and social media. Most recently, an increase in prostitution of minors, including children (aged 12) in the Großer Tiergarten and Schöneberger Kneipenkiez districts. The mostly Romanian nationals stand out on account of their offensive attitude and attempts to initiate contact. IN VIA reports a significant increase in victims who have been lured into prostitution through the loverboy method.

In recent years, human trafficking has also come to light in connection with the increase of refugees, however no valid data is available. With regard to counselling, cases are known where people became victims of exploitation or of human trafficking before, during and also after their migration and flight. The SOLWODI counselling centre has observed that non-Nigerian African women in particular are not recruited in their countries of origin, but become victims of human trafficking during their migration journey. Exploitation of women from Eastern Europe is an ongoing phenomenon. This also applies to African women, especially those from Nigeria. SOLWODI is aware of an increase in women from other West African countries (Ghana, Guinea and Cameroon). Many Nigerian women had previously spent time in Italy.

Brandenburg

Most recently, four child welfare services have established an initial suspicion that small groups of youths from Russia and Belarus, who at their own initiative seek admittance to sheltered accommodation run by the child welfare services (youth emergency services, clearing houses for unaccompanied minors), have been systematically forced to commit theft. The child welfare services have observed that these youths only remain in the shelters for a short time and then leave them in secret, unannounced. After they had been caught stealing (electronics, jewellery, etc.), the police repeatedly returned the youths to the shelters.

Because these events have only been observed in recent times, the extent to which they involve organised crime remains unclear.

Hamburg

As described in the first GRETA report, the most frequent form of human trafficking in Hamburg involves sexual exploitation. Labour exploitation also occurs, but to a significantly lesser extent.

None of the investigations conducted so far has revealed other forms of human trafficking and these have not played a role in Hamburg's criminal police activities to date. No other trends have been observed since the end of the first evaluation round.

Most of the victims who received support from KOOFRA in the period 2015 to October 2017 came from Bulgaria, Romania and Germany. One case in 2017 involved, for the first time, a large group of Ukrainian nationals among whom indications of human trafficking for the purpose of labour exploitation were observed. Numbers of Romanian nationals have slightly declined. Several cases of human trafficking for the purpose of sexual exploitation of refugee women were identified, with the offences being committed in Libya, the transit country.

Rhineland-Palatinate

	<p>In its activities, the Rhineland-Palatinate Police Department has recently identified victims from Croatia and Bosnia. The Police Department in Trier has also identified Nigerian victims of human trafficking. The Montabaur Police Directorate, which reports to the Police Department in Koblenz, reports that an increase in cases of street prostitution was detected in the period 2014 to 2016. This involved exclusively Bulgarian women who according to available information were approached in their country of origin and brought to Germany. They all stated that they offer their “services” voluntarily.</p> <p><u>Saxony</u> In Saxony, the few offences detected involved human trafficking for the purpose of sexual exploitation and forced prostitution. The forms and areas of exploitation remain unchanged. What is, however, new is that the women who human traffickers force to offer their services voluntarily are forced to hand over their money by means of violence. This affects solely groups of people from South-East Europe and especially members of the Roma community. Cases involving German victims of human trafficking/forced prostitution were last known in 2014. In investigations conducted by the public prosecution, the cases largely involved human trafficking in connection with prostitution. In most cases, the almost exclusively female victims stemmed from Eastern Europe and Asia.</p> <p><u>Schleswig Holstein</u> In Schleswig-Holstein a disproportionately high number of “model apartments” were detected. The constant switching of model apartments makes it especially difficult to locate victims and requires the criminal investigation authorities to make daily checks on the internet to detect the respective model apartments and, where appropriate, establish links between them and human trafficking activities.</p> <p><u>Thuringia</u> The main forms of trafficking in persons correlate with the elements of an offence described in the Sections 232 (Trafficking in Persons for sexual exploitation) and 233 (Trafficking in Persons for work exploitation) of the German Criminal Code (StGB). The cases of trafficking in persons for sexual exploitation are limited to 5 cases yearly for the local jurisdiction. There is no knowledge regarding the undoubtedly existing number of unreported cases (darkfield). In the cases registered from 2013 onwards predominantly young women from southeast European Countries have been identified mainly from Slovakia, Romania, Bulgaria and Hungary. Women working in prostitution in Germany predominantly change their place of work after a few months or weeks. The sex work is practiced in an apartment singly or jointly. As a consequence of the severe controls the brothels were rolled back with the result that prostitution takes place predominantly in apartments. New forms of trafficking in persons haven’t been registered in the last years. Investigations conform to the new paragraph 232a StGB (Forced Prostitution) have not been so far conducted.</p>
- any changes	<u>Baden-Württemberg</u>

<p>in your country's laws and regulations relevant to action against THB;</p>	<p>To determine the responsible authority as required under the Act Protecting Persons Working in Prostitution, the Act Implementing the Act Protecting Persons Working in Prostitution entered into force at Land level on 1 November 2017.</p> <p><u>Hamburg</u></p> <p><u>Mecklenburg-West Pomerania</u> In 2016, the Mecklenburg-West Pomerania State Ministry for Labour, Equality and Social Affairs (today: Ministry for Social Affairs, Integration and Equality) published its Third Action Plan to Combat Domestic and Sexualised Violence (Dritte Landesaktionsplan zur Bekämpfung von häuslicher und sexualisierter Gewalt) and its Programme on Child Protection (Landesprogramm Kinderschutz).</p>
<p>- the institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialised in the fight against THB, and the establishment of a national rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;</p>	<p><u>Baden-Württemberg</u> Following the Land elections in 2016, the Department of Labour was transferred from the Ministry for Social Affairs to the Ministry of Economics. This effected a change in responsibility regarding the topic of human trafficking for the purpose of labour exploitation. At the time of writing, Baden-Württemberg has a number of counselling centres for human trafficking for the purpose of labour exploitation. A key role is played by the DGB Faire Mobilität offices in Stuttgart and Mannheim. The Land Baden-Württemberg funds eleven welcome centres. In addition to advising employers, the centres assist foreign employees and their families in matters of integration – residency law, labour law, dealing with the authorities, housing and education, childcare and obtaining employment for spouses/partners.</p> <p><u>Berlin</u> Reference is made to Questions 8 and 9 of the questionnaire in the first evaluation round (hereafter: 2014 questionnaire).</p> <p><u>Hamburg</u> In line with the existing support structures in Hamburg for various target groups who are victims of human trafficking (women, men and under-age boys and girls), cooperation talks were held. Such talks are held by the Round Table on Combating Human Trafficking for the Purposes of Labour Exploitation and Sexual Exploitation. The Koordinierungsstelle gegen Frauenhandel e.V. (Coordination Centre Against Trafficking in Women/KOOFRA) has worked for many years to provide support for victims of sexual exploitation.</p> <p>Combating the phenomenon of violence in human trafficking for the purpose of labour exploitation calls for additional labour and social law expertise. To support victims of sexual exploitation, a separate cooperation agreement exists between KOOFRA and the Information Centre Labour Mobility set up by Arbeit und Leben, which largely provides information on matters concerning social and labour law for employees from Eastern Europe. KOOFRA monitors trends in cases of human trafficking for labour exploitation involving men and trans* individuals.</p>

<p>- an overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).</p>	<p><u>Bavaria</u> Designation of criminal police units responsible for investigating new forms of human trafficking (especially begging) is still in the decision-making phase.</p> <p>Throughout Bavaria, officers of the security and criminal police forces are sensitised to the new forms of human trafficking in a wide range of thematic presentations. The BLKA has launched a comprehensive website which provides information and also recommendations for action concerning human trafficking for the exploitation of beggars and for performing criminal acts.</p> <p><u>Baden-Württemberg</u> The Land Baden-Württemberg coalition government agreement provides for the establishment of a round table on human trafficking for the purpose of labour exploitation. The aim of the round table is to achieve improvements in areas such as prevention and intervention across all departments and institutions. Baden-Württemberg also intends to establish professional counselling services. Victims of human trafficking are to be informed about their rights in an effective and comprehensive manner, and be empowered in exercising those rights.</p> <p>The Guidelines for Cooperation between Authorities and Specialised Counselling Centres in Baden-Württemberg to Improve Protection for Victims and Prosecution of Human Trafficking for the Purpose of Sexual Exploitation, which was developed in 2007 and revised in May 2016 to align it to prevailing law, is to be further revised with a view to the provisions of the new Act Protecting Persons Working in Prostitution and aligned to the new structures.</p>
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B. Cross-cutting questions

<p>2. Gender equality (Articles 1.1.b, 5.3 and 17)</p> <p>What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through the</p>	<p><u>Brandenburg</u> As part of the equality policy framework programme for the Land Brandenburg 2015 – 2019, the Action Plan to Combat Violence Against Women and Their Children (Landesaktionsplan zur Bekämpfung von Gewalt gegen Frauen und ihre Kinder (LAP)) was further developed. In its implementation, the Land Brandenburg promotes the IN VIA Katholischen Verband für Mädchen- und Frauensozialarbeit für das Erzbistum Berlin e. V. by providing project funding for violence prevention activities and to assist victims of human trafficking in Brandenburg.</p> <p><u>Mecklenburg-West Pomerania</u> The police department at the Academy for Public Administration, Police and Judiciary Güstrow (FHöVPR Güstrow) has for many years ensured that both students and apprentices are taught the basic principles of German Basic Law along with the appropriate attitude towards and concept of human kind which is both authenticated and characterised by tolerance and acceptance. The Land Criminal Police and the Criminal Police Inspectorates (KPIs) are staffed by both women and men.</p> <p><u>Lower Saxony</u> The Land Lower Saxony promotes three specialised counselling centres for victims of human trafficking for the purpose of sexual exploitation. The centres counsel and assist women victims of human trafficking. The services provided focus on</p>
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<p>empowerment of women and girls?</p>	<p>gender-specific issues and needs.</p> <p><u>Rhineland-Palatinate</u> The Ministry for Women’s Issues in Rhineland-Palatinate promotes Solwodi with funding in the amount of €97,600 per year. Solwodi targets its services exclusively at women who are victims of human trafficking.</p> <p>In Rhineland-Palatinate, in addition to the main office in Boppard/Hirzenach, there are specialised counselling centres in Koblenz, Mainz and Ludwigshafen, and a shelter with seven places in Koblenz especially for women victim witnesses of human trafficking. Since 2016, the SOLWODI shelter in Boppard has offered special trauma-sensitive assistance and support services.</p> <p>SOLWODI is also a cooperation partner in the Cooperation Strategy to Protect and Assist Victims of Human Trafficking for the Purpose of Sexual Exploitation and Labour Exploitation. This involves providing anonymous housing for women victim witnesses of human trafficking, psychosocial counselling and process accompaniment. The work performed by Solwodi serves in protecting and promoting the rights of women victims.</p> <p><u>Saarland</u> In Saarland, a specialised counselling programme is offered by the counselling centre for women migrants. The centre also operates a counselling centre for (women) prostitutes. As the counselling centre is also a part of the "Nein zu Zwangsheirat" (No to Forced Marriage) helpline, it ensures provision of specialised accompaniment and support for girls and young women.</p> <p><u>Schleswig-Holstein</u> The Land Schleswig-Holstein promotes “Contra”, the specialised counselling centre to combat trafficking in women in Schleswig-Holstein). Contra advises and supports women:</p> <ul style="list-style-type: none"> • Who are victims of violence and exploitation in prostitution • Victims of extreme labour exploitation • Victims of exploitation and marriage-related blackmail (force/procured marriage) <p>In all of the above, Contra provides psychosocial support and health-related assistance for victims. In addition to counselling, one of Contra’s main tasks is to help improve the lives of victims. Contra works with all Land-specific centres and organisations whose work focuses on human trafficking. Networks are established at both regional and national level.</p> <p>A similar goal is pursued by the specialised counselling centre cara*SH in line with the Act Protecting Persons Working in Prostitution. The centre, which is approved under Land-specific law, receives funding from the Schleswig-Holstein government. When providing counselling or assistance to them, it is required to inform persons working in prostitution of other counselling and support services, and to actively refer them to the registration authorities or other specialised counselling centres.</p>
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<p>3.</p>	<p>Non-discrimination (Article 3)</p> <p>What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?</p>	<p><u>Bavaria</u> Hand-out of detailed informational material concerning victims' rights, close cooperation with non-governmental organisations on counselling and support of victims of human trafficking.</p> <p><u>Baden-Württemberg</u> The Guidelines for Cooperation between Authorities and Specialised Counselling Centres in Baden-Württemberg to Improve Protection for Victims and Prosecution of Cases of Human Trafficking for the Purpose of Sexual Exploitation, which were published in 2007 for victims of human trafficking for the purpose of sexual exploitation, were completely revised in May 2016. The revision places particular importance on protecting all victims of human trafficking irrespective of whether they belong to a minority group (ethnic origin, religion, gender, sexual preference, age). To sensitise and support police officers and enable them to better identify potential victims of human trafficking, the brochure entitled "Achtung Menschenhandel" (Attention! Human Trafficking!) was published on the intranet of the Baden-Württemberg police and is available to all police officers along with Baden-Württemberg's own brochure "Opferschutz" (Victim Protection).</p> <p><u>Hamburg</u> KOOFRA works on the principle of cultural mediation, i.e. victims are supported by employees who speak the primary language of their clients and, where possible, come from the same or a similar cultural background.</p> <p>The specialised counselling centre places particular focus on networking with counselling centres whose work covers prostitution, migration, women, refugeeism and flight, social counselling and labour. This idea is to ensure that counselling centres are able to refer clients much faster to the support available from KOOFRA. Victims of human trafficking receive access to their rights by means of interpreters who work for the criminal prosecution authorities and their cooperation partners.</p> <p><u>Mecklenburg-West Pomerania</u> Intensive cooperation exists on the basis of the cooperation agreement signed in 2011 on protection of victims of human trafficking between the Mecklenburg-West Pomerania Police, the public prosecution authorities and ZORA (a specialised counselling centre for victims of forced prostitution and human trafficking).</p> <p><u>Saarland</u> Information about the rights of victims of human trafficking has been translated into the respective national languages. During investigations, specialised non-governmental organisations – such as ALDONA e.V. and EULE.mobil – are involved in counselling measures for victims of human trafficking.</p> <p><u>Saxony</u> KOBRAnet, a Land-funded specialised counselling centre for victims of human trafficking, works at low-threshold level and is familiar with victims' cultural backgrounds. Victims of human trafficking are informed of their rights and are offered support in exercising those rights. Where needed, counselling in the client's native language can be provided.</p>
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4.	<p>What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?</p>	<p><u>Bavaria</u></p> <ul style="list-style-type: none"> - Training and sensitisation of police officers. - Provision of informational material via electronic means (intranet). - Training of external agencies (e.g. BAMF) in matters of human trafficking, including by the BLKA. <p><u>Berlin</u></p> <p>Victims with no legal residence status often shy away from contacting the authorities, but the services of the specialised counselling centres remain open to them nonetheless and they use them.</p> <p><u>Hamburg</u></p> <p>Identifying victims and helping them to exercise their rights ensures a close and trust-based cooperation partnership between state and non-state agencies in Hamburg which are involved in efforts to combat human trafficking. In addition, the security department in the central migration authority has a special responsibility in this regard.</p> <p>Victims are also identified by the authorities or the NGOs on the basis of reports or information received.</p> <p><u>Hesse</u></p> <p>Where the person concerned is a victim of crime and the police have received information by means of a report, reference is made to Question B3.</p>
5.	<p>What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention?</p>	<p><u>Bavaria</u></p> <ul style="list-style-type: none"> - Training and sensitising police officers. - Provision of informational material via electronic means (intranet). <p><u>Berlin</u></p> <p>From 2018, Arbeit und Leben e.V. will run the existing counselling and support programme operated by the Migration Advice Office (Ausländerberatungsstelle) and the counselling centre for seconded employees, employees entitled to freedom of movement and persons with vague employment status (BEB) at the Berlin Advisory Centre for Migration and Work (Beratungszentrum für Migration und Gute Arbeit). The services will be provided on a needs basis and will improve assistance provided for victims of labour exploitation. The budget allocation for 2018/2019 provides total funding amounting to €978,000. The services are available to all genders and are particularly well used by male victims.</p> <p>In emergency cases, the Land Berlin Office for Refugee Affairs (LAF) organises accommodation for male victims of human trafficking for the purpose of labour exploitation and for male victims of serious labour exploitation in the Berlin reception centre. If the victims decide to stay longer, the LAF provides accommodation with full board in a refugee hostel.</p> <p><u>Hamburg</u></p> <p>KOOFA monitors case developments concerning male victims of human trafficking. To provide safe accommodation for male and transidentity victims, the responsible authority looks for a case-based solution.</p> <p>Further solutions are being sought as part of the continued (2018) victim protection strategy to combat human trafficking and</p>

		<p>violence against women.</p> <p><u>Hesse</u> Where the person concerned is a victim of crime and the police have received information by means of a report, reference is made to Question B3.</p>
6.	<p>Training of relevant professionals (Articles 10 and 29) Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training has been assessed, please provide details.</p>	<p><u>Baden-Württemberg</u> General crime areas are identified in career-specific training. Also, in relation to the organisational group an officer belongs to in the respective working areas (criminal police or security police), initial and further training needs arise which are reported to the respective units. The Baden-Württemberg police training centres offer both crime-specific training in the areas of organised crime and crime involving people smuggling, and target group-oriented seminars for professional handling of victims.</p> <p>The Baden-Württemberg Ministry of the Interior has published an information brochure for police officers on professional handling of victims and witnesses (Professioneller Umgang mit Opfer und Zeugen - Informationen für Polizeibeamtinnen und Polizeibeamte), of which all police officers receive a personal copy. For victims of violent crime, a special information brochure has been published which illustrates the criminal prosecution process and gives practical tips, guidance and useful information on available services.</p> <p>The Baden-Württemberg judiciary reported a need for further specialisation of public prosecutors in matters concerning human trafficking for the purpose of labour exploitation.</p> <p><u>Bavaria</u> In university study programmes for entry into the police section of the civil service, all future police officers take part in a (mandatory) one-day training seminar on human trafficking. More detailed, practice-oriented training/induction follows once the officers have been assigned to their respective special police commissions. Further training of specialists occurs in regular thematic presentations at further education institutes and through the timely provision of topical information on the BLKA, SG 533 website. Also, a Bavaria-wide seminar for specialists is held once a year at which current developments are explored and discussed.</p> <p><u>Berlin</u> All members of the Berlin Police are given the opportunity to participate in the bi-annual seminar on human trafficking. The seminar was extended to three days and, in addition to the police, the training provided also involves the public prosecution authorities, the specialised counselling centres and a sex worker. Seminars are again planned for 2018. The LKA specialist units are involved in a series of presentations which are part of study programmes at the Berlin School of Economics and Law (HWR). Also, the LKA regularly takes part in external specialist seminars (e.g. Friedrich-Ebert Foundation) as part of a network.</p> <p>To aid identification of victims of human trafficking among refugees, human trafficking-related measures were developed as</p>

part of the Master Plan on Integration and Security adopted by the Berlin Senate in May 2016. These include training for employees in refugee hostels on the topic of violence against women. In cooperation with the specialised counselling centres, participants are also sensitised to recognise cases of human trafficking and are encouraged to contact the specialised counselling centres in case of doubt.

Brandenburg

At the Land Brandenburg Police Academy, trainee police officers study to qualify for entry into the mid-level police service (2.5 years of training) and for entry into the higher police service (3-year Bachelor's degree). In training and study, the subject-related theory sensitises students to a variety of crime phenomena. Criminal phenomena change over time and mirror both societal change and technical advancement. The curricula take up these changes and ensure that all police cadets in training and study are trained in current criminal phenomena, including cross-border crime and human trafficking.

Bremen

Inhouse training takes place within the respective police departments.

Hamburg

Upon request, KOOFRA e.V. trains facilitators and other professional groups on the forms of human trafficking and the support programmes available to victims (sexual exploitation and labour exploitation). KOOFRA also plans, in cooperation with the Land Hamburg Ministry of Labour, Social and Family Affairs, and Integration (BASFI), to provide training in February 2018 for specialist employees and voluntary workers in refugee hostels.

In implementing the support strategy for victims of labour exploitation/forced labour, KOOFRA will in cooperation with BASFI hold a specialist seminar in March 2018.

The specialised counselling centres work with cultural mediators who attend two one-day seminars each year on various issues involving psychosocial work with victims of human trafficking. Participation in the training is mandatory for cultural mediators who work for KOOFRA.

Staff working at the Information Centre Labour Mobility also participated in training on the topic of human trafficking for the purpose of labour exploitation. They also attend subject-related specialist seminars.

Hesse

The special training for staff of the specialist organisation units to combat organised crime is structured so that, in addition to general investigative methods to combat organised crime, it also covers the phenomenology of the offence of human trafficking. Additional training events take place in the form of working seminars at Land level and also at the Federal Criminal Police.

Practitioners inform the Justice Academy, and in some cases also the specialist department at the Hesse Ministry of Justice, when there is a need for special training as in the case of the process cited under Section 232 ff StGB.

It must also be remembered that human trafficking proceedings regularly reveal links to organised crime. Thus, with regard to initial and further training of judges and public prosecutors in matters of human trafficking, the same criminal proceeding-

related investigative measures play a role. In this regard, the Hesse Zentralstelle zur Bekämpfung der Internetkriminalität (ZIT) makes an important contribution in that it conducts an annual seminar and target group-oriented mini seminars for various departments of the public prosecution authorities and the courts.

Most of the training content is useful for human trafficking proceedings.

Mecklenburg-West Pomerania

Study at the FHöVPR Güstrow:

Both the promotion-related and regular Bachelor's study programmes offered by the police department at the Academy for Public Administration, Police and Judiciary Güstrow (FHöVPR Güstrow) include Module 14: Kriminalistische Bearbeitung von besonderen Kriminalitätserscheinungen (criminal investigation of specific forms of crime). The topic of human trafficking is addressed. The study programmes also cover victim protection.

General further training on victim protection:

The FHöVPR in cooperation with the Interior and Justice ministries conducted interdisciplinary victim protection seminars in 2016 and 2017. The seminars focused on implementation of the Third Act to Reform the Protection of Victims' Rights (Opferrechtsreformgesetz). The victim protection representatives in the Mecklenburg-West Pomerania Police also received special subject-related and awareness-building training at a workshop held in 2017.

Further training offerings on human trafficking for specialist and management staff:

As part of the further training for specialist and management staff at the LKA and KPIs, regular external training is used at various locations (e.g. the Federal Criminal Police (BKA)). The respective authorities and police units decide on the need for participation.

Lower Saxony

At the Lower Saxony Criminal Police:

1. Initial training:

Students in their third year at the Lower Saxony Police Academy (PA NI) can expand their studies to add offence-specific skills to their previously-obtained ability to act by intensifying their application-oriented specialist, methodological, social and self-management skills in selected subject areas. The following subjects are among those available when studying criminal science (criminalistics/criminology):

- Organised crime
- Crime related to migration and people smuggling

2. Further training:

2.1 Further training needs for the PA NI-provided seminars are collated annually. The PA NI portfolio includes a special module on human trafficking. The training is voluntary, covers legal aspects, especially new legal provisions, criminalistic/criminological aspects, especially the phenomenology of human trafficking, criminal-tactical aspects (procedural preparation/case descriptions), cooperation with other authorities (e.g. tax investigators and the Federal Criminal Police), and is supplemented by a presentation on the work of NGOs whose work focuses on human trafficking. Presentations by the BKA

and the LKA Lower Saxony are also part of the seminar plan.

2.2 The following further training measures are initiated by the LKA Lower Saxony:

- An annual specialist seminar on human trafficking together with working consultations at the LKA in connection with the joint circular on cooperation between police, public prosecutors, immigration and social welfare authorities, child welfare services, employment agencies, job centres and specialised counselling centres for the protection of victims of human trafficking for the purpose of sexual exploitation. A guide on combating human trafficking developed by the LKA NI for specialists, and also a flyer and several information brochures published by the BKA, are provided to participants in initial and further training.

3. In addition, decentralised further training for specialists is offered at five Lower Saxony police directorates. Contact persons for victim protection ensure that police assistance for human trafficking victims is dealt with separately to the processing of the actual criminal prosecution in cases where the victim is not covered by the LKA Lower Saxony victim protection programme.

4. Cross-sectoral: seminars offered by the Lower Saxony Central Unit for Organised Crime and Corruption (ZOK) at the Chief Public Prosecutor's office in Celle serve exchange between the judiciary and the police; the topic of human trafficking is repeatedly addressed.

North Rhine-Westphalia

As part of its centralised further training programme, the North Rhine-Westphalia Office for Initial Training, Further Training and Human Resources at the NRW Police has offered specialised seminars on human trafficking since 2005 and 2014 respectively:

- Since 2005, five-day refresher training on human trafficking/forms of and ways to combat human trafficking.
- Since 2014, two-day refresher and update seminar on human trafficking/new forms of and ways to combat human trafficking, Land-wide, interdisciplinary exchange of experience and optimisation of investigative work.

Both seminars are conducted annually on an as-needed basis. The current focus of this training programme is the change in criminal law arising from the Act to Improve Action Against Human Trafficking dated 15 October 2016.

The NRW Justice Academy offers annual seminars on human trafficking - for example on interrogation techniques for victim witnesses, children and adolescents, on adhesive procedure or for exchange of experience in the field of organised crime. These primarily target judges and public prosecutors. In addition to these seminars, judges and public prosecutors may also attend dedicated seminars as part of the international training programme (e.g. EJTN and ERA).

Finally, with regard to the current training needs following the entry into force of the Act to Improve Action Against Human Trafficking and the Act Protecting Persons Working in Prostitution and the Act on Information Concerning the Availability of Psychosocial Process Accompaniment, the NRW Justice Ministry in cooperation with various NGOs holds five workshops for employees from the specialised counselling centres, the authorities, the police and the public prosecution office.

		<p><u>Rhineland-Palatinate</u> In seminars and project weeks on specific offences, students at the RP Police Academy are sensitised to human trafficking. Training of specialists occurs during specialist seminars in connection with their application in relation to the respective offence. Specialist seminars held at Land and Federal level serve further training.</p> <p><u>Saarland</u> Employees of the specialised counselling centre ALDON e.V. offer further training for teachers and education professionals, and especially for staff in refugee hostels. Where needed, additional further training can also be provided by the staff of the specialised counselling centre.</p> <p><u>Saxony</u> As the criminal phenomenon of human trafficking is almost always linked to other crimes, it is not always investigated by specially assigned employees. Basic training programmes focus on career groups.</p> <p>In addition to covering this topic in initial training, human trafficking administrative staff/case managers are used in police directorates. Training to work in this area occurs among other things through participation in the training programme offered by the BKA. Special training for judges and public prosecutors who are familiar with human trafficking-related crimes occurs via (voluntary) participation at appropriate further training events. Judges and public prosecutors in Saxony also have the opportunity to take part in super-regional further training on this subject, especially at the German Judicial Academy (DRA), the European Judicial Training Network (EJTN) or the European Judicial Academy (ERA). Participation in the further training events on offer is not mandatory for judges and public prosecutors in Saxony. Staff of the specialised counselling centre KOBRAnet must have a diploma in social work. They also take part in subject-related further training which is offered throughout Germany.</p>
7.	<p>Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)</p> <p>Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions</p>	<p><u>Bavaria</u> Investigations involving trafficking in children are conducted by the local police units responsible for such offences. Following indications of potential child trafficking (e.g. offers of as yet unborn children for sale on Facebook) and identification of the offerer, the case is passed to the responsible criminal police for further investigation.</p> <p><u>Berlin</u> Berlin has long had a police commission in LKA 42 which is solely responsible for combating human trafficking for the purpose of sexual exploitation of minors. The existence of the special commission means that, when compared with other Länder, most investigations launched and conducted involve human trafficking for the exploitation of children. With the parallel establishment of a special unit of the Berlin public prosecutor's office, the number of convictions has significantly increased in recent years.</p> <p><u>Brandenburg</u></p>

<p>responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.</p>	<p>In the recommendations on protecting children against negligence and abuse published in 2006 by the Land Brandenburg and the key municipal associations, action to combat trafficking in children for the purpose of sexual exploitation and child pornography is expressly defined as a joint, interdisciplinary responsibility of the child and youth welfare services, the public prosecution authorities, the family courts and the education and healthcare services.</p> <p>The Brandenburg Landesfachstelle Kinderschutz (Child Protection Agency) was established to support implementation of the recommendations in municipal child welfare services in their capacity as the central state-run institutions for child protection. With the help of its cooperation partners, the Agency provides advice to and trains specialist employees in the child welfare services in all matters concerning child protection. This ensures that the child welfare services are sensitised and prepared to deal with potential (suspected) cases of child trafficking and sexual exploitation of children. Also, the child welfare services have entered into binding child protection cooperation agreements with the above-mentioned institutions, particularly the police (child protection networks).</p> <p><u>Bremen</u></p> <p>As soon as the Bremerhaven police authorities or the Bremen Police have enough evidence that minors are being forced, coerced or led to commit crimes, these cases are reported to the responsible special police commission.</p> <p>Police measures taken in suspected cases of exploitation of minors:</p> <ul style="list-style-type: none"> - In accordance with Section 36 f (1) BremPolG, a report is forwarded to the responsible social welfare centre concerning a serious social plight detected during police activities. The report is usually prepared by the on-duty officers who detect the case. - Direct exchange of case-specific information with the social services (Amt für soziale Dienste (AfsD)) and the child welfare services, especially in cases where the child's welfare is at risk and parental care is to be/must be assigned to the child welfare service. <p>Specifics concerning unaccompanied foreign minors:</p> <ul style="list-style-type: none"> - The institutions were especially sensitised by the AfsD and report to the AfsD immediately suspicion arises that a young person is committing crime for a third party's financial gain (repayment for people smuggling, revenue from drug sales or prostitution) - Cross-departmental case conferences are called when a case is suspected but no substantiated findings exist. The aim is to collect information and find safe shelter for the unaccompanied foreign minor. - Coordinated process in the initial reception centre for unaccompanied foreign minors <ol style="list-style-type: none"> 1. Documentation of personal details given verbally because the original documents from the country of origin are rarely available. 2. Identity established (minimum age 14), information from databases are added to the case file. 3. Medical examination and initial reception interview, including age assessment. The estimated date of birth demonstrating adulthood is entered using an alias into the respective police database. <p>If the juvenile court does not accept the estimated age, an age evaluation is conducted at the University Medical Centre Hamburg-Eppendorf (UKE) (x-rays taken of the jaw, wrist and shoulder).</p>
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		<p><u>Hamburg</u> The Hamburg child welfare services have a responsibility to protect the welfare of all minors, including child and juvenile victims of human trafficking that they become aware of. If a child welfare service receives information concerning child trafficking, a child welfare risk assessment is conducted and, where appropriate, the child is taken into care.</p> <p><u>Mecklenburg-West Pomerania</u> The Land government is using the draft BMFSFJ cooperation strategy on providing protection and assistance in cases of trafficking in and exploitation of children as an opportunity to bring the issue further into the public eye during Child Protection Action Week 2018.</p> <p><u>Saxony</u> In autumn 2017, KOBRAnet began to create a network between and also train relevant stakeholders in Saxony's capital, Dresden. The counselling centre Karo e.V. (in Plauen), which is not funded from the Land Saxony budget, also works to help victims of child trafficking.</p>
8.	<p>What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment¹ for them, including through:</p> <p>a. ensuring registration of all children at birth, in particular from socially vulnerable groups;</p>	<p><u>North Rhine-Westphalia</u> With regard to asylum seekers who give birth while housed in an NRW institution, the following procedures apply: If an asylum seeker gives birth to a child at a time when they are required to live in an asylum centre and they have already applied for asylum, the birth must be reported to the responsible Central Migration Office (ZAB) without delay. Only then can the ZAB assume its responsibilities towards the BAMF as required by Section 14 of the Asylum Act. Mandatory reporting obligations remain unaffected.</p>
	<p>b. raising awareness of THB through education;</p>	<p><u>Bavaria</u> In subjects such as ethics and religious instruction, which play a significant role in value-building, these topics are included in classroom teaching.</p> <p><u>North Rhine-Westphalia</u></p>

		<p>With two seminars on preventing sexual abuse, which are part of its central further training programme, the LAFP NRW aims to raise awareness to the issue of human trafficking. The seminars target specialised crime prevention counsellors whose work involves preventing sexual abuse. These inform facilitators (teachers and legal guardians) as part of behaviour-oriented counselling on forms of sexual abuse of children, the risks of becoming a victim and offence-promoting behaviour. They refer to local counselling programmes offered by victim protection and support organisations.</p>
	<p>c. training professionals working with children.</p>	<p><u>Berlin</u> The LKA 42 conducts event-driven awareness-building seminars for contact authorities and services (child welfare, children’s homes, etc.) The Berlin public prosecution office has also begun to hold talks with child welfare services to sensitise these to cases of potential sexual exploitation of children and to strengthen cooperation between the various authorities. Involvement of the responsible Senate administrations is under discussion.</p> <p><u>Baden-Württemberg</u> Child and youth welfare institutions are advised by specially trained staff at the Land Baden-Württemberg child welfare services.</p> <p><u>Saxony</u> Awareness-building, further training and networking on the topic of trafficking in children (see b) and c)) are performed by the KOBRAnet and Karo e.V. counselling centres.</p>
<p>9.</p>	<p>Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?</p>	<p><u>Hamburg</u> In Hamburg, age is determined in accordance with Section 42 f SGB VIII by at least two socio-education specialists and by an interpreter or translator.</p> <p>Should it be necessary to determine the exact age to classify a crime an age assessment by the institute for forensic medicine (Institut für Rechtsmedizin (IfR)) at the University Hospital Hamburg-Eppendorf (UKE) can be commissioned by the prosecution. Until the age assessment is finalised the victim is not determined as a child.</p> <p><u>Mecklenburg-West Pomerania</u> Unaccompanied minors who are victims of human trafficking are usually housed in existing child and youth welfare institutions. In exceptional cases, minors may also be housed in safe houses with the approval of the child welfare service. Unaccompanied foreign minors who arrive in Germany are housed in specialised clearing centres.</p> <p><u>Lower Saxony</u> The judiciary knows of very few cases in which the victim’s age is unknown. Should this problem arise, the prevailing methods used to determine a person’s age are used – for example, an anthropological expert assessment.</p> <p><u>Saarland</u> In an educational assessment conducted as part of the pre-clearing process for unaccompanied foreign minors, which is in turn conducted by the central clearing centre “Schaumberger Hof” on behalf of the Land Saarland Ministry for Social Affairs,</p>

		<p>Health, Women and Families, the young person is given a thorough medical examination and their age is assessed.</p> <p><u>Thuringia</u> No victim was doubted to be a minor or even a child in the past years. Suspicions have been clarified with the help of personal documents. This is valid also for the 21 years age-limit according to § 232 (1) clause 2 (StGB).</p>
10.	<p>What steps are taken in your country to ensure that the rights of the child and his/her best interests are duly taken into consideration, in particular when it comes to:</p> <p>a. identification of child victims of trafficking;</p>	<p><u>Berlin</u> In answer to a), b), c), e), g), h) and i) For all unaccompanied under-age refugees, irrespective of whether they are potential victims of human trafficking, an initial screening, a health check and a clearing process are conducted before they are handed over to the local child welfare services for subsequent housing, and for further assistance and care in line with an assistance plan. If there are signs that they are victims of human trafficking, the issue is addressed (see also the answer to Question 11) and appropriate, case-specific protection measures are taken. Age-appropriate accompaniment, care and promotion of affected children, as well as health care provision, which also includes psychotherapy, and reasonable education. As a general rule, custody is sought from the family court to protect the child's or adolescent's welfare regardless of whether they have been identified as a victim of human trafficking. As part of a clearing process, attempts are made to identify family members in order to assess the possibility of reuniting the family. The provision of age-appropriate counselling and information occurs with the help of translators and interpreters and in a language that the minors can understand. If there are indications that the minors are victims of human trafficking, specialised counselling centres for victims of human trafficking are involved. The counselling is provided free of charge.</p> <p><u>Brandenburg</u> To identify as yet unknown victims, and where all other resources have been exhausted, specialised units are brought in and personal identity checks are used.</p> <p><u>Mecklenburg-West Pomerania</u> The LKA currently plans to assess whether the checklist for identifying victims of human trafficking is known to all child welfare services and will take that opportunity to raise awareness to this topic.</p> <p><u>North Rhine-Westphalia</u> NRW has no legal basis on which to conduct non-event-related police controls, e.g. in prostitution businesses. For this reason, the existing good networking and collaboration between the police and the public order authorities play a key role.</p>
	<p>c. locating the child's family;</p>	<p><u>Mecklenburg-West Pomerania</u> The police units are involved in identifying under-age victims and in searching for and identifying their parents or custodians.</p>
	<p>d. ensuring that the identity or details allowing the</p>	<p><u>Berlin</u> In addition to general data protection measures concerning the civil register, a ban on disclosing information is ordered in cases where such action is needed. For the period involving emergency representation by the Land Berlin child welfare</p>

<p>identification of a child victim of trafficking are not made publicly known through the media or by any other means;</p>	<p>services when a child is taken into care – meaning for the period until a legal guardian is appointed – media requests for information on individual cases are refused in order to protect unaccompanied child refugees. Once appointed, responsibility for assessing the level of risk to the child concerned lies with the legal guardian.</p> <p><u>Brandenburg</u> Through the use of discretionary access control (DAC) in electronic case processing by the Brandenburg police, technical prerequisites are created to enable only restricted reading and access rights to sensitive case-related information. The DAC process is used in particular for cases of organised crime. These include investigations involving trafficking in children and trafficking in human beings.</p> <p><u>Mecklenburg-West Pomerania</u> Police files and data collation and processing systems are protected against authorised access by means of technical, personnel and organisational measures. In addition, sensitive data can be only be accessed by a limited user group within the police force (need to know principle).</p>
<p>e. access to appropriate and secure accommodation, education and health care;</p>	<p><u>Hamburg</u> In Hamburg, in the human trafficking cases investigated by the public prosecution office in cooperation with the responsible unit of the Land Hamburg Criminal Police Office, all opportunities to protect victims and witnesses are used and especially where young victims under the age of 18 are concerned. This includes obtaining support from child welfare representatives, the police child protection unit, the police victim protection unit and the child welfare services (Jugendamt). Once they have testified before the Hamburg police, the young victims receive support from the Operative Victim Protection Unit (LKA 22) as well as detailed information and further assistance from the unit’s staff.</p> <p>Female minors taken into care and provided with support who are at risk of serious violence are given access to the girls’ shelter run by the child and youth emergency services as well as to the ZUFLUCHT centre operated by the organisation Basis & Woge.</p> <p><u>Mecklenburg-West Pomerania</u> Access to appropriate, safe accommodation in the reception centre: as a general rule, family ties are taken into account when providing accommodation for asylum seekers. Special protection needs are also considered when assigning accommodation. This includes age and gender-specific aspects. In cases where a child’s welfare is at risk, those responsible for housing cooperate closely with the child welfare services. Where needed, consideration can be given to providing accommodation in a children’s home or with a foster family.</p> <p><u>Education</u> The reception centre has childcare options and appropriate play and learning programmes. There is no mandatory requirement for children to attend school.</p> <p><u>Healthcare</u> Municipal housing/accommodation:</p>

		<p>Safe housing is provided in institutions which meet the Land Mecklenburg-West Pomerania community housing regulations. Children are registered in school without delay; attendance at school is mandatory. Healthcare is provided by assigned pediatricians.</p> <p>When a child or juvenile is taken into care in accordance with the law on child and youth welfare (SGB VIII), they receive accommodation, follow-on care and educational support. The child welfare services make use of child and youth welfare institutions run by independent organisations or of child and youth welfare institutions run by the Land or the municipality.</p> <p><u>North Rhine-Westphalia</u></p> <p>Where psychiatric-psychotherapeutic healthcare provision is involved, specialised programmes for traumatised minors are available – for example, as part of special trauma surgeries for this particular age group in accordance with the Victims' Compensation Act (OEG).</p> <p>See also the answer to Question 35.</p>
	<p>g. providing counseling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;</p>	<p><u>Baden-Württemberg</u></p> <p>An interpreter may be called in to assist in talks at any time.</p> <p><u>Brandenburg</u></p> <p>The nationwide brochure on the rights and obligations of victims and injured parties in police investigations and criminal prosecutions (Merkblatt über Rechte und Pflichten von Verletzten und Geschädigten im Strafverfahren) is an integral component of the victim protection programme operated by the Land Brandenburg police. It is available to all members of the Brandenburg police via the internet in 22 languages and is designed for further dissemination to victims.</p> <p>In addition, victims are referred to victim support centres. Upon presentation of the victim's declaration of consent, the police may forward the victim's personal data to a Land Brandenburg institution specialised in working with victims of human trafficking.</p> <p><u>Mecklenburg-West Pomerania</u></p> <p>Since 2010, as part of a Land-funded model project (see gl. https://www.regierung.mv.de/Landesregierung/jm/publikationen/publikationen_Opferschutz/?id=10225&processor=veroeff), the police may give victims with experience of serious violence in childhood information – in the form of material published by the Ministry of Justice – about the availability of psychosocial process accompaniment. A nationwide entitlement to psychosocial process accompaniment was introduced on 1 January 2017. Contact data for providers of psychosocial process accompaniment in MV is listed on the LKA website, see https://www.polizei.mvnet.de/Pr%C3%A4vention/Opferberatung/. The police units also call in interpreters as needed.</p> <p>In addition to the general information provided in the brochure on victims' rights and obligations, the brochure on the Victims' Compensation Act (OEG) published by the Ministry for Social Affairs also contains information about entitlement to compensation and the availability of trauma surgeries in MV</p> <p>A translator or an interpreter may be called in to assist in talks at any time.</p>

	<p>h. carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;</p>	<p><u>Berlin</u> In addition to the Federal Government's status report (see o., p. 18), the following information is provided: before repatriating an unaccompanied foreign minor, the immigration authorities make sure that the child has a family member or a legal guardian in the receiving country or will be handed over to a suitable reception institute. If this cannot be assured – at least until the child reaches maturity – repatriation is waived.</p> <p><u>Baden-Württemberg</u> Prior to deciding on possible repatriation of an under-age victim, a comprehensive risk assessment is conducted. Priority is given to the child's welfare above all else. In addition to safe repatriation, the assurance that the child or adolescent will not be left to fend for themselves upon their return and will not be exposed to risk are indispensable preconditions for their repatriation.</p> <p><u>Mecklenburg-West Pomerania</u> To date, the Land Mecklenburg-West Pomerania Ministry for Social Affairs, Integration and Equality knows of no cases of unaccompanied foreign minors being repatriated to their countries of origin from MV.</p>
	<p>i. special protection measures for children.</p>	<p><u>Baden-Württemberg</u> The Baden-Württemberg Ministry for Social Affairs and Integration is responsible for child protection. It is currently working with the Land child welfare services to develop a strategy for practice-oriented improvements in child protection processes for which the municipal child welfare services are responsible and which must be implemented if a child's welfare is through to be at risk.</p> <p><u>Brandenburg</u> In addition to the general provisions concerning protecting victims, their data and witnesses, a brochure has been published on risks to child welfare. This serves in providing information to the responsible child welfare services concerning evidence which points to potential risks or existing risks to child welfare.</p> <p><u>Hamburg</u> Female minors taken into care and provided with support who are at risk of serious violence are given access to the girls' shelter run by the child and youth emergency services as well as to the ZUFLUCHT centre operated by the organisation Basis & Woge. Repatriation of minors does not, therefore, take place.</p> <p><u>Lower Saxony</u> The Lower Saxony government has developed a victim protection strategy in response to the reform of the Act to Reform the Protection of Victims' Rights and Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012. In implementing this victim protection strategy, the Specialist Unit for Victim Protection of the Crime Prevention Council of Lower Saxony created a dedicated website which has been available in four languages (German, English, Russian and Arabic)</p>

since February 2017. The website content is presented in a low threshold manner using easy-to-understand language and applies to all victims of human trafficking (<http://www.opferschutz-niedersachsen.de/nano.cms/sie-werden-oder-wurden-ausgebeutet-eventuell-auch-misshandelt-oder-verschleppt>).

If they are victims of sexual (violence), children and their parents can use the website <http://www.opferschutz-niedersachsen.de/nano.cms/kinder-undjugendliche?sb=kindererfahren> to find information about the types of support and assistance available in Lower Saxony (for example from the child protection service or the youth protection network (Jugendschutzbund)).

A cross-departmental working group on implementing the victim protection strategy has produced a handout on dealing with personal data in social media. This is currently in draft form only. The specialist unit will continue to work to ensure that the working group produces a final version of the handout.

In Lower Saxony, efforts are also underway to allow judicial video hearings based on the Braunschweig Model in criminal proceedings conducted in Lower Saxony to other districts (the model of audio-visual hearings for child and adolescent victims of sexual offences was first used in Braunschweig).

The Specialist Unit for Victim Protection of the Crime Prevention Council of Lower Saxony lists all support centres not run by the Land administration which can be contacted in Lower Saxony. It works closely with network partners such as non-profit organisations and associations. For example, the Specialist Unit for Victim Protection of the Crime Prevention Council of Lower Saxony has worked closely with ECPAT Deutschland e.V. on the topic of victim protection and victims' rights for victims of human trafficking. These activities included institutions in Lower Saxony with experience of working with child refugees to ensure that the topic of sexual exploitation, migration and flight was addressed. Through the resulting dialogue and exchange, it is hoped that operators of refugee accommodations and voluntary helpers will be sensitised to the topic, place greater focus on the phenomenon of sexual exploitation in connection with migration and flight, and develop suitable exit strategies.

The Lower Saxony programme for psychosocial accompaniment during criminal proceedings can be accessed online and is thus open to the public (https://www.mj.niedersachsen.de/startseite/opferschutz_und_opferhilfe_bei_straftaten/qualitaetsstandards_durchfuehrung_psychosozialen_prozessbegleitung_niedersachsen/qualitaetsstandards-fuer-die-durchfuehrung-der-psychosozialen-prozessbegleitung-in-niedersachsen-110971.html).

North Rhine-Westphalia

See also the answer to Question 35.

Rhineland-Palatinate

To ensure trust-based cooperation to protect the victim's welfare and effective criminal investigation and prosecution, Rhineland-Palatinate has developed a cooperation strategy for state and non-state organisations whose work involves cases

		<p>of human trafficking or who come into contact with victims of human trafficking. The strategy is designed, among other things, to provide adequate protection for victims, prevent risk and secure fast and effective financial support. As cooperation partners and operators of public child and youth welfare support, in cases where children and adolescents have become victims of human trafficking, the municipal authorities (child welfare services) assess the level of child and youth assistance available under Sections 27 ff SGB VIII – for example preliminary measures to provide adequate protection of minors.</p> <p><u>Saarland</u> As explained in the answer to Question 9, after entering Germany and being taken into care, unaccompanied minors are housed in the central clearing centre “Schaumberger Hof”. Female unaccompanied foreign minors are not housed there. Given the special protection and assistance needs of girl refugees, Saarland has opened a clearing group for female unaccompanied foreign minors. Since January 2017, after pre-clearing by the child welfare services, these girls are taken into care and housed in a clearing group for female unaccompanied foreign minors.</p> <p><u>Saxony</u> The Land Saxony has prioritised the following focus areas:</p> <p>Development of an anti-violence strategy for persons in need of protection in reception centres, especially women, and in conjunction with the Land Saxony Administrative Authorities (Landesdirektion), the LKA, the Saxony Ministry for Social Affairs (SMS) and the Saxony Ministry for Health and Inclusion (SMGI).</p> <p>At the moment, the Saxony Ministry of the Interior (SMI) and Saxony Ministry of Culture (SMK) advise on access for children to the education system if they have been in the reception centre for more than three months.</p> <p>For child witnesses who are victims of crime committed by their legal guardian, an additional carer is appointed as a matter of course. Questions concerning human trafficking are also addressed in family court proceedings involving unaccompanied child refugees. These are kept very general when the children are heard. In its capacity as the guardian, the child welfare service takes the necessary protective measures, e.g. during healthcare provision.</p>
11.	<p>What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their</p>	<p><u>Baden-Württemberg</u> When taken into care, all unaccompanied foreign minors go through a clearing process in which their personal needs are assessed and a support plan is devised. If during that process, information comes to light which indicates that an unaccompanied foreign minor is a victim of human trafficking, the matter is investigated. If an unaccompanied foreign minor disappears, the police are informed.</p> <p>Since the start of 2017, the LKA with support from the immigration and child welfare authorities, and in close cooperation with the regional police department, has conducted concerted follow-up investigations to identify unaccompanied foreign minors. In the course of this work, the minors or asylum-seeking adults are questioned about their migration route and circumstances. Their registration is designed, among other things, to prevent them from ‘disappearing’.</p>

<p>disappearance? Have there been cases of non-voluntary return of child victims of trafficking?</p>	<p>No cases of involuntary repatriation of victims of child trafficking are known.</p> <p><u>Berlin</u> When taken into care under Sections 42, 42a SGB VIII, all unaccompanied foreign minors – irrespective of whether they are potential victims of human trafficking – undergo an initial screening by a team comprising a social educationalist and a psychologist who first document the migration route and circumstances.</p> <p>Subsequent pre-clearing and clearing are conducted under the supervision of a social educationalist and, depending on the degree of trust involved, involve an intensive and detailed medical examination and counselling talks. Focus is placed in particular to possible indications of human trafficking, including ethnicity, group and gender-related aspects. Where needed, the clearing teams work with counselling centres and, should the case demand, with the police. If there are signs of human trafficking, LKA 42 conducts the respective criminal investigations and hearings.</p> <p>In the course of the investigations, the topic of human trafficking is sometimes addressed by the minors involved, giving rise to the provision of adequate care and subsequent support planning by the responsible child welfare services.</p> <p>Measures to prevent the disappearance of victims of human trafficking among unaccompanied foreign minors, including asylum seekers, include 24-hour care and intensive relationship and trust-building with the victim by means of a closely-meshed care system. Immediately a minor disappears, they are reported to the police as missing.</p> <p>No cases of involuntary repatriation of victims of trafficking in children among unaccompanied foreign minors, including asylum seekers, are known to the Senate Administration for Education, Youth and Family Affairs, the Senate Administration for the Interior and Sport, or the LKA.</p> <p><u>Brandenburg</u> Police measures to identify victims are subject to the provisions of Section 12 of the Land Brandenburg Police Act (BbgPolG) and the StPO, especially Section 163 StPO. The police work closely with other institutions such as the immigration authorities and the Federal Office for Migration and Refugees (BAMF).</p> <p><u>Hamburg</u> The initial contact points for unaccompanied foreign minors and child asylum seekers are the migration authorities and the child welfare services. In accordance with Section 58 (1)a of the Residence Act (AufenthG), the authorities must before repatriating a foreign minor make sure that the child has a family member or a legal guardian in the receiving country or will be handed over to a suitable reception institute.</p> <p>As a result, repatriation of minors consequently does not in fact occur. After foreign minors who are victims of human trafficking have been identified, a range of measures are taken to ensure that the criminal proceedings are conducted correctly, including preventing the victim’s disappearance.</p> <p><u>Mecklenburg-West Pomerania</u></p>
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12.	<p>What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child's best interests?</p>	<p><u>Bavaria</u> Cooperation with NGOs and child welfare services.</p> <p><u>Baden-Württemberg</u> The municipal child welfare services and a large number of non-state initiatives, organisations and similar – some of which are funded by the Land Baden-Württemberg – serve as the initial points of contact concerning integration and re-integration of victims of trafficking in children. The child welfare services are aware of the local assistance programmes and use them if needed.</p>

C. Questions related to specific articles

<p>13. Definitions (Article 4)</p> <p>Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.</p>	<p><u>Baden-Württemberg</u></p> <p>When identifying cases of this kind, the difficulty faced by the public prosecution office is that it first needs to obtain information as to what they involve. In many cases, NGOs or other organisations involved in action against human trafficking and with first-hand experience with such cases demonstrate a degree of timidity towards the public prosecution office. Trying to break through this barrier calls for a specialised network.</p> <p>Where such cases have been reported, the attitudes that were often shown led to frustration on the part of those making the reports. The reason that there are few charges and even fewer convictions involving labour exploitation is partly due to the unsatisfactory legal situation and also to the poor staffing levels in public prosecution offices and the courts. The period leading up to the main hearing taking place thus poses another difficulty. The huge workload faced by the economic crimes courts means that cases are sometimes tried years after charges have been brought. This in no way serves the victim-centricity of the offence.</p> <p><u>Bavaria</u></p> <p>The judicial authorities in Bavaria reported a case in which the victim was able to escape from the home of an Arab family. Only a few days after escaping, the victim contacted the authorities and was able to give neither details of the location of the family home nor of the family for whom they had worked. There were thus no grounds on which to base an investigation that would have enabled a criminal prosecution.</p> <p><u>Berlin</u></p> <p>The LKA Berlin conducted several investigations involving suspected cases of human trafficking for the purpose of labour exploitation. However, the public prosecution authorities in Berlin have yet to press charges in any of these cases.</p> <p>The Senate Administration responsible for judicial affairs reports on the practical difficulties faced when processing criminal investigations involving cases of human trafficking and associated offences due to the fact that victims are often unwilling to testify as witnesses even if they are assisted and counselled by NGOs. With the new version of the respective offences, a rise in associated criminal proceedings is expected.</p> <p>The specialised counselling centre Ban Ying sees a further difficulty in that the authorities responsible for workplace inspections often focus their investigations on detecting cases of illegal employment and not the identification of potential victims of human trafficking.</p> <p>Ban Ying also pointed out that the group of domestic employees (especially those working for diplomats) cannot be reached through such controls. In cooperation with the Ministry for Foreign Affairs, Ban Ying has devised measures to inform domestic employees about their rights and enforce compliance with labour law standards. Reference is made to Germany's status report.</p>
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Brandenburg

Case 426 Js 48138/13 involving the public prosecutor's office in Potsdam against a Hungarian citizen who did not live in Germany, in addition to the question of guilt the responsibility of the German criminal justice authorities had to be assessed because the criminal acts were largely committed outside Germany.

Bremen

On Questions 13 – 17:

Reference is made to the comprehensive legal changes introduced in 2016. These led to specific areas of responsibility being assigned to the Bremerhaven police authorities and the Bremen police relative to the form of exploitation involved.

Hesse

Investigations involving human trafficking – especially labour exploitation – can prove difficult because the victim is afraid to give details of the situation or has already been deported before the main hearing takes place.

Lower Saxony

Identifying cases of human trafficking can often prove difficult. Investigations involving related offences are often initiated by victims who disclose information to the public prosecution authorities or the specialised counselling centres. Many of these cases have a link abroad because the victims were either recruited in another country or brought to Germany on the promise of receiving a residency permit. This makes it difficult to investigate such offences. The victims rarely have any personal details about their contact person. Seamless processing of the situation with the involvement of all those who played a role is thus impossible in most cases.

Another key problem is seen in victims' unwillingness to testify. The reasons given include fear of repercussions, language barriers and victims' cultural and social backgrounds. Support programmes are often not taken up due to fear and/or lack of trust in the German authorities. Among other things, victims circumvent statutory controls and are thus no longer available for further investigation.

Rhineland-Palatinate

According to police criminal statistics, there have been few cases (1 or 2) of human trafficking for the purpose of labour exploitation. Worthy of note are the usual difficulties involved in investigating crimes involving human trafficking, such as victims' unwillingness to testify and cooperate.

Saarland

Despite the revision of the human trafficking paragraphs in the German Criminal Code, where such cases are involved, the courts still tend to convict offenders for commercial fraud and deception rather than for offences involving human trafficking.

Thuringia

Usually, difficulties in prosecution arise since only the victim's testimony is at disposal. The police's limited capacity allows

		only for fractionally advanced investigations
14.	<p>How does your country's law define "abuse of a position of vulnerability" and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.</p>	<p><u>Bavaria</u> The Public Prosecutor from Nuremberg-Fürth refers to the following 2 cases from the practical experience:</p> <p>1. In the time from 2010 until December 2013 the accused person received from the person A repeatedly a substantial amount of money. However person A separated from him in December 2013. Thereupon the accused decided to bring another female prostitute with the purpose to gain this way not only temporarily a comparable considerable source of income. At an unknown point in time from August until mid-September 2014 the accused convinced the injured person, at that time 17 years of age, to come to Germany. He pretended that she would get there a "real job", that had nothing to do with prostitution. The accused wanted actually that person B would practice prostitution in Germany as a job, that means sexual acts with and for more persons for remuneration. He was aware of woman's age. Accused person C brought person B from Romania to H mid-September. The accused C was aware that the person B had no money and no German language knowledge, that she didn't know her way in H., could not write and hardly calculate. She was brought into a brothel in H., where at first she did not work as prostitute. However, when C demanded that B should practice sex work, it came to a dispute, since B didn't accept to be prostitute. Just as planned and due to the defenceless circumstances of B, C succeeded to convince her to practice sex work. Shortly after the xx.xx.2014 he took away her passport and brought her to Club-C in the city B. There she practiced sex work for 3 weeks under his supervision. Afterwards she and A escaped. The money gained was divided between the club owner and her pimp.</p> <p>2. The accused was arrested on the xx.xx.2015. Until then she had operated model flats in N, where she had offered Hungarian prostitutes to her clients. From May 2015 until xx.xx.2015 the Hungarian person A had practiced in these flats prostitution, i.e. sexual acts with different men against payment. The accused had agreed upon regularly which particular sexual practice A had to perform to the client. The accused acted as if she were A, so that the client had the impression he talked directly to A. A had to practice as agreed upon without having any possibility to change the "deal". In order to increase the payment for her sexual work, A had to practice not only protected vaginal sex but also unprotected anal and vaginal sex, despite the health hazard. Despite attempts at first to refuse A performed all desired sex practices. The accused watched A by performing the sexual acts, as well as in her leisure time. The accused provided also aliments, so that A became completely dependent on her, especially when the accused took her passport away and kept it. She restricted her outside contacts to minimum, forbid her to leave the premises unaccompanied and monitored her mobile phone. If somehow the accused did not answer the phone, A had to do it. Still, she did not have any influence on the sexual practice to be performed and no choic but to fulfill the client' s wishes, as long as she was not suffering from any infringement caused from an earlier sexual act. A, having no regular earnings, had to inform the accused about the amount she would get for her sex work and give her the complete sum. Exceptionally, A managed to hide in her cloths secretly a small amount from the earnings and kept it for herself against the instructions. The payment average for the sexual acts was at least 500 Euros/day. The amount less expenses for food was selfishly kept by the accused. The accused used A just as planned as an income source. With the exception of the 3 times 50 Euros she took without the accused's knowledge A was left with nothing and she had only limited freedom to take decisions privately and financially. Hoping to achieve more in the future, she had no choice than to continue with her job as prostitute. On the xx.xx.2015 the accused together with two prostitutes left for Switzerland. This</p>

		<p>opportunity was seized by A to flee to her home-country Hungary with her profits from the evenings.</p> <p><u>North Rhine-Westphalia</u> Reference is made to two court judgements: LG Düsseldorf of 17.11.2016 (018KLS-50 Js 620/15-5/16) and LG Düsseldorf of 18.12.2015 (11 KLS 35/15 S0 Js 806/14).</p> <p><u>Saxony</u> The specialised counselling centre KOBRAnet lists the following criteria in assessing helplessness:</p> <ul style="list-style-type: none"> - Personal risk or risk to family members in the country of origin - Dependency due to debt - Fear of being reported for potential illegal residence - No or poor knowledge of residence, labour, social and criminal law in Germany - No knowledge of support structures in Germany - No knowledge of the German language - No documents, perhaps not even a passport
16.	<p>Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?</p>	<p><u>Berlin</u> The public prosecution authorities in Berlin investigated two cases of trafficking in children for the purpose of forced begging in which the child's family or legal guardian were involved. The investigations were conducted in accordance with the provisions in place before 15 October 2016, which did not recognise forced begging as a criminal offence for the purpose of human trafficking. This loophole in the law was closed with the fundamental revision of human trafficking offences (see Section 232 (1) No. 1 lit. c of the Criminal Code).</p>
18.	<p>Prevention of THB (Article 5)</p> <p>Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies</p>	<p><u>Hamburg</u> In the continued (2018) application of the strategy to prevent violence against women and girls, human trafficking and violence in state-provided care, measures to raise awareness are planned.</p> <p><u>North Rhine-Westphalia</u> With regard to implementing the Act Protecting Persons Working in Prostitution, the LKA NRW maintains dialogue with the Land NRW Ministry for Home Affairs, Municipal Affairs, Building and Equality and the NRW Ministry for Labour, Health and Social Affairs. These ministries advise on potential measures to prevent forced prostitution and are currently developing an informational text to provide guidance on how to recognise victims of human trafficking for use by employees of the public order and health authorities who conduct health-related advice talks with prostitutes. The guidance includes related knowledge acquired by municipal employees and staff of the specialised counselling centres.</p>

	of any impact evaluation reports.	
19.	How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.	<p><u>Lower Saxony</u></p> <p>Since 2014, the German-Austrian security research project on prevention of and intervention in human trafficking for the purpose of sexual exploitation (PRISMA) has studied aspects of prevention and intervention in human trafficking in the form of forced prostitution from a multidisciplinary perspective, and is designed to develop a multi-use prevention and intervention tool. On the German side, PRISMA is funded by the Federal Ministry for Education and Research (BMBF) and on the Austrian side by the Federal Ministry for Transport, Innovation and Technology.</p> <p>Project lifecycle: 1 October 2014 to 30 September 2017. Project partners in Lower Saxony were the University of Vechta, the Criminological Research Institute of Lower Saxony and the Hanover Police Directorate.</p>
21.	Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular: a. the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation; b. the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and	<p><u>Bavaria</u></p> <p>Training on the topic of human trafficking in connection with organ removal takes place in university study programmes for entry into the police section of the civil service.</p>

	<p>managing or supervising any waiting lists for organ transplantations; c. the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.</p>	
22.	<p>Measures to discourage the demand (Article 6) What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of: a. educational programmes</p>	<p>Hamburg: As regards educational activities KOOFRA offers trainings for experts functioning as multipliers. For information of those potentially affected basic information for victims is offered on the website in 34 languages. Moreover a leaflet with basic information on human trafficking for sexual exploitation and human trafficking for labour exploitation in 34 languages was produced that was distributed to several counselling centres in Hamburg as means of first information.</p>
	<p>b. information campaigns and involvement of the media;</p>	<p>Berlin The specialised counselling centres on human trafficking and labour exploitation provide comprehensive information on these topics via their websites, flyers and presence at events. The idea is to reach potential victims and to raise awareness to exploitative conditions on the demand side. Staff at the counselling centres also participate in training for a variety of professional groups.</p> <p>The Berlin Senate Administrations also use their websites to provide information on the topic of human trafficking (see also the Annex to the Status Report, No. 11).</p> <p>North Rhine-Westphalia The Federal-Länder Commission on Crime Prevention has developed both general and offence-specific information for victims and those affected by human trafficking, and also for interested public. The information was published on the official police crime prevention website (polizei-beratung.de) at the beginning of this year.</p>

		<p>The Federal-Länder Commission on Crime Prevention programme (ProPK) provides a joint ECPAT Deutschland and Deutsche Reisebüro- und Reiseveranstalterverband e.V. (German Travel Association) flyer entitled “Kleine Seelen, große Gefahr” (Tiny Souls, Big Danger) as a PDF for download and also in a print version. The flyer serves in sensitising holidaymakers to sexual exploitation of children, especially in poorer countries, and its impact on victims. In addition to basic information on its causes, reach and possible consequences for the perpetrators, tourists are called upon to report suspicious cases to the authorities and especially to those in Germany. In addition, both ProPK and the Special Commission on Crime Prevention/Victim Protection in NRW issues a poster entitled “Seine Tochter? Ein Urlaubsflirt?” (His Daughter? A Holiday Flirt?) to raise awareness to sexual exploitation of children in holiday destinations.</p> <p>A template report form published at http://www.polizei-beratung.de/themen-und-tipps/sexualdelikte/kindersex-tourismus/tipps/ can be used to report to the Federal Criminal Police any suspicious activities thought to involve sexual abuse of children in foreign countries.</p> <p><u>Lower Saxony</u> The Lower Saxony police support the nationwide Federal-Länder crime prevention campaign to prevent child sex tourism. At present, an NDR television report is being produced on police work conducted by the Braunschweig police in matters concerning human trafficking and the identification of victims. Filming has already finished.</p> <p><u>Lüneburg Police Directorate:</u> Cooperation between the Lower Saxony police and the Broken Hearts Stiftung, which initiates projects to combat human trafficking and slavery to attract media attention – for example poster competitions, brochures on labour exploitation, forced prostitution and organ trading. The various formats depict specific forms of exploitation and ask whether the onlooker is involved and whether it is their demand that drives supply.</p>
	<p>c. legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);</p>	<p><u>Baden-Württemberg</u></p> <ul style="list-style-type: none"> • Section 4 of the Landestariftreue- und Mindestlohngesetz (LTMG) (Minimum Wage Act), with a contract-specific minimum hourly wage, which in future will be linked to the Federal statutory minimum hourly wage of €8.84 (gross). • Administrative Regulation on Procurement (VwV Beschaffung) to be applied in the purchase of goods and services by all Land authorities and companies, and by Land-specific legal persons governed by public law who are required to comply with Section 55 of the Land Budget Regulation (LHO) or observe Section 105 LHO (public-sector customers). • No. 8.6.1.2 VwV Beschaffung governs observance of the core labour standards of the International Labour Organisation (ILO core labour standards). For certain products, contracts concerning goods and services may only be awarded if the supplier agrees to supply products obtained or produced in compliance with the ILO core labour standards. • No. 11.1 of VwV Beschaffung governs when an offer may be excluded from the contract award process. Grounds for exclusion include undercutting the minimum wage in accordance with Section 21 of the Act on Mandatory Working Conditions for Posted Workers and Non-Posted Workers (Arbeitnehmer-Entsendegesetz – AentG), failure to supply the tariff compliance or minimum wage declaration under Sections 5 (4) and 8 (3) LTMG and the employment of illegal immigrants under Section 98c of the Residence Act in conjunction with Section 10a of the Act to Combat Clandestine Employment.

		<p>For contracts with a value exceeding €30,000, the public-sector customer must request an excerpt of the bidder's entry from the Commercial Register in accordance with Section 150a of the Commercial Code.</p> <p>Saarland</p> <p>1. In 2013, Saarland enacted the Act Securing Social Standards, Tariff Compliance and Minimum Wages in the Award of Public Contracts in Saarland (Saarländisches Tarifreuegesetz – STTG dated 06.02.2013 (Saarland Official Journal I dated 21 March 2013, p. 84). Since its entry into force on 22 March 2013, public contracts for building, services and goods with a value of €25,000 or more may only be awarded to companies whose bid contains a written declaration that they will pay a minimum hourly wage of currently €8.84 gross (contract-specific minimum wage) or – to the extent they apply this and exceed a gross minimum hourly wage of €8.84 – the minimum wages defined in the Act on Mandatory Working Conditions for Posted Workers and Non-Posted Workers (AEntG).</p> <p>In addition to the requirement to pay the minimum wage, the STTG also requires that temporary workers be immediately paid the same wage as regular employees as well as compliance with the collectively bargained working conditions for the public transport sector (ÖPNV).</p> <p>2. Monitoring Authority STTG established The Land Ministry responsible for labour was authorised in Section 9 (4) STTG by statutory regulation to establish a monitoring system for effective control of adherence to the contractual obligations arising from STTG. With the Regulation Concerning the Establishment of a Monitoring System as defined in Section 9 (4) of the STTG dated 21 October 2013 (VO Einrichtung Kontrollsystem – Amtsbl. I, 302), this was taken up and a monitoring authority established at the Ministry for Economics, Labour, Energy and Transport (MWAEV). Following the regulation's entry into force on 22 November 2013, it was possible to take the steps needed to set up the monitoring authority, thus enabling operations to begin in March 2014.</p>
	<p>d. involvement of the private sector.</p>	<p>Mecklenburg-West Pomerania Reference is made to the Third Land Action Plan to Combat Domestic and Sexualised Violence and the Land Programme on Child Protection published by the Land Ministry for Labour, Equality and Social Affairs in 2016.</p> <p>Saxony The provisions concerning the award of public contracts whose value exceeds the threshold cited in Section 106 of the Restriction of Competition Act (GWB) were revised in 2016. Among other things, companies who are liable for the mistakes of an individual – for the purposes of this report, a conviction for human trafficking – are to be excluded from contract awards if that person acted on behalf of the company as part of their managerial responsibilities.</p>
<p>23.</p>	<p>Please describe the measures taken in your country to prevent trafficking for forced labour or</p>	<p>Brandenburg In the Land Brandenburg the German Trade Union Confederation (DGB) Berlin-Brandenburg has been involved in the nationwide Alliance Against Human Trafficking for Labour Exploitation project since 2012. In August 2017, a service centre for action against labour exploitation, forced labour and human trafficking (Servicestelle gegen Arbeitsausbeutung, Zwangsarbeit und Menschenhandel) was created in response to input from the BMAS-coordinated Federal-Länder Working Group Against</p>

	<p>services, inter alia, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.</p>	<p>Human Trafficking for Labour Exploitation.</p> <p><u>Hamburg</u> Funding continues to be provided to the Information Centre Labour Mobility run by Arbeit und Leben in Hamburg using funds from the European Social Fund (ESF) and Land-specific funds. The centre advises and assists workers from all EU member states, particularly those from Eastern Europe, who are increasingly travelling to Hamburg on grounds of the expanded rules regarding freedom of movement for workers. It informs clients about their labour and social law rights, and also about current collective wage agreement law. The information centre cooperates with legal representatives in certain cases.</p> <p><u>North Rhine-Westphalia</u> A list was drawn up of contact persons for monitoring of compliance with the statutory minimum wage in line with the Act to Strengthen Collective Bargaining Autonomy and also of offences involving breaches of the Minimum Wage Act by the public prosecution authorities and the tax authorities responsible for tax-related offences and tax investigation North Rhine-Westphalia.</p>
<p>27.</p>	<p>Identification of the victims (Article 10)</p> <p>Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.</p>	<p><u>Berlin</u> The Land Berlin cooperation agreement between the chiefs of police in Berlin and the specialised counselling centres BAN YING e.V., ONA e.V. and IN VIA governs cooperation activities between the police and the counselling centres on the basis of trust-based collaboration (e.g. ensuring anonymous counselling). The agreement also contains an indicator list which is designed to aid identification of victims (see also the next question). A revision of the cooperation agreement to align it to the new statutory provisions and to take account of additional stakeholders is planned. In practice, cooperation between criminal investigation authorities and Berlin-based specialised counselling centres not named in the agreement works well due to their close working relationship.</p> <p><u>Hamburg</u> In its strategy to combat violence against women and girls, human trafficking and violence in long-term care, the Land Hamburg Senate has defined strategies, courses of action and concrete measures to combat human trafficking. Since 1999, KOOFA has assisted and advised victims of trafficking in women and of forced prostitution, and works closely with the LKA. In 2014, the Hamburg Ministry for Labour, Family Affairs and Integration expanded its profile to include victims of human trafficking. For this purpose, KOOFA presented its own strategy and signed a cooperation agreement with the advisory service on freedom of movement for workers run by Arbeit und Leben e.V. BASFI regularly consults with the various stakeholders at a BASFI-organised round table on human trafficking to discuss current developments and areas for action. Improving reachability of victims is seen as just as important as providing them support. This includes easy-to-understand information on victims' legal options and minimising the associated risk.</p> <p><u>Mecklenburg-West Pomerania</u> The Land police units refer all potential victims of human trafficking to the ZORA specialised counselling centre. This is done in line with the cooperation agreement on protection for victim witnesses of human trafficking between the Land police, the public prosecution authorities and the ZORA specialised counselling centre for victims of forced prostitution and human trafficking. The same applies for the immigration authorities.</p>

		<p><u>North Rhine-Westphalia</u> For police case managers who work on offences involving human trafficking for the purpose of sexual exploitation, the LKA NRW developed a strategy back in 2000 in conjunction with the specialised counselling centres for women. In 2017 the strategy was revised with the involvement of eight women’s counselling centres to bring it in line with legislative changes. The strategy contains recommendations for action and standards for use in processing suspected cases and cases of human trafficking for the purpose of sexual exploitation and forced prostitution. These are available to police case managers and to the specialised counselling centres.</p> <p><u>Saarland</u> In 2005, the Land Saarland established the round table on human trafficking to improve topic-related coordination between the responsible state and non-state organisations, discuss the extent and forms of human trafficking and improve both prosecution of the perpetrators and protection for victims. In this regard, a cooperation agreement was signed between the Saarland Police Department and the specialised counselling centres for women migrants to protect victim witnesses. Immediately a potential victim of human trafficking is picked up, the police inform the counselling centre and establish contact between the centre and the individual involved.</p>
28.	<p>Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?</p>	<p><u>Baden-Württemberg</u> Thanks to their special initial and further training (see above) and the experience gained in their daily work, police case managers who work on offences involved human trafficking have the expertise needed to identify actual victims when dealing with or interviewing potential victims of human trafficking.</p> <p><u>Berlin</u> When conducting risk prevention controls, such as in workplaces, the police use a range of criteria which when looked at together enable the identification of victims of human trafficking. These include:</p> <ul style="list-style-type: none"> - The individual is under 21 years of age - The individual has no knowledge of the German language - The individual has no or very few social contacts - The individual is unfamiliar with the local area <p>An indicator list for use in recognising human trafficking for the purpose of sexual exploitation (appendix to the above-mentioned cooperation agreement) is provided to all police stations and to other authorities.</p> <p>The Land Berlin is currently developing a guide for use in identifying refugees in need of special protection which is designed to aid fast identification of specific needs as defined in the EU Directive on the Reception of Applicants for International Protection and contains a section on the topic of human trafficking.</p> <p><u>Hamburg</u> At the LKA Hamburg specialised unit to combat labour exploitation and forced labour, an indicator list is used which was</p>

		<p>developed by a Federal-Länder working group at the Federal Criminal Police (BKA). The specialised unit to combat human trafficking for sexual exploitation uses an indicator list developed by KOK e.V. which largely matches the list mentioned above and only differs in topic-related terms (e.g. the perpetrator determines all sexual practices performed by the victim). The indicators are discussed and modified where needed as part of an ongoing process.</p> <p><u>Hesse</u> In further training on this topic, police officers from the specialised units are sensitised to the need to pay particular attention when talking to persons at risk (especially prostitutes) and to recognise abnormalities.</p> <p><u>Mecklenburg-West Pomerania</u> The LKA devised a checklist in 2011 for use in identifying victims of human trafficking and made it available to all immigration authorities and the Land Ministry for Health and Social Affairs (LAGuS).</p> <p><u>Lower Saxony</u> The Lower Saxony LKA regularly produces updated versions of its guide on combating human trafficking. The specialised counselling centres lend their related expertise to stakeholders whose work involves forced prostitution. Potential indicators and behavioural traits which point to forced prostitution are discussed with them and they are sensitised as appropriate.</p>
29.	<p>What is considered as "reasonable grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon "reasonable grounds"? Please provide examples from practice.</p>	<p><u>Baden-Württemberg</u> Examples from practice in the field:</p> <ul style="list-style-type: none"> • An anonymous report from a client about a prostitute advertising her services on a typical website who, when performing her services, did not speak or understand a word of German and appeared intimidated. There is sufficient cause to assume that the prostitute's migration-specific helplessness was being exploited by a pimp. • In a routine control of a red light establishment, a prostitute from a non-EU state used the passport of a friend to identify herself. There are sufficient grounds to assume that the individual does not have a visa and her precarious residence status is being exploited by human traffickers. <p><u>Bavaria</u> Example: During asylum hearings, some asylum seekers say that they were forced into prostitution to cover the costs of their journey. Such information is passed via the BAMF with the involvement of the BKA to the responsible LKA and is then forwarded to the responsible police unit where investigations are commenced.</p> <p><u>Hamburg</u> Under criminal law, the existence of sufficient factual indications justifies an initial suspicion that an offence has been committed. Responsibility is assigned depending on the form of exploitation to the departments for regional crime prevention (forced begging), commercial crime/fraud/cybercrime (labour exploitation) and organised crime and drugs-related crime</p>

(sexual exploitation).

In the case of human trafficking for sexual exploitation, all indications which match the indicator list mentioned in answer to Question 28 are forwarded to the specialised unit which then regularly visits potential victims and informs them of a potential criminal investigation, victim protection options and possible measures taken against the perpetrator.

Hesse

In cases where a support organisation or a specialised counselling centre suspect a case of human trafficking, the police are informed and investigate the situation.

Mecklenburg-West Pomerania

In cases involving under-age prostitutes, age is a strong indicator. In suspected cases, investigations are conducted by the specialised units within the four criminal police inspectorates (KPIs) or the LKA.

Lower Saxony

To identify victims of human trafficking in Lower Saxony, various institutions collaborate on the basis of a joint cooperation declaration (see for example Nos. 6 and 22). In most cases, the police come into contact with potential victims in the course of their monitoring and control activities (including as part of institutional cooperation with the customs authorities and the Financial Monitoring Unit to Combat Illicit Employment (FKS) and in investigations.

In legal terms, sufficient evidence is described as an initial suspicion. An initial suspicion of human trafficking is regularly aroused during red light district patrols.

Indications of a case of human trafficking are varied and can, for example, include uncertain behaviour on the part of the suspected victim, lack of identification papers, young age, visible signs of violence and initial information given in the course of conversation.

When conducting control operations, the respective situation is observed in detail and documented.

Saarland

In addition to police investigations, self-disclosure on the part of the individual concerns is a key indication that they are a victim of human trafficking.

Saxony

The KOBRA specialised counselling centre deems the following as sufficient evidence:

- Factual indicators
- Evidence from monitoring
- Identification during police controls or raids (victim was beaten, may not leave the premises)
- Credible statements by victims or third parties

		<p>The responsible investigation authorities are: The LKA, Criminal Police Department K24, the public prosecution authorities, the Federal Criminal Police (BKA).</p>
<p>30.</p>	<p>What measures are taken in your country to encourage self-identification of victims of THB?</p>	<p><u>Bavaria</u> The production of handouts, for example, under the leadership of the BKA, close cooperation with NGOs, training of the Bavarian police for employees of municipal and district administrations who are responsible for the ProstSchG registration process.</p> <p><u>Berlin</u> In addition to the usual information media such as the internet, the services offered by the counselling centres are also made known as part of outreach counselling and referral from other organisations (e.g. social services in refugee hostels and immigration advice centres).</p> <p>LKA 42 conducts regular inspections of prostitution businesses and locations where persons who work in prostitution are approached, asked about their circumstances and informed about support programmes operated by NGOs (using leaflets in different languages) and the police. After consulting with LKA 42, these inspections and talks are conducted by trained members of the security police.</p> <p><u>Hamburg</u> At the LKA, the specialised units on combating human trafficking for sexual exploitation, red light district outreach workers and some police stations conduct prevention and support activities in the red light district to break down prejudice towards state authorities and inform about support programmes for prostitutes. Those seeking help from the support systems are informed that there is evidence of a suspected case of human trafficking, forced prostitution, forced labour and serious labour exploitation. They are also informed about the support programmes on offer to them in Hamburg.</p> <p><u>Hesse</u> The example of the red light district: the specialised police units involved in combating human trafficking have a presence in the risk areas (red light district), including outside of investigations (e.g. monitoring and control) and approach persons at risk (usually prostitutes). They distribute business cards in appropriate premises (especially walk-in establishments) and offer the chance to talk. With this approach, they try to gain trust and thus increase the chances of potential victims agreeing to testify.</p> <p><u>Mecklenburg-West Pomerania</u> The LKA conducts regular, unannounced preventive controls in the red light district and also participates in nationally and internationally coordinated control activities, e.g. as part of EMPACT (European Multidisciplinary Platform Against Criminal Threats). This also involves advertising the services of the ZORA specialised counselling centre and dissemination of informational material.</p> <p><u>Lower Saxony</u></p>

At the Hanover Police Directorate, the officers deployed on patrol duties attempt to establish and nurture a trust-based relationship with possible/potential victims of human trafficking. The idea is for them to be able to recognise potential (i.e. criminal) misconduct on the part of the perpetrator and develop an appropriate level of awareness or victim mentality. Also, specialised police offers inform women and men working in prostitution both verbally and through flyers in their respective languages about the various support programmes offered by NGOs and state-run organisations.

With regard to human trafficking for the purpose of labour exploitation, Lower Saxony has counselling centres for mobile workers to inform them of their labour law rights, establish contact with other authorities and organisations, and provide support.

The new Act Protecting Persons Working in Prostitution provides for health-related counselling for prostitutes. Those sessions can be used to refer prostitutes to the specialised counselling centres.

Through the outreach work of the specialised counselling centres for victims of human trafficking for the purpose of sexual exploitation, potential victims of forced prostitution are sensitised to the issue. This enables initial access and thus the possibility of taking up other counselling and support services offered by the specialised counselling centres.

North Rhine-Westphalia

The Land NRW government has developed a special app called RefuShe for women refugees. Among other things, it contains background information on the topic of trafficking in women. It also provides information about the Land-funded specialised counselling centres for victims of human trafficking. An integrated navigation feature guides users to the counselling centres in their local area.

Also, Land NRW funds are used to produce a flyer on assistance for victims of forced prostitution. The flyer is to be distributed to prostitutes as a measure in implementing the Act Protecting Persons Working in Prostitution.

Saarland

In Saarland, victims of human trafficking receive support from the specialised counselling centres belonging to ALDONA e.V. Counsellors at the centre also perform outreach work in prostitution businesses and among streetwalkers, and are brought in as part of police controls. The counselling centres also operate a crisis hotline.

Saxony

Activities conducted by the KOBRAnet specialised counselling centre:

- Distribution of informational material
- Public relations work
- Outreach social work in the red light district

Schleswig-Holstein

The Land Schleswig-Holstein specialised counselling centre, contra, has a multi-lingual website. Victims of human trafficking thus have the opportunity to obtain information on criminal acts and offences, rights and other background information

		<p>concerning human trafficking. The detailed information enables them to assess and acknowledge their own situation. This can lead them to identify themselves as victims. Under the Act Protecting Persons Working in Prostitution, a similar goal is achieved via the website of the specialised counselling centre cara*SH.</p>
31.	<p>What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for identification of victims of trafficking and immigration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?</p>	<p><u>Baden-Württemberg</u> If there are indications that the applicant became a victim of human trafficking and forced prostitution on their migration route, in accordance with Section 8 III AsylG, the Federal Office for Migration and Refugees (BAMF) forwards data originally collected for the purpose of conducting the asylum process to the BW LKA at its own initiative and irrespective of the outcome of the asylum process.</p> <p><u>Bavaria</u> Regular training of BAMF employees by the BKA and the BLKA concerning criminal acts involving human trafficking and recognising potential victims.</p> <p><u>Berlin</u> Counselling practitioners in Berlin, such as SOLWODI, report good cooperation with the now five special representatives for human trafficking at the Land Berlin Ministry of the Interior (BMI). Ban Ying is calling for an independent evaluation study of the special representatives to assess the functionality of this model in the current asylum process. If, during asylum process counselling which the Land Berlin State Office for Refugee Affairs (LAF) social services regularly offer to asylum seekers, it appears that the person in question could be a victim of human trafficking, the social services contact a recognised counselling centre. To enable identification of victims of human trafficking among refugees, appropriate measures are developed in line with the master plan on integration and security adopted by the Berlin Senate in May 2016. In addition to the guide mentioned in answer to Question 28, training for employees in refugee hostels is offered on the topic of violence against women. In cooperation with the specialised counselling centres, participants are also sensitised and encouraged to identify victims of human trafficking and to contact the specialised counselling centres in case of doubt.</p> <p><u>Hamburg</u> The responsible BAMF special representatives participate in the round table on human trafficking in Hamburg. This ensures network links with the police and other cooperation partners. If the case managers at the immigration authorities identify a victim of human trafficking, they must report it to the police who then approach the victim and initiate protection measures.</p> <p><u>Mecklenburg-West Pomerania</u> If the Land Office for Internal Administration (LAIv), via the operators of the refugee reception centre, informs the police or the BAMF of a respective case, the individual concerned is referred to the counselling centre in Schwerin (Zora specialised counselling centre for victims of forced prostitution and human trafficking) and an appointment is arranged as appropriate.</p> <p><u>Lower Saxony</u></p>

		<p>In Lower Saxony hearings forwarded by BAMF are evaluated by the LKA Lower Saxony, i.e. the persons named are searched for in the police database after which the respective hearing is sent to the responsible local police unit with a request for further investigation. The local police unit informs the responsible immigration authority. The LKA informs the BAMF about the process. With this approach, BAMF forwarded eight hearings to the LKA Lower Saxony in 2017, of which five were passed to the respective local police unit. According to available information, two investigations were initiated under Section 232 StGB and one under Section 177 StGB.</p> <p><u>North Rhine-Westphalia</u> An NRW-funded programme on counselling and support for women refugees suffering from violence-related trauma enables, among other things the specialised counselling centres for victims of human trafficking to receive financial support for their efforts in identifying victims of human trafficking in refugee hostels.</p> <p><u>Saarland</u> As part of the asylum process, the Central Immigration Authority (ZAB) supports decision-makers at the BAMF by passing on information concerning vulnerability.</p> <p><u>Saxony</u> Since autumn 2017, the KOBRA net specialised counselling centre has been working to establish relations with the BAMF special representatives for human trafficking in Dresden, Leipzig and Chemnitz.</p>
32.	<p>Protection of private life (Article 11) What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to</p>	<p><u>Bavaria</u> The police pass personal details of potential victims to victim counselling centres and respective organisations only after obtaining the victim's consent.</p> <p><u>Baden-Württemberg</u> Several different organisations operate special counselling centres through the Land Baden-Württemberg. These centres are linked with each other and nationwide, and can, for example, provide support in the form of accommodation and assistance – including in other Länder. Following implementation of the Act Protecting Persons Working in Prostitution, when registering their working status and attending the associated counselling and information sessions, prostitutes are given information concerning health-related and social service counselling centres, and where to get help in emergency situations. The responsible authorities are also required to inform about the services offered by the counselling centres and establish contact where appropriate. With the prostitute's consent, victim and specialised counselling centres may also be involved in an information and counselling session (see Section 8 ProstSchG).</p> <p><u>Berlin</u> In the course of police investigations, where an actual risk exists or where risk cannot be ruled out, the address of the victim is not documented in the file. Subsequent contact, including delivery of official correspondence and the summons to appear before the public prosecutor or the courts, occurs via the responsible police unit.</p>

<p>report an offence, on the other hand? If so, how are these conflicts resolved in practice?</p>	<p><u>Brandenburg</u> Reference is made to the answer to Question 10d, especially with regard to confidentiality of data and information. Investigations in connection with human trafficking fall under the area of organised crime and are processed centrally by the LKA. In conducting such investigations, special procedures are followed which include treating related information as confidential.</p> <p><u>Hamburg</u> The Land Hamburg reports that staff of non-governmental organisations first counsel potential victims and then consults the Hamburg LKA without disclosing the victim's personal details. Through this initial non-personalised exchange, it is often possible to agree on further procedural steps.</p> <p>In connection with the DataACT project run by KOK, the Coordination Centre Against Trafficking in Women (KOOFRA) in Hamburg has received advice and training in matters concerning data protection. Using the DataACT-developed consent form, clients are informed about the processing and passing on of personal data and about how it is stored, about their right to access, delete and correct their data, and the name of the responsible contact person at KOOFRA.</p> <p>No conflict of interest arises from the questions asked. KOOFRA staff are also contractually obliged to confidentiality. KOOFRA staff are under no obligation to report criminal offences and may conduct counselling sessions anonymously if needed.</p> <p>The Senate is committed to improving victim's rights and to introducing the right to refuse to testify for counsellors who counsel victims of human trafficking.</p> <p><u>Mecklenburg-West Pomerania</u> Police files and data collation and processing systems are protected against unauthorised access by means of technical, personnel and organisational measures. In addition, sensitive data can only be accessed by a limited user group within the police force (need to know principle). With regard to witness protection and operative victim protection, there is a specialised unit in the LKA.</p> <p>The legality principle applies. Staff at the specialised counselling centres, for example ZORA, are not bound by professional secrecy.</p> <p><u>Lower Saxony</u> Apart from risk prevention measures, which must be organised by the responsible police unit, a victim's personal details may be blanked out in case files and the suspect/perpetrator may be excluded from the victim's hearing.</p> <p>In addition, the public prosecution authorities work with the specialised counselling centres for victims of human trafficking. Also, in Lower Saxony, for example, with the introduction of psychosocial accompaniment during criminal proceedings and the stringent requirements for this professional group, great efforts are taken to assist traumatised victim witnesses. However,</p>
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those providing process accompaniment do not have the right to refuse to give evidence as a witness.

Rhineland-Palatinate

In case management by the police, personal data can be blocked in electronic processing systems. Other authorities can do the same (resident registration office, immigration office, child welfare and social services), as can businesses (such as for vehicle and health registration data). This is provided for by the Act on Law and Order (POG) and, for example, the Act on Harmonisation of Witness Protection (ZSHG) and the cooperation strategy on human trafficking.

Saarland

In cases of operative victim protection, protecting a victim's private life and identity is the responsibility of the respective NGOs in close cooperation with the responsible police units. In cases where the Act on Harmonisation of Witness Protection (ZSHG) applies, regular measures are taken by the specialised witness protection units.

Due to the high risk facing victim witnesses, their identity and their personal data must be carefully protected. To minimise access to their data and to refrain from storing personal data in national databases to the extent possible, appropriate measures were agreed as part of the above-mentioned guide and coordinated with the responsible authorities. These are the authorities responsible for assistance under the Asylumseekers Assistant Act and SGB XIII, SGB II (Basic Security for Job Seekers), SGB III (employment promotion, SGB V (statutory health insurance), SGB VIII (child welfare), repatriation (REAG/GARP programmes) and the central immigration authority responsible for issuing a residence permit.

In Saarland, the counselling centre for women migrants run by ALDONA e.V. in its capacity as a specialised counselling centre is responsible for counselling and assisting victims of human trafficking in Saarland irrespective of their willingness to testify in a criminal investigation. The aim is to quickly restore and ensure a victim's long-term physical and mental integrity. Victims should be able to return to a normal everyday life and have the opportunity to make a new start. When providing assistance, the counselling centre must:

Saxony

To ensure the confidentiality of a victim's data and to protect both their identity and private life:

- Staff at the specialised counselling centre are duty bound to secrecy.
- Data on victim witnesses is not passed on.
- Attempts are made to refrain from documenting a victim witness's address in court files.
- An application for a ban on disclosing information on a witness is submitted to the civil registration authorities.
- At the immigration authorities, job centres and other social services, attempts are made (where there are appropriate indications) to have the file kept confidential.
- Where needed or wished, the address of the specialised counselling centre is used for correspondence concerning the case.

33. **Assistance to victims** (Article 12)

Bavaria

The Land Bavaria budget contains an item on funding for counselling and assistance of women at risk which is used to fund

<p>When assistance to victims is provided by non-state actors, how do your country's authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:</p>	<p>support services for women victims of human trafficking – such as the specialised counselling centres run by Jadwiga Ökumenische gGmbH and Solwodi Bayern e.V. As these are individually funded, their entitlement to funding is assessed annually from a subject-related and budgetary perspective.</p> <p>Also, led by the Land Bavaria Ministry for Labour and Social Affairs, Families and Integration, the inter-ministerial cooperation group on victim protection enables all state and non-state organisations confronted with this topic to enter into dialogue on current developments. The cooperation group was founded as part of the cooperation agreement on combating human trafficking and protecting women victim witnesses signed in 2004 between the police, the public prosecution authorities, the specialised counselling centres, the immigration authorities, social services and job centres to combat human trafficking.</p> <p><u>Berlin</u></p> <p>A Land Berlin Commissioner for Victims was appointed in October 2012 as part of the efforts to improve victim protection in Berlin. Victims of crime – and especially violent crime – are to receive more effective support, cooperation between the various support organisations is to be coordinated and improved, and the needs of victims are to be given more political weight. The Commissioner for Victims receives a fixed amount of €500 per month from the Senate Administration for Justice, Consumer Protection and Anti-Discrimination to cover job-related expenditure. With regard to the individuals he assists or contacts and those who contact him, and also to the costs incurred, no delineation is made between victims of human trafficking and other victims.</p> <p>The counselling centre for crime victims, family members and witnesses and the witness counselling centres in the criminal court in the district of Moabit are operated by the victim support organisation “Opferhilfe Berlin e.V.” in cooperation with the Berlin Senate Administration for Justice, Consumer Protection and Anti-Discrimination. The Senate Administration for Justice, Consumer Protection and Anti-Discrimination funds Opferhilfe Berlin e.V. in an amount of €167,430 per annum. The organisation receives a further €127,070 to operate a victim support room.</p> <p><u>Bremen</u></p> <p>Regarding Questions 33-37:</p> <p>Counselling and support of victims of human trafficking is usually provided by state and non-state organisations. To aid mutual exchange of information, a round table was established which is attended by various authorities and organisations.</p> <p><u>Mecklenburg-West Pomerania</u></p> <p>Victim Support (Article 12)</p> <p>Questions 33 and 35:</p> <p>The Land Mecklenburg-West Pomerania funds a counselling centre for victims of human trafficking for the purpose of sexual exploitation and forced marriage (ZORA) in an amount of €61,200 per year. The funds are used to cover the costs of a full-time position and a safe apartment with two beds which can be used to house both women and men. ZORA offers victims assistance which includes psychosocial counselling, suitable accommodation and referral to medical care and therapy.</p> <p><u>Rhineland-Palatinate</u></p> <p>Rhineland-Palatinate operates a cooperation strategy to protect and assist victims of human trafficking for the purpose of sexual exploitation and labour exploitation. The strategy addresses state and non-state organisations (counselling and</p>
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specialised counselling centres) who work on cases of human trafficking or with victims of human trafficking. In the interests of the victims and effective prosecution, and in line with the agreed procedures, these cooperate on the basis of mutual trust and support. In addition to the responsibilities assigned to the state-run organisations, the cooperation strategy also sets out responsibilities for non-state counselling centres.

The Rhineland-Palatinate specialised counselling centres on human trafficking offer comprehensive and long-term support services for victims of human trafficking. These include assistance with housing, counselling, victim accompaniment and integration and re-integration measures.

To assist destitute victims, who are often financially dependent on the people who exploit them, a special Rhineland-Palatinate social fund for protection and support for victims of human trafficking has been established. The fund serves in providing victims with immediate, safe housing and financial assistance for the initial period they are housed. The aim to provide support and accompaniment until such time as the responsibility for funding in accordance with the SGB or AsylbLG has been clarified.

Saarland

The round table on human trafficking has developed a guide on how to improve the social situation of victims of human trafficking in terms of securing support and accommodation and developing prospects for the future. The guide, which is regularly updated and aligned, takes the form of an assistance plan and sets out a process which has been coordinated between the various stakeholders, provides the basis for a coordinated approach by the specialised counselling centres to ensure that victims are provided assistance and support with a minimum of red tape and that their social data is protected to the greatest extent possible.

Saxony-Anhalt

The Land Saxony-Anhalt promotes Vera, a specialist unit to combat trafficking in women and forced marriage. Funding in 2017 amounted to €97,750.00 and €99,900.00 in 2018. Vera offers low-threshold, comprehensive (including long-term) counselling and support services. These can be provided in victims' native languages as needed. Potential cooperation partners – such as organisations – are sensitised to the topic by means of training offered for specialists in social services, public agencies and authorities, as well as seminars conducted at the University of Magdeburg-Stendal, the Saxony-Anhalt police academy.

Schleswig-Holstein

The Land Schleswig-Holstein funds contra, a specialised counselling centre to combat trafficking in women. Funding was increased in 2016 and 2017.

Contra is able to provide services in victims' native languages and also works with interpreters whose services are provided free of charge to victims.

The Land government also funds the specialised counselling centre for prostitutes approved under the Act Protecting Persons Working in Prostitution (cara*SH) to fulfil its obligation on the Act.

		Both specialised counselling centres work in close cooperation with the Land-specific funding office.
	a. funding;	<p><u>Baden-Württemberg</u> The counselling centre Faire Mobilität in Stuttgart has so far been funded by the BMAS. Funding is secured until the end of June 2018. The centre in Mannheim was partly funded by the Ministry of Economics, Labour and Housing until the end of 2017.</p> <p>The Ministry for Social Affairs and Integration currently funds five specialised counselling centres for victims of human trafficking for the purpose of sexual exploitation and prostitution. These are located in Freiburg, Heilbronn, Mannheim and Stuttgart.</p> <p><u>Berlin</u> On a)-c) A large part of the support is provided by non-government stakeholders who receive funding from the Land Berlin. The services offered by the specialised counselling centres have already been described in the answers to Question 37 in the 2014 questionnaire and in the input provided on No. 16 in the annex to the status report – reference is thus made to that information. Reference is also made to the Berlin Advisory Centre for Migration and Work (Arbeit und Leben e.V.), which as of 2018 operates the existing counselling and support service funded by the Berlin Senate since 1970 and the migration advice centre funded since 2011 (since 2008 the Advice Centre for Women Migrants (BeMi)), and also the counselling centre for seconded employees, employees entitled to freedom of movement and persons with vague employment status (BEB). It takes a needs-based approach and further develops the support services for victims of labour exploitation. The budget allocation for 2018/2019 provides funds in a total amount of €978,000.</p> <p>Counselling and support services include:</p> <ul style="list-style-type: none"> – Counselling on matters concerning labour, social and residence law for seconded employees, employees entitled to freedom of movement, EU citizens, self-employed persons with vague employment status, migrants and refugees – Labour law courses for refugees and for employed and voluntary facilitators and job placement staff who work with refugees – Comprehensive support for victims of labour exploitation <p>Support services are provided irrespective of whether victims are willing to cooperate during investigations, criminal prosecutions or court hearings.</p> <p>Also, as part of the master plan on integration and security, measures are taken to inform refugees about the legalities of employment and to protect them from being exploited (see the Implementation Report, Section 7.1): https://www.parlament-berlin.de/ados/18/IIIPlen/vorgang/d18-0477.pdf.</p> <p><u>Hamburg</u> The BASFI provides funding for the KOOFRA counselling centres and for the Information Centre Labour Mobility in Hamburg,</p>

		<p>which also receives funding from the European Social Fund.</p> <p><u>Lower Saxony</u> Land Lower Saxony contribution to the Foundation. The Foundation’s assets amount to €1 million. In 2001, the Land Lower Saxony provided start-up funding in the amount of €300,000. The Land Lower Saxony also covers the Foundation’s complete personnel costs. Victim support, office and administration costs, training, etc. are funded from the Foundation’s own resources. Revenue comes largely from payments of fines. In 2016, fines amounting to €913,194.83 were transferred. This compares with victim support funding of €480,122.64 in 2016.</p> <p>Lower Saxony places great importance on victim protection. The Lower Saxony Foundation for Victim Assistance and Support (Stiftung Opferhilfe Niedersachsen) was founded in 2001 as a civil law foundation. Its purpose is to provide counselling and support for victims of crime and for their family members beyond the services provided by statute and the services provided by other victim support organisations. Lower Saxony has 11 victim support offices and there are currently 26 victim support experts who counsel, assist and accompany victims of crime. Staff are assigned to the Foundation by the judicial services department (AJSD) – these are largely employees with a degree in social work.</p> <p>For the counselling and support services they provide, the specialised counselling centres for victims of human trafficking for the purpose of sexual exploitation receive funding in the amount of €355,000 from the Land Lower Saxony. Compliance with associated requirements occurs via the funding purpose as defined in national funding legislation.</p>
	<p>b. victim’s safety and protection;</p>	<p><u>Hamburg</u> A long-standing, trust-based and well-functioning cooperation partnership exists between the responsible LKAs on the basis of a cooperation agreement signed in 1999. Provision of operative victim protection by the responsible LKA ensures both the safety and the protection of victims at risk. For victims who do not wish to press charges, KOOFRA can refer them to a KOK-organised specialised counselling centre in a different Land to ensure that the victim is safe from attacks on the part of the perpetrator(s).</p> <p><u>Lower Saxony</u> The Lower Saxony Foundation for Victim Assistance and Support has numerous policies which serve in ensuring victims’ safety and protection – for example, a data protection policy governs dealing with protected persons’ sensitive data. It also operates a policy concerning the structure and responsibilities of victim protection and uses a specially designed filing system. Compliance with internal policies is regularly monitored by management and the findings are reported in writing to the board, meaning the Lower Saxony Ministry of Justice.</p> <p><u>Saxony</u> Bans on disclosing information are established for public agencies and authorities. Where appropriate, the police provide protection during court hearings.</p>

<p>c. standards of assistance and their implementation in practice;</p>	<p><u>Baden-Württemberg</u> The standard of support provided by the above-mentioned counselling centres is very high. They not only offer counselling in victims' native languages, but also sector-specific services. In Stuttgart, the focus lies on transport and logistics. Cross-legislative counselling is also provided and in certain cases accommodation is arranged in cooperation with the respective municipality and city.</p> <p><u>Hamburg</u> The standard of support provided by KOOFA is documented in various strategies and policies, and their implementation is assessed at intervals in cooperation with the BASFI.</p> <p><u>Lower Saxony</u> The Foundation also has rules concerning the standard of support provided. Quality standards have been developed for victim support which employees adhere to. These are available to the public online at: https://www.mj.niedersachsen.de/startseite/opferschutz_und_opferhilfe_bei_straftaten/opferhilfe/schutz-und-hilfe-fuer-opfer-von-straftaten-10489.html</p>
<p>d. access to medical treatment, psychological assistance, counselling and information;</p>	<p><u>Baden-Württemberg</u> (Potential) victims of human trafficking for the purpose of sexual exploitation have access to low-threshold specialised counselling centres. This is ensured in particular by the Act Protecting Persons Working in Prostitution.</p> <p><u>Berlin</u> Comprehensive counselling and information is offered by the specialised counselling centres. With regard to medical care and psychotherapy, reference is made to Question 37 in the 2014 questionnaire. Apart from the answers given there, assuming the costs of psychotherapy often proves difficult because there are too few therapists with statutory health insurance fund authorisation and too few who offer the languages needed.</p> <p><u>Hamburg</u> KOOFRA provides access to medical care, psychotherapy, counselling and information by referring clients to the Hamburg victim protection network, to specialised organisations and specialised counselling centres. KOOFRA also finances initial legal counselling sessions for its clients.</p> <p><u>Lower Saxony</u> The Lower Saxony Foundation for Victim Assistance and Support cooperates with diverse network partners.</p> <p>Given that the Foundation's structures have grown since 2001, stable local networks are formed to enable access to the services involved. This is supplemented by the ongoing programme offering psychosocial accompaniment during criminal proceedings (see Question 10g).</p> <p>The specialised counselling centres have a specific number of safe houses available for victims of human trafficking and offer</p>

		<p>counselling in a wide range of languages. In providing their services, the centres adhere to the support standards contained in the KOK manual for initial and further training for specialised counselling centres for victims of human trafficking.</p> <p>In all other cases, their obligations and compliance with them arise from the Joint Decree on Cooperation (Joint Decree of 31 July 2014 of the Lower Saxony Ministry of the Interior and Sport, Ministry of Social Affairs, Health and Equal Opportunities and Ministry of Justice).</p> <p><u>North Rhine-Westphalia</u> The Land NRW promotes the work of eight specialised counselling centres for victims of human trafficking in NRW. The aim is to provide targeted support for women and girls who are victims of forced prostitution (e.g. counselling, support, accompaniment, safe housing) and to sensitise the specialist public to this issue. The funding provided also enables counselling provision for victims of human trafficking for the purpose of labour exploitation.</p> <p>In addition, the Land NRW provides the specialised counselling centres with fixed-fee funding for use in hiring legal counselling and interpreter services, and also for accompanying victims to appointments with the authorities, doctors and the courts. Funds for housing and paying of fees are provided for use in supporting foreign women and girls who have been identified as victims of forced prostitution. The funds may also be used in connection with outreach work to make contact with victims of human trafficking.</p> <p>With regard to access to psychological counselling, in addition to psychological and psychosocial counselling services, and to victim compensation-related trauma counselling, specialised psychiatric treatment is also available for people with post-traumatic disorders.</p> <p><u>Saxony</u> On c) and d)</p> <p>The specialised counselling centres provide counselling and support if victims request it. This includes psychosocial counselling, housing, establishing contact with lawyers, obtaining medical care and treatment, planning educational measures, accompaniment to official appointments, accompaniment to police interviews, process preparation, developing plans for the future – including repatriation to the country of origin.</p>
	<p>e. translation and interpretation, where appropriate?</p>	<p><u>Berlin</u> Through the languages spoken by their staff, the specialised counselling centres can offer counselling in the key languages needed and also work with interpreters (usually paid for with fee-specific funding). Depending on the language in question, finding a suitably qualified and topic-aware interpreter can sometimes prove extremely difficult.</p> <p>In line with the master plan on integration and security adopted by the Berlin Senate in May 2016, measures were financed which are aimed at providing counselling for women refugees with experience of violence, among them victims of human trafficking. For example, via the BIG hotline, a simple, non-bureaucratic process can be followed to request funding for</p>

		<p>interpreter services needed in anti-violence projects (http://www.big-berlin.info/news/621).</p> <p><u>Lower Saxony</u> There is no dedicated translation and interpreting service. However, the Lower Saxony Foundation for Victim Assistance and Support website provides information in various languages, including English, French, Russian and Turkish. The website offering psychosocial accompaniment during criminal proceedings is also available in various languages. Access to information for persons in need of protection is also available in the victim support brochure published in some 22 languages (see Question 10g above). In addition, a cross-departmental website on victim protection exists in Arabic, Russian and English (http://www.opferschutz-niedersachsen.de/) (see Question 10g above).</p> <p><u>Hamburg</u> KOOFRA works with a pool of cultural mediators (all of whom are women) who ensure needs-based accompaniment and counselling in clients' native languages. This approach is seen as a national best practice.</p> <p><u>Mecklenburg-West Pomerania</u> The police inform of the support services available from ZORA and other victim support organisations (see https://www.polizei.mvnet.de/Pr%C3%A4vention/Opferberatung/). Police units are only involved in selecting suitable support for victims where deemed necessary due to the level of risk.</p> <p>Both in Mannheim and in Stuttgart (Faire Mobilität) multilingual interpreters are used. Multilingual information brochures are also on display.</p> <p><u>Saxony</u> Interpreter services are guaranteed for court and police appointments. They are not guaranteed for appointments with counselling centres, doctors and authorities, but can be funded by the responsible specialised counselling centre in certain cases.</p>
35.	<p>What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?</p>	<p><u>Baden-Württemberg</u> When housing refugees in reception centres and when providing initial housing, the receiving authorities take account of the special needs of vulnerable persons within the meaning of the EU Reception Conditions Directive (Section 5 of the German Act on Accepting Refugees (FlüAG)). The responsible receiving authority must, however, obtain information that the person to be housed is a victim of human trafficking.</p> <p>The strategy to revise the policy on the process used in initial reception of refugees in Baden-Württemberg (location-specific policy) brings clarity in matters concerning housing of refugees requiring protection. It provides for special housing options to be taken into account and kept available wherever possible. In the reception centres, a wide range of protective measures are used.</p> <p>At the moment, in the permanently operated initial reception centres, internal anti-violence strategies are being developed</p>

which focus in particular on refugees in need of protection. For preliminary housing in refugee hostels in both urban and rural districts, the lower reception authorities are responsible and act independently. As a result, each urban and rural district develops its own strategy tailored to the local conditions and needs.

Bavaria

The specialised counselling centre Solwodi Bayern e.V., which is funded by the Free State of Bavaria, has safe houses in two locations to accommodate women victims of human trafficking.

Berlin

In Berlin there are two safe apartments at secret locations which can accommodate 16 women who are victims of human trafficking. Where housing is needed at short notice (such as on weekends), Berlin's women's refuge shelters are available subject to free capacity. The shelters have, however, been more or less constantly full in recent years.

Minors can be housed in emergency shelters for girls and adolescents until suitable accommodation can be provided in a child or youth welfare institute.

No specialised housing is available for male victims. As the responsible authority, the Land Berlin Office for Refugee Affairs (LAF) organises emergency accommodation in the Berlin reception centre for male victims of human trafficking for the purpose of labour exploitation and for male victims of serious labour exploitation. If the victims decide to stay longer, the LAF houses them in a refugee hostel with full board.

Bremen

Women are housed in women's shelters and the child welfare services house children in suitable institutions. There is no such housing available for men.

Hamburg

Generally, victims of human trafficking for sexual exploitation are taken care of by the specialised office for operational victim protection since, mostly, a continuous threat by the perpetrator is assumed.

For women and their children (as a rule boys aged up to 14) are housed in a women's shelter. If they are at serious risk, they are housed in a women's shelter in a different Land.

The child welfare services are responsible for housing children. Outside of normal business hours, responsibility falls to the emergency child and youth support services.

Where needed, housing is sought for men. There is, nonetheless, a need for action to find additional solutions in further developing (2018) the strategy to combat violence against women, human trafficking and violence in long-term care.

Hesse

Women victims can be housed in women's refuge shelters or (in certain cases) by the specialised counselling centres. Children and adolescents are housed in special accommodation and in most cases are cared for by the child welfare services. There are also establishments in which men can be housed (in most cases only as a short-term measure).

Mecklenburg West-Pomerania

Are taken into account when housing asylum seekers. This is especially the case concerning age and gender-specific aspects and measures to prevent attacks and gender-related violence (including sexual attacks and harassment). The type of housing is decided subject to the case involved. Accommodation in women's refuge shelters is also possible.

Lower Saxony

On the website of the Specialist Unit for Victim Protection (FOS) of the State Crime Prevention Council of Lower Saxony (<http://www.opferschutz-niedersachsen.de/nano.cms/ansprechpartner>), victims can search (relative to the offence involved) for support organisations and local support services. There are various accommodation options available for women, and also for children and men. For the areas cited, special support services and protection measures are available. For cases concerning violence against women, women's refuge shelters and the BISS counselling centres are listed.

Women's refuge shelters are also listed which offer protection for women migrants and victims. The same applies for men's advice centres offering assistance for male victims of crime, as well as for child protection organisations and children's centres which can provide children, adolescents and also their parents with needs-based protection services involving specific protection measures.

Also, reference is made to hidden housing in safe houses in accordance with the prevailing requirements for victim protection-like measures by means of the prevailing victim protection and victim protection-like measures in exceptional cases of risk (status: 1 December 2012).

In certain cases where the criteria are met for acceptance under a witness protection programme pursuant to the Act on Harmonisation of Witness Protection (ZSHG), processing and conducting operative measures is performed by the LKA NI witness protection unit. The specialised counselling centres also keep a number of safe houses available (for women and women with children) which can be used as needed.

Following the revision of criminal offences related to human trafficking and exploitation, there is currently a greater need for housing, including for men. In such cases, suitable establishments (those run for example by Kolpinghaus Hannover e.V, men's hostels, etc.) can be used. In light of the above, it is expected that the need for such housing will increase again in the future.

North Rhine-Westphalia

Given their related issues, Questions 10 e) and i) and 35) are answered together:

In all location-specific planning for refugee hostels, the Land NRW expressly considered the needs of persons requiring protection, including victims of human trafficking.

In each administrative district there is at least one facility for persons requiring special protection, with differing areas of focus and forms of support. To protect victim residents, the facilities are not made public. Also, a comprehensive Land anti-violence strategy for refugee hostels (LGSK NRW) has been developed which is designed to protect both vulnerable persons and facility staff against attacks of any kind.

		<p>The Land NRW allocates funding for safe and needs-based housing of victims in places other than refugee hostels. This is organised decentrally and in accordance with the victim's actual protection needs.</p> <p><u>Rhineland-Palatinate</u> Adequate housing is arranged according to the needs of the case. Types of accommodation can include:</p> <ul style="list-style-type: none"> • Temporary housing in a hotel or women's refuge shelter • A safe house provided by Solwodi (see answer to Question 2 above) • Safe apartments provided by Solwodi (see answer to Question 2 above) • Permanent (conventional) social housing • For minors as the case demands: housing with a foster family or in supervised accommodation <p><u>Saarland</u> Housing is arranged by staff at the specialised counselling centre based on the victim's level of risk and in coordination with the police (see above).</p> <p><u>Saxony</u> Women victims of human trafficking are usually housed in women's refuge shelters and safe houses. Children and adolescents are housed by the child welfare services and youth support organisations. No experience has been gained to date regarding housing for men.</p> <p><u>Schleswig-Holstein</u> For women victims of violence, Schleswig-Holstein has 16 women's refuge shelters to provide protection and prevent further attacks.</p>
36.	<p>What measures are taken to ensure that services are provided to victims on a consensual and informed basis?</p>	<p><u>Baden-Württemberg</u> When providing operative victim protection, the Land Criminal Police (LKA) work closely with the regional police headquarters. The procedures followed during operative victim protection have been documented in prevailing Land-wide business procedures.</p> <p><u>Berlin</u> Provision of support options and services for victims of human trafficking occurs exclusively on the basis of voluntary take-up.</p> <p>According to the Berlin cooperation agreement between the police and specialised counselling centres, for victims for whom there is evidence or other factual indications that they are victims of human trafficking (police investigations or their own statements), the police are responsible for informing them about specialised counselling centres which offer ongoing psychosocial support with the aim of maintaining their physical and mental integrity. The victims can decide themselves whether they wish to make use of the service.</p>

In psychosocial counselling offered by the specialised counselling centres, victims are carefully informed and decide themselves on how to proceed. During counselling they are repeatedly reassured and assessed.

Hamburg

Apart from handing out informational material, in such cases victim counselling sessions are conducted by the unit managing the case or providing operative victim protection, and contact is established with support organisations.

As a rule, the work performed by KOOFRA and the Information Centre Labour Mobility is performed voluntarily. During an initial interview, victims are informed about how KOOFRA works and the services it provides. Provision of support is neither linked to the need to press charges nor is it subject to other requirements.

Through referral to other counselling centres in Hamburg's victim support network, victims receive all the information they need to make an informed decision. Planning the support they receive focuses on their needs and wishes. In particular, contact with the immigration authorities or the LKA (e.g. granting tolerated status during the period of reflection) is only established if expressly wished and with the victim's prior consent.

Hesse

When reporting a case, all victims – regardless of their ethnic background or nationality – are given a victim information sheet which has been translated into 21 languages. Also, when being heard as a witness, a victim can request the services of an interpreter at any time. They may also bring in a person of trust to attend during questioning.

Mecklenburg-West Pomerania

All victims of human trafficking who are known to the police are referred to ZORA.

Lower Saxony

The website of the Specialist Unit for Victim Protection (FOS) of the State Crime Prevention Council of Lower Saxony contains information for victims of crime in four languages. Victim information sheets can also be accessed in various languages. Victim support organisations in Lower Saxony provide their services on the basis of talks with victims. The various stakeholders in the Lower Saxony administration and also independent organisations attempt to support victims of human trafficking, ensure their interests are represented, inform them about their rights and the exit strategies available to them.

The specialised counselling centres also ensure the provision of psychosocial support for victims, including process accompaniment.

North Rhine-Westphalia

The previously-mentioned funding policies (see Question 33) and the binding requirements of the funding allocations form a mutually agreed basis for the provision of services funded by the Land NRW.

Saxony

		<p>Direct cooperation with clients lies at the core of the work performed by the KOBRAnet specialised counselling centre. It serves in coping with everyday situations, provides stability and includes:</p> <p>Needs-based counselling, support and accompaniment, where possible in the client's native language, referral to suitable safe housing, provision of information on victims' legal and social situations, support services, accompaniment to appointments with the authorities and to police interviews, information about their right to legal representation/assistance and accompaniment to appointments with lawyers, witness support, process preparation and accompaniment, crisis intervention and clearing, developing perspectives for the future, integration assistance, repatriation assistance and psychosocial counselling.</p>
37.	<p>Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?</p>	<p><u>Baden-Württemberg</u> When operative victim protection measures have ceased, victims are still entitled to police assistance from the LKA in the form of post-protection measures. As outlined in answer to Question 12, measures taken in operative victim protection are not linked to the need to testify as a witness. Thus, the measures remain available to victims after the judicial proceedings have been concluded.</p> <p><u>Berlin</u> When criminal investigations are over, victims can where needed contact the specialised counselling centres and receive professional counselling and, where appropriate, be referred elsewhere – for example, to request an extension of the ban on disclosing information or of a residence permit. Counselling in relation to migration law is also available from the Berlin Senate Commissioner for Integration in his capacity as an ombudsman.</p> <p><u>Hamburg</u> Support provided by KOOFRA is not subject to any specific time limitation or period, and instead is provided relative to the client's situation. As a rule, provision of support only ceases when the client has adequate knowledge of the German language, a place to live and perhaps a job, has sufficient financial resources to cover their needs and is mentally stable. Prior to ending the support, the client is referred to other counselling centres (such as social services and immigration). Clients who no longer require support have the option of contacting KOOFRA should questions arise. Clients wanting or required to return to their country of origin can request that contact be established with an NGO in that country. In some cases, KOOFRA also works with repatriated clients by providing remote support.</p> <p><u>Lower Saxony</u> State-provided assistance for victims of human trafficking is linked to their residence status.</p> <p>The specialised counselling centres also assist with arranging a victim's repatriation to their country of origin and establish contact with support organisations to ensure continued provision of counselling and support.</p> <p><u>Saarland</u> Victims may opt to receive continued counselling and support from the specialised counselling centre once criminal</p>

		<p>proceedings have been closed.</p> <p><u>Sachsen Saxony</u> Once their case has been closed, victims of human trafficking can receive support from the KOBRAnet specialised counselling centre and from other counselling centres, especially in matters such as appointments with authorities (e.g. extending information embargos).</p>
38.	<p>Recovery and reflection period (Article 13) Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.</p>	<p><u>Berlin</u> Concrete indications which allow the assumption that a person is a victim of human trafficking are to be assumed when the migrant informs a support organisation or the public prosecution authorities that they are a victim of such an offence and the police or the public prosecution believe that they could serve as a witness (see procedure-related information issued by the Berlin immigration authorities, VAB A 59.7, http://www.berlin.de/labo/willkommen-in-berlin/service/downloads/artikel.274377.php). A departure deadline under Section 59 (7) AufenthG is thus only given if the public prosecution or the chief of police in Berlin deems it necessary or at least requests an assessment regarding such necessity.</p> <p>The NGOs criticise the fact that to grant a reflection period under Section 59 (7), confirmation from the responsible LKA that the individual is a potential victim of human trafficking is mandatory. The LKA only issues such confirmation to the immigration authorities after talking to the victim. Even if that does not involve official questioning, the victim perceives it as such. This is not inline with the actual purpose of the reflection period, which is to allow time to think about cooperating with the public prosecution authorities. This view is shared in part by the Berlin Senate Administration (e.g. by the departments responsible for women’s affairs and integration).</p> <p>The services offered by the counselling centres are available to victims at any time irrespective of whether they intend to testify or of their actual residence status.</p> <p><u>Hamburg</u> The testimony of victim witnesses is a key aspect of criminal investigations. This is why all potential victims of human trafficking in Hamburg are afforded a reflection period after they have given initial information to the police. During this time, the NGO KOOFRA, which maintains contact with the responsible authorities, is commissioned to assist the victim.</p> <p>A secured residence permit for victims of trafficking in persons is stipulated in the AufenthG. If there are indications for being a victim of THB, the concerned person obtains a residence permit for 1 year (Section 25 (4a) AufenthG). Generally, in Hamburg victims of THB after they made their testimony with the police are taken care of by the Operative Victim Protection (Land Criminal Police Office LKA 22). The police staff provides exhaustive information and accompanies the victims to the Foreigners Authority. The residence status regularly leads to benefits according to the Unemployment Benefit II Act (ALGII).</p> <p>Persons of all nationalities, including stateless persons, have the right of a recovery and reflection period. However, what matters is that they have the right to stay in Germany during that period and, if relevant, are able to receive benefits. The</p>

		<p>German and EU citizens have the right to receive unemployment benefits according to the Social Code II (SGB II) during this time.</p> <p>Third country nationals: To request a recovery and reflection period under Section 59 (7) AufenthG, KOOFRA (with the victim's consent) contacts the responsible LKA, describes the case and the indications that point to a potential victim of human trafficking. If the responsible LKA agrees with KOOFRA's assessment, the victim is named and their personal data is provided. The responsible LKA communicates its assessment to the designated contact person at the immigration authorities, who may then award tolerated status under Section 59 (7) AufenthG.</p> <p>KOOFRA can only offer limited support to third-country nationals who are not willing to testify. In such cases, this involves initial legal counselling, psychosocial sessions and, where appropriate, emergency medical treatment through medical assistance projects. Financial assistance, protection and extended support cannot be provided in such cases. Third-country nationals who have become victims of human trafficking in a non-EU state must go through the asylum process. In such cases, a recovery period would be needed prior to the asylum hearing.</p> <p><u>Lower Saxony</u> The aspects are also governed by the Joint Decree on Cooperation between the police, the public prosecution, immigration and social assistance authorities, child welfare services, employment agencies, job centres and specialised counselling centres for the protection of victims of human trafficking for the purpose of sexual exploitation (Joint Decree of 31 July 2014 of the Lower Saxony Ministry of the Interior and Sport, Ministry of Social Affairs, Health and Equal Opportunities and Ministry of Justice – 23.24-12334/15-4)).</p> <p>For victims who are undecided as to whether they wish to cooperate in criminal investigations or who have been afforded a recovery and reflection period under Section 59 (7) AufenthG, the reflection period is at least three months. With the victim's consent, the specialised counselling centres are authorised to inform the immigration and social assistance authorities of factual indications which point to a case of human trafficking.</p> <p>No information is available with regard to any related difficulties. It can be assumed that the legal provisions concerning residence are applied.</p> <p>The Lower Saxony Decree on Cooperation provides protection for victims irrespective of whether they are willing to testify. However, the legality principle and the associated requirement to conduct criminal investigations leave little scope for a period of recovery and reflection. Support can however be provided by means of timely referral to the responsible immigration authorities (award of tolerated status, asylum application) or protective measures by providing safe housing or a place in a women's refuge shelter or referral to a support organisation.</p>
39.	Residence permit (Article 14)	<p><u>Berlin</u> The revised Section 25 (4a) AufenthG (reference is made to the Federal report) provides for an extension on humanitarian or</p>

	<p>If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.</p>	<p>personal grounds following the criminal proceeding. No experience has been gained in such matters. A residence-related solution which is linked to victim status but not to a willingness to testify is not provided for under the Act on the Residence, Employment and Integration of Foreigners in the Federal Territory of the Federal Republic of Germany (AufenthG) (see No. 20 in the Annex to the status report). In some cases, it must be assessed whether the residence provisions contained in Section 5 (residence according to international law, or for humanitarian or political reasons) of the AufenthG can be applied, including the option of applying to the Hardship Commission. In the past, solutions have been found for domestic employees in diplomatic households who as victim witnesses had no opportunity to obtain a residence permit under Section 25 (4a) AufenthG because the perpetrator enjoyed diplomatic immunity.</p> <p>Hamburg Up to now there have been few cases in which an extension has been granted under Section 25 (4a) third sentence AufenthG or Section 25 (4b) third sentence. In those cases, the victim's personal circumstances were the deciding factor.</p>
40.	<p>When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?</p>	<p>Berlin The issuance and extension of a residence permit under Section 25 (4a) AufenthG is subject to the victim's willingness to testify as a witness and the public prosecution's or court's assessment that the victim's presence during the proceedings is necessary. Practitioners thus believe that cases in which, due to the difficulties involved in producing evidence, the public prosecution no longer base their investigations on human trafficking but on other offences can prove problematical because it means that the basis for issuing a residence permit subject to victim witness status no longer exists.</p> <p>Hamburg : Residence permits under Section 25 (4a and 4b) AufenthG are not issued for the purpose of cooperation with the competent authorities. Cases of cooperation with other authorities without the element of human trafficking are decided according to other regulations of the AufenthG.</p> <p>Saxony The foreign national must be willing to testify as a witness in a criminal proceeding involving human trafficking. If they exercise their right to remain silent (Sections 52, 55 StPO), they do not declare a willingness to testify. Issuance of a residence permit under Section 25 (4a) AufenthG is a legal entitlement except where non-typical cases are involved. The immigration authorities are bound to the public prosecution's assessment if they deem the presence of a victim witness necessary. However, the interests of the foreign national in remaining in Germany under Section 25 (4a) AufenthG are not protected.</p>
41.	<p>What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6,</p>	<p>Berlin Reference is made to the answer to Question 39 above and to the input on No. 20 in the annex to the status report.</p> <p>Lower Saxony In answer to 40 and 41. See the answer to Question 38.</p>

	<p>which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?</p>	
<p>42.</p>	<p>Compensation and legal redress (Article 15) Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:</p> <ul style="list-style-type: none"> a. access to information on the relevant judicial and administrative proceedings in a language the victim can understand; b. access to free legal assistance and legal aid during investigations and court proceedings; c. compensation from the perpetrator; d. compensation from the state; e. compensation for unpaid wages to victims of trafficking. <p>Please provide</p>	<p><u>Brandenburg</u> Reference is made to the answer to Question 10g. When a case is reported, the police must inform victims of criminal offences about their rights and supply them with the respective information sheets.</p> <p><u>Berlin</u> In criminal investigations and prosecutions, the public prosecution authority in Berlin works with the police to ensure that victims receive legal representation who assist them in exercising their rights before the courts. Victims also have access to interpreters and to support from NGOs.</p> <p>Victims of labour exploitation receive assistance from the counselling centres to enable them to claim their pay. Reference is made to the input provided by Arbeit und Leben, which will be forwarded straight to the GRETA office.</p> <p>For former domestic employees of diplomats, Ban Ying provides support in proceedings concerning compensation and with the involvement of the Federal Foreign Office.</p> <p><u>Hamburg</u> The Hamburg police use various informational brochures and forms developed with the public prosecution authorities to inform victims about their rights and the options concerning compensation.</p> <p>Between 2010 and 2016, three victims of human trafficking received compensation from the perpetrators. Two received compensation (for personal suffering and/or damages). To the extent known, compensation cannot be enforced. In the period between 2010 and 2016, seven victims applied for compensation under the Victims' Compensation Act (OEG): two were approved and one was rejected. In 2012, a victim of human trafficking applied for compensation under SGB VIII (statutory accident insurance). Compensation was granted following a decision by the Hamburg Social Welfare Court in summer 2016.</p> <p><u>Hesse</u> Due to lack of experience in this area, no information can be provided on victims who were awarded compensation. With regard to access to free legal support for victims, support services are provided in some cases by non-state institutions which cooperate with the police. The services range from psychosocial counselling to provision of safe housing to information about the availability of legal representation and representation as a joint plaintiff. Specialised counselling centres for victims of human trafficking have also been established in Hesse. The general victim counselling centres set up by the Hesse Ministry of</p>

	<p>examples of compensation awarded and effectively provided to victims of THB.</p>	<p>Justice are also available. The availability of psychosocial accompaniment during criminal proceedings is referred to in the answer to Question 54.</p> <p><u>Mecklenburg-West Pomerania</u> Reference is made to the input from the Ministry of the Interior in answer to Question 10g.</p> <p><u>Lower Saxony</u> The measures (a-e) are reflected among other things in the Decree on Cooperation on Human Trafficking (Joint Decree of 31 July 2014 of the Lower Saxony Ministry of the Interior and Sport, Ministry of Social Affairs, Health and Equal Opportunities and Ministry of Justice) and are implemented to the extent possible.</p> <p>Victims of crimes receive an information sheet on the rights of victims and injured parties in criminal proceedings. These are provided in the victim's native language and explain the compensation options available – alternatively an interpreter is used.</p> <p>Based on the case in question, information is provided about compensation under the OEG. With regard to compensation from the perpetrator, experience has still to be gained with the new legislative provisions on asset recovery.</p> <p><u>Rhineland-Palatinate</u> Victims are handed an information sheet in their native language or are informed using an interpreter. The victim information sheet used in Rhineland-Palatinate is available in 29 languages.</p>
43.	<p>What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?</p>	<p><u>Baden-Württemberg</u> A case in practice: a human trafficker was arrested when entering Germany. Cash and a valuable watch were confiscated and the proceeds in the amount of €20,000 were paid out to the three victims.</p> <p><u>Berlin</u> In all investigations involving human trafficking, the public prosecution office tries to recover criminal money. The LKA conducts parallel financial investigations. With the Act to Reform Asset Recovery in Criminal Law (Gesetz zur Reform der strafrechtlichen Vermögensabschöpfung) which entered into force on 1 July 2017, the importance of this penal response in areas other than the investigation of human trafficking has been strengthened significantly.</p> <p><u>Mecklenburg-West Pomerania</u> An example from practice: in a current case, financial investigations are underway with the aim of confiscating an accused's house in Bulgaria because the accused had transferred his profits there.</p> <p><u>Lower Saxony</u> As a rule, in proceedings involving human trafficking, comprehensive financial investigations are conducted to recover offence-related assets in accordance with the new legal provisions and in line with the decree issued by the Lower Saxony Justice Ministry dated 6 July 2017 (4100 – 402. 295). In some cases, low-value assets are recovered from perpetrators. To the extent known, the money was confiscated in the name of the State. No cases were reported in which assets were paid out</p>

		to the victim.
45.	<p>Repatriation and return of victims (Article 16) What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (non-refoulement principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of co-operation with the authorities of the receiving state?</p>	<p><u>Baden-Württemberg</u> In Baden-Württemberg, voluntary repatriation takes priority over deportation. Foreign nationals subject to enforceable deportation or who have applied for asylum are advised of the options for voluntary repatriation at the earliest possible stage, including if they are not yet obliged to leave the country. Under the AufenthG, foreign nationals subject to enforceable deportation must be deported. Decisions concerning residence rights for victims of human trafficking are evaluated as part of the permit issuance process under Section 25 (4a) AufenthG.</p> <p><u>Berlin</u> In Berlin, by waiving application of Section 4 (1) No. 1 to 2 and 4, and Section 4 (2) AufenthG, generous application of discretion under Section 25 (4a) AufenthG is made and victims are often given an opportunity to stay in Germany even after the criminal proceeding has been closed. As a result, the question of (in-depth) risk assessment does not arise. The situation is different if there are especially serious grounds for a foreign national's deportation under Section 42 (2) No. 1 – 6 AufenthG or if they have been deported for such grounds. Reference is made to the input in A.25.4a. of the procedural information provided by the immigration authorities in Berlin and to the answer to Question 39.</p> <p>In addition, voluntary repatriation takes priority over deportation. Victims who are willing to repatriate can make use of the counselling and support services offered by the Land Berlin Office for Refugee Affairs and the IOM. In the past year, no applications for voluntary repatriation were received from people in this group.</p> <p><u>Hamburg</u> Victims of human trafficking receive a residence permit under the AufenthG which initially entitles them to reside legally in the Federal Republic of Germany (see answer to 38). If after receiving legal counselling and despite their residence status, victims of human trafficking decide to return to their country of origin or to another country, this occurs entirely voluntarily. The individual is counselled by the police and an NGO concerning the risks involved and details of the counselling session along with the victim's declared intention are documented in writing. Repatriation to the country of origin or to another country is closely coordinated by the LKA 22 and the specialised counselling centres, whereby direct contact made with another country is usually established by the specialised counselling centres. When enforcing the individual's obligation to leave the country, voluntary repatriation takes priority over forced deportation. This is communicated as part of a comprehensive counselling strategy for voluntary repatriation.</p> <p><u>Mecklenburg-West Pomerania</u> The ZORA counselling centre advises victims of human trafficking in matters concerning repatriation to their country of origin. No measures are taken to ensure the repatriation process is completed.</p> <p><u>Rhineland-Palatinate</u> In line with the cooperation strategy on protection and support for victims of human trafficking for the purpose of sexual</p>

		<p>exploitation and labour exploitation, the affected individuals receive support from counselling and specialised counselling centres in Rhineland-Palatinate. Depending on the case, the centres work with victims to develop a new life plan and assist them in its implementation.</p> <p>The police unit conducting the investigation supports the counselling and specialised counselling centres in matters of security and safety, including those concerning victims' repatriation to the country of origin. Where factual indications are present, the police inform the responsible immigration authority that the victim is at risk in their country of origin. The immigration authorities are required to advise and inform victims of human trafficking.</p> <p>For victims of human trafficking who wish to return to their country of origin, the Rhineland-Palatinate Integration Ministry operates a repatriation programme which was launched in 2005. This includes reintegration and other humanitarian support which – in line with the general programme provisions – can also be used by victims of human trafficking (as members of a vulnerable group) if they return to their country of origin voluntarily.</p> <p>The repatriation programme and the associated support for victims of human trafficking are, however, limited to individuals from non-EU states. Depending on the municipal structures, repatriation counselling can be provided by the immigration or social welfare authorities or by an independent organisation.</p> <p><u>Saarland</u></p> <p>In managing cases of repatriation, all information obtained during the asylum process is taken into account. If information is available which speaks against repatriation, all stakeholders are informed and a decision is made accordingly.</p> <p><u>Sachsen Saxony</u></p> <p>Victims of human trafficking can agree to voluntary repatriation. The victim has the right to contact an NGO in their country of origin. This is rarely requested, however. Working with the NGO, the KOBRA net specialised counselling centre assists the victim in organising their repatriation.</p> <p>Processing the immigration law requirements until the date of repatriation, securing the victim's livelihood for the duration of their stay in Germany, help in completing passport requirements where a passport has been lost, establishing contact with specialised NGOs in the country of origin if wished, securing financial resources to cover the costs of repatriation – either via the IOM, the specialised counselling centre or another victim support organisation – and help in planning the journey back home.</p>
50.	Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the	<p><u>Lower Saxony</u></p> <p>A case was reported of a Romanian national in Osnabrück who was forced into prostitution and exploited. The investigations proved unsuccessful because the perpetrator could not be found.</p> <p><u>Saarland</u></p> <p>The above-mentioned guide sets out a process which has been coordinated with all involved. In this regard, the Saarland Police Department has established a special investigation unit for the investigation of people smuggling/human trafficking (Department LPP 224). Use of special, often undercover, investigations is subject to the provisions of the StPO. Where the</p>

	<p>complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.</p>	<p>legal requirements are met, these are conducted in compliance with the investigative tactics prescribed by Department LPP 224 in cooperation with other specialised and general service units, such as Department LPP 244 Victim Protection/Undercover Information Acquisition or Department LPP 226 Financial Investigations.</p> <p><u>Rhineland-Palatinate</u> Investigations are currently underway which were initiated at the request of the Romanian authorities. The suspected victim, who worked as a prostitute in a prostitution business in Germany, had returned to Romania and reported the offence there.</p>
51.	<p>Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:</p>	<p><u>Bavaria</u> Investigations in connection with human trafficking offences are conducted by appropriately special criminal police commissions subject to the case involved and taking account of the legal and technical options available, e.g. observation and telecommunications monitoring, as well as use of financial investigators and other specialists. JITs are also deployed as needed.</p> <p><u>Bremen</u> In answer to 51, 53 and 54: Investigations concerning human trafficking are initiated officially. During the investigations, the necessary preventive and repressive measures are implemented to obtain evidence of the offence, recover assets during the proceedings and protect victims.</p> <p><u>Saarland</u> The Saarland police have a special investigations unit which focuses on cases of human trafficking and also uses undercover measures – such as undercover investigators, telephone monitoring – as needed. These can also be used in accordance with prevailing process regulations if the offence is not thought to involve organised crime, but only for serious (catalogue) offences and when ordered by a judge in response to a public prosecutor’s request (see for example Section 100a ff. StPO). The option of blocking websites which serve human trafficking is not possible in the criminal prosecution process; such action is classed as a preventive measure. Financial investigations, by way of contrast, are possible in a case of human trafficking and it can be assumed that they are conducted in appropriate cases.</p> <p><u>Saxony</u> Due to the low number of cases in this connection, decisions on the measures to implement are made on a case-by-case basis.</p> <p>The public prosecution authorities do not have access to special investigation units at the Saxony Ministry of Justice (SMJ), but proceedings are usually prepared by one or two public prosecutors who are responsible for this area. Police investigations are usually conducted by special commissions which are also responsible for investigating organised crime. In Chemnitz, commencing this year in response to the Act Protecting Persons Working in Prostitution, quarterly exchange of information takes place between representatives from the Chemnitz Police Directorate, the healthcare authorities, the Chemnitz public order authorities and the tax investigation unit. Use is and has been made of telecommunications monitoring and observation.</p>
	<p>a. setting up</p>	<p><u>Baden-Württemberg</u></p>

<p>specialised investigation units and the number of staff involved;</p>	<p>In 1999, a joint investigation team on people smuggling (Gemeinsame Ermittlungsgruppe (GES)) was established by the LKA and the BKA. The GES operates as a specialised unit and investigates people smuggling cases involving organised crime with multiple offences, such as human trafficking. An holistic approach is taken, i.e. GES responsibilities take in the entire range of activities – from strategic evaluation (offence descriptions and event-related analyses), to process-initiated evaluation, to conducting targeted investigations. GES staffing levels were determined in the agreement between the participating units.</p> <p>With the regional police, responsibility for investigation of cases of human trafficking varies subject to prevailing regulations. If there are factual indications of organised criminal activity, the investigations are usually conducted by specialised criminal police inspectorates.</p> <p><u>Berlin</u> The Berlin public prosecution authorities have established a special department which is responsible for cases of human trafficking and forced prostitution. Two or three public prosecutors work on such cases. They cooperate with special LKA commissions which investigate such offences.</p> <p>The LKA Berlin has two police commissions with some 20 employees who are deployed exclusively in efforts to combat human trafficking.</p> <p><u>Bremen</u> The Bremerhaven police authorities and the Bremen police have special commissions for offences involving human trafficking.</p> <p><u>Brandenburg</u> In answer to Question 51 a to d: Investigations in connection with human trafficking are conducted as for offences involving organised crime. These are conducted centrally by the LKA of the Land Brandenburg Police Department. In investigations in this area, cases are processed by highly-specialised staff and using all available criminal law provisions. Measures used in revealing an offence and catching a perpetrator include telecommunications monitoring, long-term observation using technical equipment and deployment of undercover investigators. Exchange of information and knowledge with other security authorities or institutions is a standard measure in the investigation of organised crime. These StPO measures can also be used where justified and the legal requirements are met, including in investigations not involving organised crime. Where investigations reveal offence-related events and behaviour, confiscation of domains and associated servers can be considered subject to the provisions of the StPO and where the domains and internet servers are within the scope of Federal German law.</p> <p><u>Hamburg</u> Both the public prosecution authorities and the LKA have established highly specialised organised crime teams which</p>
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primarily deal with cases involving human trafficking for the purpose of sexual exploitation. In addition, they each have a dedicated department staffed by specially trained personnel.

Hesse

In Hesse, all special commissions in all seven police departments, which have different-sized teams, focus on combating human trafficking for the purpose of sexual exploitation – a total of 27 special commissions. In the Frankfurt police department, a special unit works solely on human trafficking for the purpose of sexual exploitation and its manifestations (forced prostitution, pimping, etc.). The other special commissions work on other red-light-related offences and also on other offences (depending on the commission in question, e.g. violence-related offences). Labour exploitation and other forms of human trafficking (begging, committing other crimes, organ removal) are investigated by all police departments in Hesse.

In the past, a Joint Investigation Team has been established between a Hesse public prosecution office and a Bulgarian public prosecution office.

The Hesse LKA also has responsibilities involving cases of organised crime.

Mecklenburg-West Pomerania

Both the criminal police inspectorates (KPIs) and the Land Criminal Police (LKA) have special investigation units for human trafficking. The KPI investigators investigate offences committed by individuals and organised gangs. Human trafficking offences which come under organised crime are investigated by the LKA. The number of employees in each organisational unit is not fixed.

Lower Saxony

Case management in cases involving human trafficking is performed by both police and public prosecution specialists. Measures to combat human trafficking are taken by Lower Saxony Police specialists and specialist units at various police stations and with varying levels of responsibility:

- Throughout Lower Saxony in the central crime units (ZKDs) at 29 police inspectorates
- In cases of organised, serious and gang-related crime, in the central police inspectorates (ZKIs) within the six Lower Saxony police directorates.
- The Land Criminal Police (LKA) in cases of organised crime where central processing is required or in special cases of super-regional importance and special significance

In addition to the units involved in combating human trafficking, there are specialised victim protection units.

North Rhine-Westphalia

In North Rhine-Westphalia, investigations are either conducted in the department to combat organised crime or by specialised departmental heads in the commercial department. The special departments are exclusively staffed with experienced departmental heads who are familiar with diverse and also undercover investigation methods, including measures for permanent recovery of assets from the accused.

		<p><u>Rhineland-Palatinate</u> In 2006, the LKA in cooperation with the Rhineland-Palatinate police departments developed a strategy to intensify action against crime involving people smuggling and human trafficking, and established special project groups to combat human trafficking. The offence of human trafficking has since been a central focus in Rhineland-Palatinate. In line with the strategy, human trafficking offences for the purpose of sexual exploitation have since 2006 been handled by as many as seven specially trained employees in project groups in Commissions 13 (organised crime) and Commissions 2 (violence against women and children) at the police inspectorates.</p>
	<p>b. exchange of information with, and obtaining evidence from, other parties;</p>	<p><u>Baden-Württemberg</u> In compliance with prevailing regulations and instructions, police units throughout Baden-Württemberg maintain regular dialogue with external cooperation partners (representatives from the public order authorities, social welfare services, child welfare services and education authorities, doctors, NGOs and specialised counselling centres for victims of human trafficking).</p> <p>For example, the GES has cooperated for many years with the Fraueninformationszentrum (FIZ) des Diakonie Vereins für Internationale Jugendarbeit Württemberg e.V. The FIZ transfers suspected cases of human trafficking, promotes victims' willingness to testify and ensures them psychosocial accompaniment during criminal proceedings. As a result of the close cooperation, GES benefits from information provided by the FIZ which is then used in police argumentation and reports.</p> <p><u>Berlin</u> In addition to regular talks and information exchange meetings – both within the police and at Land-level – ongoing, even-related exchange takes place.</p> <p><u>Hesse</u> Exchange of information and cooperation between other parties is based on the cooperation agreement between the public prosecution authorities, the immigration authorities, employment agencies, social services and specialised counselling centres to protect victims in cases of human trafficking for the purpose of sexual exploitation.</p> <p>In parallel, a cross-departmental round table to combat human trafficking in Hesse was established, which develops effective, coordinated and Hesse-wide solutions for victims of human trafficking and victim witnesses.</p> <p>Since May 2001, a cooperation strategy for the protection of victim witnesses of human trafficking has been in place between the specialised counselling centres and the police. The strategy is designed to provide adequate protection and help for victims of human trafficking and thus contribute to more effective action against this phenomenon.</p> <p><u>Lower Saxony</u> Cross-departmental and interdisciplinary cooperation, which involves the NGOs, subject to the provisions of the decree on cooperation on human trafficking for the purpose of sexual exploitation. There is also a round table at municipal level, with various authorities and counselling organisations entering into dialogue on current problems related to human trafficking.</p>

		<p><u>Rhineland-Palatinate</u> Reference is made to the answers to Question 57.</p>
	<p>c. use of special investigative techniques (such as informants, cover agents, wire- tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;</p>	<p><u>Hamburg</u> The judicial authorities in Hamburg report that various investigation methods, including undercover activities, are used on a regular basis. Apart of observation (Section 163f StPO), the collection of traffic data (Section 100g StPO) and monitoring and recording of telecommunications (Section 100a StPO), these methods include acoustic monitoring outside (Section 100f StPO) and inside (Section 100c StPO) private homes. The use of undercover investigators (Section 100a StPO) is also possible where the offences are of a commercial or gang-related nature or there is a risk of a repeat offence.</p>
	<p>d. investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;</p>	<p><u>Baden-Württemberg</u> When information is received concerning (possible) child pornography, the LKA as the child pornography complaints body identifies the server location and the registered owner, and reports this to the BKA. The principle of “delete or block” then applies when referring the case to the respective international prosecution authorities or to INHOPE, the umbrella association of globally-operating internet complaint bodies.</p> <p><u>Berlin</u> Online research only takes place in relation to specific events and regularly reaches its limited when servers or services in other countries are used. Against this backdrop, it is virtually impossible to either block a website or request that it be blocked. In many cases, investigations focused entirely on the internet until the victims could be identified.</p> <p><u>Hesse</u> Investigations are also initiated in suspected cases of human trafficking via the internet. There are, however, no known cases in which websites were blocked after investigations were concluded.</p> <p><u>Mecklenburg-West Pomerania</u> With the initiative Netzverweis (https://www.netzverweis.de/), the LKA in cooperation with the company DVZ Datenverarbeitungszentrum Mecklenburg-Vorpommern GmbH maintains its own online complaint body which can also be used to report suspected cases of child pornography. Reports are received by the online police station (https://polizei.mvnet.de/ssl/g8wache/index.php?task=iw_anzeige). All information received is forwarded to the responsible police unit in Mecklenburg-West Pomerania or the BKA for onward forwarding to an international police unit.</p>

	<p><u>Lower Saxony</u> The LKA has established a specialised unit (Department 38) to combat cybercrime and child pornography. Offences involving human trafficking are not handled by this unit. Instead, cases in which internet research has revealed potential human trafficking activities are forwarded to the responsible police units. For the subsequent investigation, Department 39 continues to provide expertise for internet research (as a kind of service provider for the organisational unit originally responsible for the case).</p> <p><u>North Rhine-Westphalia</u> Blocking of websites with illegal content which are operated in Germany is usually performed by the operator or the host in response to activities involving organisations other than the police (e.g. Eco-Verband, Land NRW Media Authority). The police have no legal basis on which to block an internet site, not even as part of an investigation.</p> <p><u>Rhineland-Palatinate</u> Both in investigations and for the purpose of strategic/operative evaluation, standard research and evaluation of respective advertisements and contact sites (such as www.ladies.de, www.kaufmich.com, www.facebook.de) is conducted via the internet.</p>
<p>e. financial investigations to disrupt criminal money flows and ensure asset recovery;</p>	<p><u>Baden-Württemberg</u> As a general rule, all criminal investigations in which a perpetrator has gained financial benefit, process-integrated financial investigations are conducted in parallel to the criminal investigations. This is especially the case concerning profit-oriented and highly profitable offences, which is the case concerning human trafficking. The main aim is the judicial recovery in accordance with Section 73 ff StGB of the assets and/or their value obtained in the criminal activity.</p> <p>Financial investigations are regularly conducted by specially trained financial investigators (asset recovery agents) in a central organisational unit who are brought into the investigations at an early stage. Preliminary confiscation measures are implemented when requested by a judge and in close cooperation between the financial investigators and the public prosecution.</p> <p>As a central body, the LKA also has its own financial investigation unit which supports and advises the financial investigators at the regional police departments.</p> <p><u>Bremen</u> Criminal police investigations are accompanied by specialists from the process-integrated asset recovery team.</p> <p><u>Berlin</u> To the greatest extent possible, the LKA specialised unit is involved in all financial investigations. Financial investigations and, where possible, asset recovery are a standard procedure.</p>

		<p><u>Hesse</u> Financial investigations during a criminal investigation have become a standard procedure. Parallel financial investigations are conducted wherever possible (when the perpetrator is known),.</p> <p><u>Lower Saxony</u> In 2014 and in parallel with the Lower Saxony report on human trafficking (Lagebild Menschenhandel), the LKA conducted a special analysis on asset recovery in criminal investigation of human trafficking. Together with the prevailing legal provisions, the recommendations for action based on that analysis were and are communicated to case managers involved in human trafficking investigations and the associated financial investigations in ongoing seminars and training events. In the regularly updated guide on combating human trafficking, asset recovery is addressed in detail along with other issues. It provides suggestions for questions used in interviewing victim witnesses which are of relevance to financial investigations. The topic of profit recovery is a focal point in seminars and training held by the Central Unit for Organised Crime and Corruption (Zentrale Stelle Organisierte Kriminalität und Korruption) and in dialogue and exchange.</p> <p><u>Rhineland-Palatinate</u> To conduct asset recovery measures, the police in Rhineland-Palatinate have established special asset recovery units. The case managers support the investigating units by identifying all assets (legal/illegal) of the perpetrator/parties and then initiating and conducting preliminary sequestration (confiscation/seizure).</p>
	<p>f. use of joint investigation teams (JITs).</p>	<p><u>Baden-Württemberg</u> In a JIT conducted by the LKA and the Romanian authorities between September 2014 and September 2015 concerning a case of human trafficking for the purpose of sexual exploitation, German investigators were able to question numerous former prostitutes in Romania. Thanks to their in-depth advance investigations, the Romanian colleagues played a significant role to the success of the questioning operation.</p> <p><u>Berlin</u> In 2015, the first Joint Investigation Team with Bulgaria was established. Bulgaria is a focus country with regard to human trafficking (see the statistics given in Section E of the questionnaire). In LKA 42 a JIT with Bulgaria was conducted in 2016/2017 to combat human trafficking (escort service). Charges have been brought and the court case is pending.</p> <p>The JIT enabled successful and effective investigations without having to follow the usual path of prevailing legal provisions and procedures. Problems arose in practice due to the differing legal requirements regarding the offence of human trafficking in the member states involved. Prosecution process issues also arose due to the differing systems in place.</p> <p><u>Bremen</u> A JIT with Bulgaria was formed in 2010/2011. The level of cooperation can be described as good.</p> <p><u>Hamburg</u></p>

		<p>In Hamburg there have recently been two cases where the possibility of forming a JIT with the Romanian authorities was considered. As the perpetrators were primarily only active on one country, there was no need to form a JIT.</p> <p><u>Hesse</u> The possibility of working in JITs is considered after assessing the case in question. Experience in working in JITs with Romania and Bulgaria has been positive so far. No statistics are available on use of JITs.</p> <p><u>Mecklenburg-West Pomerania</u> In the LKA staff of the Land Criminal Police, the Federal Criminal Police and the customs authorities have worked together for many years in a joint investigation team on people smuggling (GES).</p> <p><u>Rhineland-Palatinate</u> In cases of cross-border investigations, investigations involving human trafficking has to date led to cooperation with foreign investigation authorities so that both foreign colleagues in Germany and German colleagues in other countries where actively involved in investigations concerning human trafficking.</p>
53.	<p>Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)</p> <p>What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have special protection measures been used in respect of victims and</p>	<p><u>Baden-Württemberg</u> In investigations and prosecution processes involving cases of serious crime, risk assessments and risk analyses are conducted and updated by the investigating police units. Based on these assessments and on their own risk assessments, the responsible victim protection unit classifies the degree of risk in cooperation with the public prosecution. After charges have been brought, and no later than the opening of the main court proceedings, the victim protection unit establishes direct contact with the respective court to coordinate victim protection measures prior to and during the trial. No legal entitlement exists concerning inclusion in the victim protection programme, its continuation or implementation of specific measures. In future, significant cases of operative victim protection will also be handled by the LKA Baden-Württemberg victim protection unit. For situations and risks below this protection level, the investigating police units provide protection for the human trafficking victims involved.</p> <p><u>Bavaria</u> The police operate a victim protection programme and NGOs, specialised counselling centres and social workers – such as jadwiGA in Munich – provide safe housing, basic material security, assistance in dealing with the authorities and clarifying residence issues. Upon request, victims can also be accompanied to police, public prosecution and court hearings.</p> <p><u>Berlin</u> Victims of human trafficking may apply for an information embargo and, if they are female, to be housed in a women’s refuge shelter. For male victims, the option outlined in answer to Question 5 is available, but this would not be adequate in cases of serious risk. In practice, the authorities arrange off-peak appointments for victims of human trafficking who are at risk to avoid potential confrontation with individuals from the perpetrator’s environment. During the court proceedings, a police guard can be arranged to accompany the victim to the court and back home, and the victim support room in the court may also be used.</p>

<p>witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.</p>	<p>To date, in only a few cases were additional protection measures needed during or following criminal proceedings due to intimidation or attacks by the perpetrator(s). In one case involving a biker gang, the victim was a young girl who was placed in a secure institution for her protection. A “trouble-maker warning” was given to the perpetrators and in some cases arrest warrants were issued on grounds of potential collusion or suppression of evidence.</p> <p>In another case (escort services involving minors operated by Romanian perpetrators), a trouble-maker warning was issued by the Romanian police via the BKA after the perpetrator was released from prison and deported to his home town in Romania, where a number of victims also lived. As a general rule and where they are in possession of such information, the LKA 42 informs victims when perpetrators are released from prison.</p> <p><u>Bremen</u> Victims (victim witnesses) are provided safe housing in line with the victim protection programme and receive support from the Bremen counselling centre for victims of human trafficking and forced prostitution (BBMeZ). This frequently involves women’s shelters. From experience, witness protection measures are rarely needed because victims of human trafficking have not reliably adhered to the victim protection rules or because the offence and the expected punishment did not justify victim protection measures. Because those accused often threaten victims’ families, it is practically impossible to provide effective protection.</p> <p><u>Hamburg</u> The Land Hamburg reports that during investigations, the police organise safe housing for victim witness to protect them against intimidation and attack on the part of human traffickers. Housing is ideally provided immediately investigations begin. Victim witnesses must be eligible for operative victim protection and give their consent before measures are taken. Following the court proceedings, permanent residence of a victim or a witness in a safe German Land is one possibility. Where an extended residence permit is granted under the AufenthG, all necessary integration measures are taken by the operative victim protection unit in conjunction with the specialised counselling centre or NGO. The operative victim protection unit provides NGO staff with regular advice, annual and ad hoc, regarding the required safety standards. The personal data of the NGO management stored by the registration authorities can be safeguarded from unauthorised access (non-disclosure). In each actual case of cooperation with an NGO, an individual risk assessment is conducted and respective counselling given regarding the safety-related developments and changes in relation to the protection programme. The respective measures are mutually discussed and the risks assessed. Round-the-clock availability of the operative victim protection unit ensures information can be exchanged as and when needed.</p> <p><u>Hesse</u> Hesse maintains a cooperation agreement between the immigration authorities, employment agencies, social services and specialised counselling centres on protection of victims in cases of human trafficking for the purpose of sexual exploitation which sets out the roles and responsibilities of the cooperation partners and governs how they cooperate. The cooperation agreement was drafted by the round table on combating human trafficking in Hesse. The round table is a coordination body which develops effective and coordinated solutions for use throughout Hesse to protect victims and victim witnesses of human trafficking.</p>
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Because in many cases, victim witnesses do not meet the objective criteria for inclusion in a victim protection programme as required by victim protection law, measures for their protection are taken in line with the provisions for protection of victim witnesses of human trafficking who are not in the witness protection programme. Nine such cases were handled in 2016.

Mecklenburg-West Pomerania

In accordance with the Administrative Regulation of the Land MW Interior Ministry and Justice Ministry concerning the Directive on Protecting Witnesses at Risk and the Victim Protection Harmonisation Act (confidential – for internal use only), inclusion in police witness protection programmes is decided by the LKA victim protection unit in conjunction with the public prosecution authorities. Persons are included who, given their opportunity and willingness to testify, especially in cases of serious or organised crime, are especially at risk. The victims must be eligible for inclusion in a victim protection programme and give their consent. No legal entitlement exists with regard to inclusion in the victim protection programme, its continuation or implementation of specific measures.

Lower Saxony

Where the requirements for a victim protection programme are met under witness protection law, measures are taken to protect victim witnesses by the LKA victim protection unit.

In other cases, an assessment is made as to how the victim can be included in the programme under the provisions of the directive on victim protection and victim protection-like measures in cases of significant risk (version 1 December 2012).

At lower threshold level, where needed the LKA victim protection unit advises the police units responsible for providing protection on the protection measures that can be taken for victims and witnesses.

The LKA victim protection unit is currently providing protection for a victim of human trafficking (arising from a case in 2007). In 2011, one victim was included in the victim protection programme for a period of one year.

In cases where these criteria are not met, early involvement of a victim protection organisation in cooperation with the police enables purposeful and effective measures to be taken to protect victims. In Lower Saxony, situation-based exchange takes place between the special police units for combating human trafficking and the specialised counselling centres.

At the start of such investigations, support from various NGOs is offered. These measures address not only victims but also their family members in the country of origin. The NGOs usually provide ongoing support (as outlined under 53) and housing. In exceptional cases, shelters are used (e.g. safe housing and women's refuges). In some cases, housing is provided in privately rented accommodation.

North Rhine-Westphalia

From North Rhine-Westphalia it is reported that a senior prosecutor described the following difficulties: "Difficulties often arise because witnesses break away from the protective environment, return to their home-countries or are not able to part from their previous environment and return to their former contact persons – in many cases the accused. In that case, diverging statements are noted what makes it difficult to judge the facts ". Another senior prosecutor added: "Difficulties arise because in many cases perpetrators know the relatives of the victims and their abodes, so that they – either themselves or with the

		<p>help of persons of confidence - try to influence the victims through the members of their families. In that case, the real actors often cannot be determined. Also, in most cases it cannot be established without doubt that threats originate from the accused. Furthermore, both, victims and perpetrators and/or their respective relatives are active in the social media making contacts through these channels. In some cases victims are emotionally dependent on the perpetrators. These victims get in contact with the perpetrators themselves”.</p> <p><u>Rhineland-Palatinate</u> Upon request, NGO employees are provided assistance in arranging non-disclosure of their data in public registers.</p> <p>Where the necessary criteria are met, victims of human trafficking are included in the victim protection programme and helped to build a new life at a safe location. If the criteria for inclusion in the victim protection programme are not met, victims of human trafficking can be protected under a cooperation agreement on protecting and helping victims of human trafficking for the purpose of sexual exploitation and labour exploitation signed between authorities and NGOs.</p> <p>In at least two cases, victims were given support under victim protection programmes. In a case involving human trafficking, protection measures were taken for four witnesses, e.g. taking them to a safe, secret location. In this case, the public prosecution ensured that the witnesses’ new addresses were not documented in the investigation files and for the witnesses to be summoned exclusively via the police. During the entire criminal proceeding, police officers maintained close contact with the witnesses to protect them and assess any potential risk. During the main hearing, the witnesses were permitted not to give details of their address (Section 68 (2) second sentence StPO). By staying in the special witness room until their respective hearings, confrontation with the accused in front of the court room was avoided. In one case, the accused was removed from the court room under the provisions of Section 247 StPO.</p> <p><u>Saxony</u> Victims/witnesses are given the opportunity to receive support from NGOs (see the cooperation agreement mentioned in 22 above). During operative victim protection, the police arrange data locks and, where necessary, organise a move to a different location. The LKA witness protection unit supports the police directorates. Victims/witnesses are accompanied during court hearings. Witness aids and victim lawyers are provided by the NGOs.</p> <p>The KOBRAnet specialised counselling centre cites the following victim protection measures: non-disclosure of information at various organisations, safe housing (women’s shelters, safe apartments), accompaniment to hearings by the specialised counselling centres, collection by the police, provision of legal representation, provision of financial resources to cover basic needs, accompaniment to court hearings by the specialised counselling centres and the police.</p> <p><u>Thuringia</u> There is the possibility to include the witnesses in the Witness Protection Programme of Thuringia, in case of witness peril. However there was no need for it lately.</p>
54.	What other measures	<u>Berlin</u>

<p>are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?</p>	<p>During their investigations, the Berlin public prosecution and the police place great importance on involving the NGOs who counsel and support victims of human trafficking, and involve them in all relevant proceedings. This, of course, takes place with the victim's consent.</p> <p>Victims of human trafficking can receive support from specialised counselling centres prior and during investigations, and also during and after the court proceedings. Support is provided to victims free of charge, is comprehensive and not subject to any particular period of time. Victims of human trafficking receive support irrespective of whether they are willing to testify. However, during psychosocial counselling, many victims decide (sometimes after months or years) to testify and are then referred to the police. If wished, the victim can, of course, continue to receive support.</p> <p><u>Bremen</u> Support from a psychologist, a legal representative and a social worker can be provided.</p> <p><u>Hamburg</u> Experience shows that the protection programme used in providing operative victim protection and the close, trust-based cooperation partnership with KOOFRA help to encourage victims to testify as a witness. KOOFRA's professional and psychosocial support, and the measures it takes in providing effective victim protection, are a prerequisite in stabilising clients as witnesses in criminal proceedings. An entitlement to psychosocial accompaniment during criminal proceedings also exists. In Hamburg, this is provided by the witness support unit in the court and KOOFRA provided parallel support.</p> <p><u>Hesse</u> Hesse has achieved a high standard in victim protection. The Directive has thus only triggered the need for implementation in certain areas, particularly concerning procedural and information rights. This includes the introduction of psychosocial accompaniment during criminal proceedings, which gives victims in need of special protection the opportunity if wished to receive professional accompaniment during and after the main court hearing. The Act on Psychosocial Accompaniment During Criminal Proceedings (PsychPbG) has been in force since 1 January 2017. Its implementation in Hesse is governed by the Hesse Act Implementing the Act on Psychosocial Accompaniment During Criminal Proceedings (PsychPbGHAG) of 15 September 2016 and the Ordinance on Vocational and Further Education in the Area of Psychosocial Accompaniment During Criminal Proceedings of 22 November 2016. Information about psychosocial process accompaniment can be obtained from a specially designed website operated by the Higher Regional Court in Frankfurt. In Hesse, psychosocial process accompaniment is usually implemented in association with the existing victim support organisations. Hesse can now call on 16 individuals who are authorised to offer psychosocial process accompaniment.</p> <p>Hesse operates a network of victim counselling centres where victims, witnesses and also injured parties of criminal acts can receive free counselling from specially trained social workers. These victim support organisations counsel and support victims and witnesses of criminal acts, and also their family members and persons of trust. Counselling is free and completely confidential. The general victim counselling centres work closely with the specialised counselling centres for specific groups of</p>
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victims and criminal offences.

Accompaniment of victims of human trafficking during criminal proceedings is usually provided by the specialised counselling centres in conjunction with the local organisations that provide witness accompaniment.

Mecklenburg-West Pomerania

Since 2011, a cooperation agreement on protection for victim witnesses has been in place between the ZORA counselling centre, the LKA Mecklenburg-West Pomerania and the public prosecution authorities. The common goal of the cooperation partners is to encourage and protect victim witnesses who are willing to testify. The agreement sets out the roles of the various organisations and the cooperation approach. Among other things, the partners ensure their availability. Mutual exchange of information takes place on fundamental risk situations and safety aspects, and on behaviour to minimise risk. The agreement also covers the various aspects of the cooperation approach which will not be addressed further here.

Reference is made to the MW model project on psychosocial process accompaniment in Mecklenburg-West Pomerania. See also the response to Question 10g.

Lower Saxony

An example of other support measures to promote the involvement of victims and witnesses in criminal proceedings involves the objective of establishing Land-wide victim protection rooms. In cases where such rooms cannot be provided, other options will be used – such as the use of rooms for video hearings or lawyers rooms.

Also, psychosocial process accompaniment is an additional service to the existing witness accompaniment programmes. In Lower Saxony, it is offered by Stiftung Opferhilfe and also by independent organisations.

As part of their stabilisation process, victims of human trafficking receive regular support from NGO staff, particularly the specialised counselling centres. Also, in the city of Hanover and in the surrounding region, a psychosocial process accompaniment and joint plaintiff network is in place.

Saarland

In answer to Questions 53 and 54:

Depending on the degree of risk involved, measures to protect victim witnesses in cases of human trafficking are part of the victim protection programme or are in line with criminal proceedings-related provisions, for example non-disclosure of a victim's or witness's address. Witness accompaniment and support as part of legal representation and also by judicial institutions and NGOs are standard in such cases.

Saxony-Anhalt

The information sheet for victims of crime informs potential victims about the counselling and support offered by the respective victim support organisations, and gives an overview of the organisations which individuals who perceive themselves as victims can contact. A link in the victim protection section of the Land Saxony-Anhalt Ministry of Justice and

		<p>Equality website takes victims of human trafficking, forced prostitution and forced marriage to the Vera website: Vera is a Land-wide specialised counselling centre funded by the Lower Saxony Workers' Welfare Association (AWO), which deals with cases involving victims of human trafficking and forced prostitution.</p> <p><u>Thuringia</u> Help to the witnesses is offered also by the social service institutions (like Caritas, Red Cross, etc.) and by the White Ring Association (Weißer Ring e.V.), that is specialized in help for victims of crime and violence. A legal counselor, a so called victim lawyer, assists the victims during the process according to Section 406h German Criminal Procedure or, respectively, a lawyer assists the joint plaintiff according to Section 397 (2) German Criminal Procedure. Furthermore the victims can be assisted by a psychological counselling conform to the Section 406g (1) German Criminal Procedure. If the requirements from Section 406g (3) German Criminal Procedure are fulfilled, the psychological assistance is free of charge for the victim.</p>
56.	<p>International co-operation (Article 32) Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.</p>	<p><u>Baden-Wuerttemberg</u> One prosecution office in Baden-Wuerttemberg reports that they had very good experiences with cooperation with Romania. Investigating authorities there went through great lengths in interrogating a large number of witnesses throughout the country.</p> <p><u>Berlin</u> The prosecution office in Berlin for the first time created a Joint Investigation Team (JIT) with Bulgaria to track a cross-border organisation of traffickers in human beings. Because of the JIT prosecutors could investigate successfully and above all effectively without being delayed by regular legal aid provisions and procedures. Difficulties arised because of different legal conditions for fulfilling the offence of trafficking in human beings in the participating member states. Also, procedural questions arised on the grounds of different criminal systems.</p> <p><u>Hesse</u> Based on experience in this area to date, there are no known problems regarding provision of legal assistance within the EU in matters of human trafficking.</p> <p><u>Mecklenburg-West Pomerania</u> In the Land Mecklenburg-West Pomerania, an investigation was initiated in response to a report from the consular offices of the Bulgarian Embassy in Berlin.</p> <p><u>Lower Saxony</u> The Lower Saxony police participate in annual Europol-initiated control activities throughout Europe as part of the EMPACT project on human trafficking led by the BKA Wiesbaden. Their participation regularly results in activities to investigate offences involving human trafficking.</p> <p><u>Saxony</u> In the past, international cooperation has been in the form of judicial support, largely involving questioning of repatriated women. Also, with regard to the topic of human trafficking, close cooperation is maintained between the Czech Republic</p>

		public prosecutor's office and the public prosecutor's office in Dresden. This includes participation in workshops held in Prague.
57.	<p>Measures related to endangered or missing persons (Article 33)</p> <p>What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.</p>	<p><u>Rhineland-Palatinate</u></p> <p>Exchange of police information occurs as part of crime prevention activities and also in criminal prosecution. A delineation much be drawn between cooperation with police authorities within the EU and associated states, and global cooperation activities.</p> <p>Under Section 92 of the Action on International Cooperation on Criminal Matters (IRG), the responsible Federal and Länder police authorities can upon request from an EU member state's public prosecution authorities, transmit their own and other available information, including personal data, for the purpose of investigating a criminal act. Transmission occurs under the same legal provisions as apply for a domestic police authority and may only take place for the purpose for which the information was transmitted or to prevent a current and significant risk to public safety. The information may only be used for a different purpose or as evidence in a court proceeding if the transmitting state has agreed. If not officially requested, data can under Section 92 IRG be transmitted in cases where such unrequested transmission to a German court or public prosecutor would be permissible and the transmission can be used to initiate a criminal proceeding in the other member state or to assist an existing criminal proceeding there. Section 92c IRG replaces large parts of Article 46 of the Schengen Convention, but not in respect of police prevention measures.</p> <p>The type of information that can be passed on, by whom and by what means without a connection to the judicial authorities is governed by the Administrative Regulation of the Ministry of Justice and the Ministry for the Interior and Sport dated 29 November 2016 (JIM 9350-4-41) on judicial assistance correspondence with a foreign country concerning criminal matters.</p>
59.	<p>Co-operation with civil society (Article 35)</p> <p>What steps are taken by your country to encourage state authorities and public officials to co-operate with NGOs and other</p>	<p><u>Baden-Württemberg</u></p> <p>The round table on human trafficking for the purpose of labour exploitation is to develop binding guidelines setting out a functioning support structure for all involved. To ensure its feasibility, the guidelines are to be coordinated with all stakeholders and especially the counselling centres and responsible authorities.</p> <p>The guidelines on human trafficking developed in 2007 and revised in line with legal provisions in May 2016 is to be revised in respect of the provisions concerning the new Act Protecting Persons Working in Prostitution and aligned to the new structures. This will be done in cooperation with all stakeholders involved.</p>

<p>civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.</p>	<p>The LKA Baden-Württemberg special inspectorate regularly participates in joint meetings, seminars and conferences of nationwide networks comprising institutions of public law, the judiciary and NGOs on combating human trafficking, e.g. events organised by the German NGO network and coordination office against trafficking in human beings (KOK).</p> <p><u>Berlin</u> Berlin has had a Commission on Trafficking in Women since 1995. Renamed the Commission on Human Trafficking in 2013, it provides a body in which authorities and NGOs cooperate constructively and on the basis of mutual trust (see Question 9 in the 2014 questionnaire). Cooperation between authorities and NGOs is also reflected in the cooperation agreement between the police and the specialised counselling centres mentioned in the answer to Question 27.</p> <p><u>Mecklenburg-West Pomerania</u> The cooperation agreement to protect victims of human trafficking between the LKA Mecklenburg-West Pomerania, the public prosecution authorities and the ZORA specialised counselling centre for victims of force prostitution and human trafficking, which was signed in 2011, is a fitting example of cooperation between state and non-state organisations. There are plans to align the agreement to the altered legal conditions in the near future (Act to Improve Action Against Human Trafficking and to Amend the Federal Central Criminal Register Act and Book VIII of the Social Code of 11 October 2016 [BGBl. I page 2226]). Against this backdrop, an assessment is currently underway to see if additional cooperation partners who specialise in victim support should be included in the agreement.</p> <p><u>Lower Saxony</u> A key component involves cross-departmental and interdisciplinary cooperation with involvement of the NGOs based on the decree on cooperation between the police, public prosecution, immigration and social services authorities, child welfare services, employment agencies and specialised counselling centres for the protection of victims of human trafficking for the purpose of sexual exploitation. A new, yet-to-be issued decree will also cover human trafficking for the purpose of labour exploitation and the new forms of exploitation – with specific cooperation partners according to the respective target groups – and the necessary training measures involved.</p> <p>Municipal-level round tables are in place in which various authorities and counselling organisations discuss current problems concerning human trafficking.</p> <p>At Land and authority-level, the Lower Saxony police authorities hold regular meetings with the NGOs to discuss current legal developments and minimise interface problems. Implementing the measures contained in the cooperation decree enables good and intensive cooperation in everyday police work with the cooperation partners.</p> <p><u>North Rhine-Westphalia</u> Following the entry into force of the Act to Improve Action Against Human Trafficking and to Amend the Federal Central</p>
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Criminal Register Act and Book VIII of the Social Code, the Act on Regulating the Business of Prostitution and Protecting Persons Working in Prostitution and the Act to Improve Sexual Self-Determination in 2016, the Ministry of Justice held and attended (voluntary) workshops with various NGOs which were attended by staff from the specialised counselling centres, public authorities, the police and the public prosecution to aid cross-institutional cooperation.

Through the victim protection representatives in each district police force, the NRW police have established a network with other authorities, NGOs and other grassroots organisations such as the Weisser Ring e.V. The commissions on human trafficking also work at local level with municipal authorities and with general support agencies and victim support organisations. At Land-level, the LKA NRW maintains dialogue with the responsible ministries, municipalities and support organisations (see the answer to Question 18) and also maintains close contact with the specialised counselling centres for human trafficking. These cooperation activities are to be further intensified in the future.

Saxony

A cooperation agreement between the police and the KOBRA net specialised counselling centre for victims of human trafficking has been in place in the Free State of Saxony since 2012.

E. Statistics on THB (per year, starting with 2010)

Baden–Württemberg

An analysis of police criminal statistics on offences involving human trafficking is only possible using the following criteria.

- Number of victims
- Victims' nationality
- Victims' gender
- Age structure

No information can be provided in response to the other questions.

For the period 2010 to 2016, the number of victims of offences involving human trafficking amounted to:

	2010	2011	2012	2013	2014	2015	2016
Human trafficking for sexual exploitation	56	46	43	38	47	61	52
Human trafficking for labour exploitation	2	10	2	7	1	10	3
Promotion of human trafficking for Sexual exploitation/ labour exploitation	11	10	10	7	11	3	9
Total	69	66	55	52	59	74	64 (4)

The figure in brackets shows the number of human trafficking victims who were refugees/asylum seekers at the time of the offence.

2010

Gender

65 Female victims
4 Male victims (labour exploitation)

Age

Of the 69 victims: 11 juveniles, 35 adolescents and 23 adults.

Nationality

2011

Gender

57 Female victims
9 Male victims (6 in labour exploitation and 3 in sexual exploitation)

Age

Of the 66 victims: one child, 16 juveniles, 19 adolescents and 30 adults.

Nationality

Romania	15
Germany	8
Poland	8
Bulgaria	7
Hungary	3
Macedonia	2
Other	5
Undetermined	1
No information	17

2012

Gender

54 Female victims
1 Male victims (labour exploitation)

Age

Of the 55 victims: one child, 6 juveniles, 16 adolescents and 32 adults.

Nationality

Romania	14
Germany	11
Bulgaria	10
Turkey	2
Hungary	2
No information	16

2013

Gender

51	Female victims
1	Male victims (sexual exploitation)

Age

Of the 52 victims: two children, 14 juveniles, 12 adolescents and 24 adults.

Nationality

Bulgaria	18
Germany	10
Romania	8
Hungary	4
Croatia	2
Kosovo	2
Macedonia	2
Other	4
Undetermined	2

2014

Gender

57	Female victims
2	Male victims (promotion of human trafficking)

Age

Of the 59 victims: eight juveniles, 20 adolescents and 31 adults.

Nationality

Romania	32
Bulgaria	10
Germany	5
Croatia	3
Bosnia & Herzeg.	4
Other	2
Undet./no info.	3

2015

Gender

69	Female victims
5	Male victims (labour exploitation)

Age

Of the 74 victims: eight juveniles, 36 adolescents and 30 adults.

Nationality

Romania	32
Germany	20
Bulgaria	5
Hungary	5
Turkey	2
Other	8
Undetermined	2

2016

Gender

60	Female victims
4	Male victims (2 in labour exploitation and 2 in promotion of human trafficking)

Alter

Of the 64 victims: 13 juveniles, nine adolescents and 42 adults.

Nationality

Ukraine	14
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Germany	13
Romania	8
Nigeria	4
Bulgaria	3
Italy	3
Turkey	3
Moldavia	2
Gambia	2
Other	4
Undetermined	8

In Baden-Württemberg a total of 5 victims of human trafficking are currently receiving assistance under the OEG:

Recognition Year	Gender	Age	Nationality	Form of Exploitation	Amount/Month
2003	Female	40	Ukrainian	Forced prostitution	€193
2003	Female	37	Ukrainian	Forced prostitution	€193
2003	Female	42	Ukrainian	Forced prostitution	€193
2004	Female	36	Lithuanian	Forced prostitution	€141
2007	Female	38	Hungarian	Forced prostitution	€141

Case numbers

Where there are indications which justify an initial suspicion, in this case of human trafficking, criminal investigations are initiated. During the investigations, the law enforcement authorities attempt to reveal all the circumstances involved in and thus solve the case, and ensure adequate prosecution.

As a result, no differentiation can be made between the number of investigations and the number of prosecutions.

Rather, the following shows the number of cases cited in police criminal statistics on offences involving human trafficking for the period 2010 to 2016:

	2010	2011	2012	2013	2014	2015	2016
Human trafficking for sexual exploitation	31	43	38	37	45	56	51
Human trafficking for labour exploitation	2	3	2	7	1	7	3
Promotion of human trafficking for sexual exploitation/labour exploitation	9	10	7	7	7	3	7
Total	42	56	47	51	53	66	61

Bavaria

Case numbers on identified victims are given below. These are taken from the Report on Human Trafficking and Exploitation in Bavaria 2016 (Lagebild Menschenhandel und Ausbeutung in Bayern 2016).

Country of Origin	2014	2015	2016
Total	76	33	42
Romania	33	3	6
Germany	5	5	6
Bulgaria	7	1	5
Hungary	16	16	7
Nigeria	3	1	4
Other	12	7	14

Age Structure:

Year	Victim Numbers	< 14	14 – 17	18 - 20	21 and older
2014	76 (3 x unknown)	0	4 (1 x male)	28 (3 x male)	41 (5 x male)
2015	33 (2 x unknown)	1 (---)	5 (1 x male)	8 (---)	17 (---)

2016	42 (1 x unknown)	0	6 (1 x male)	15 (---)	19 (---)
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Berlin

Berlin Public Prosecution

Statistics on criminal prosecution activities of the Berlin public prosecution authorities are taken from the MESTA (multi-Länder public prosecution authorities) database. As MESTA was introduced in 2012, reliable statistics are only available as of then.

Victim numbers by year:

Year	Total number of victims	Age 0 -13	Age 14 – 18	Age 19 – 21	Age 22 and older	Age undetermined	Male	Female
2012	71	13	21	12	19	6	25	45
2013	97	1	15	24	50	7	15	79
2014	204	7	59	42	84	12	46	153
2015	138	5	33	23	70	7	27	106
2016	136	6	28	22	55	25	34	101
2017	147	10	29	44	61	3	16	130

The nationalities of the (suspected) victims vary significantly, with the majority holding German, Bulgarian and Romanian passports. The following information was gleaned from the investigations conducted by the Berlin public prosecution authorities:

	2012	2013	2014	2015	2016	2017
Afghanistan	-	-	-	1	1	1
Albania	-	-	-	-	-	1
Bangladesh	-	-	2	-	-	-
Bosnia-Herzegovina	3	-	1	-	1	1
Brazil	-	-	-	-	-	1
Bulgaria	3	23	36	21	41	69
China	-	-	-	-	2	-
Germany	34	24	71	30	39	11
Eritrea	-	-	2	-	-	-
Gambia	2	-	-	1	-	-

Ghana	-	-	1	1	1	1
Greece	-	-	-	-	-	1
Guinea	1	-	-	-	-	-
Japan	-	-	1	-	-	-
Cambodia	1	-	-	-	-	-
Cameroon	-	2	2	-	1	-
Kenya	-	1	3	1	-	1
Congo	1	-	-	-	-	-
Latvia	-	-	3	-	-	1
Lebanon	-	-	1	-	-	-
Lithuania	2	-	-	-	-	-
Macedonia	-	-	-	1	-	-
Moldavia	-	1	-	-	-	-
Mongolia	-	1	-	-	-	-
Nigeria	2	6	5	6	1	-
Austria	-	-	1	-	-	2
Pakistan	1	-	-	1	-	-
Peru	-	-	-	1	-	-
Poland	5	9	7	1	-	1
Romania	4	5	30	22	11	13
Serbia/Montenegro	4	-	-	1	1	1
Sierra Leone	-	1	-	-	-	-
Slovakia	-	1	1	1	-	-
Spain	-	-	-	1	-	-
South Africa	-	-	-	1	-	-
Syria	-	-	-	-	2	-
Taiwan	-	-	-	-	-	1
Thailand	-	-	-	-	-	1
Czech Rep.	-	1	1	1	-	-
Turkey	-	2	4	4	3	2
Ukraine	-	2	-	-	-	-
Hungary	3	2	3	8	9	1
Uzbekistan	-	-	-	1	-	-
Vietnam	-	-	-	16	-	-
Unknown / not documented	5	15	26	13	23	24

As no other data on (suspected) victims of human trafficking is stored in the MESTA database, no further statistics can be provided.

The following statistics are available concerning investigations conducted by the Berlin public prosecution authorities on at least the basis of an accusation of human trafficking, the number of charges brought and convictions resulting in imprisonment:

	2012	2013	2014	2015	2016	2017
Investigations (including) human trafficking	126	130	117	140	142	61
Of these charges brought	14	16	17	20	10	4
Prison sentences	10	10	12	9	3	1

Immigration Authorities/Senate Administration for Internal Affairs and Sport

The following data is provided to the extent it was available:

Since mid-2005, a total of 140 victim witnesses have been registered, of which 60 since January 2010.

Of these 60 individuals (54 women and 6 men), 18 received a residence permit under Section 25 (4a) AufenthG – of these, a residence permit under Section 25 (3) AufenthG was granted in 6 cases following appropriate assessment by the BAMF after the case was closed. In these 6 cases, the LKA had knowledge of a potential risk to the women involved should they return to their country of origin, which the BAMF confirmed. The other 12 cases retained their residence permits under Section 25 (4a) AufenthG.

Another 3 individuals received residence permits under Section 24 (4b) AufenthG and 39 received tolerated status pending investigations which were not successful or which were closed due to false information or the perpetrator not being found.

Once the investigations were complete, centralised (further) processing of these 39 cases was ceased so that no accurate details are available as to how they developed – only 5 cases are known where residence permits were issued on the basis of a German child, in one case following marriage to a German citizen, 4 applied for asylum, 6 moved away to unknown addresses after the case was closed and another person died.

Specialised counselling centres:

SOLWODI provided the following information in response to the questionnaire:

The number of identified victims, i.e. persons recognised by a government institution or an authorised NGO as entitled to the rights or assistance from the Convention (by gender, age, nationality, form of exploitation, inland or cross-border human trafficking and where they were identified).

2009

- Female, 20, Nigeria, THB/SE/FP, cross-border human trafficking, identified by the LKA

2010

- Female, 32, Nigeria, THB/SE, cross-border human trafficking
- Female, 21, Kenya, THB/SE, cross-border human trafficking, identified by the LKA

2011

- Female, 32, Nigeria, THB/SE/FP, cross-border human trafficking, identified by the LKA

2012

- Female, 36, Nigeria, THB/SE, cross-border human trafficking, identified by the LKA
- Female, 33, Nigeria, THB/SE, cross-border human trafficking, identified by the LKA

2013

- Female, 16, THB/LE and THB/SE, cross-border human trafficking, identified by the LKA
- Female, THB/SE, cross-border human trafficking, identified by the LKA

2014

- Female, Nigeria, 25, THB/SE, cross-border human trafficking, identified by the LKA
- Female, Nigeria, 39, THB/SE, cross-border human trafficking, identified by the LKA
- Female, Kenya, 18, THB/SE, cross-border human trafficking, identified by the LKA

2015

- Female, Nigeria, 28, THB/SE, cross-border human trafficking, identified by the LKA

2016

- Female, Nigeria, age unknown, THB/SE, cross-border human trafficking, identified by the LKA
- Female, Kenya, 36, THB/SE, cross-border human trafficking, identified by the LKA
- Female, 35, THB/SE, cross-border human trafficking, identified by the LKA
- Female, 33, THB/SE, cross-border human trafficking, identified by the LKA

2017

- Female, Romania, age unknown, female, THB/SE, cross-border human trafficking, identified by the LKA
- Bulgaria, female, 18, cross-border human trafficking, identified by the LKA
- Female, Nigeria, 21, THB/SE, cross-border human trafficking, identified by the LKA
- Female, Albania, 26, THB/SE, inland human trafficking, identified by the LKA

Between 2010 and 2017, we also had at least 218 victims of human trafficking and women for whom a strong suspicion of human trafficking existed at the specialised counselling centre. There were not identified as victims of human trafficking by the LKA because they did not make statements there.

The number of suspected victims for whom the authorities believed there was sufficient evidence that they were victims of human trafficking (by gender, age, nationality, form of exploitation, inland or cross-border human trafficking and where they were identified). Please state whether the number of victims includes those who were officially identified or whether it involves an additional number.

The number of victims who were granted a period of recovery and reflection (where possible, by gender, age, nationality and form of exploitation).

- Female, Nigeria, 21, THB/SE, cross-border human trafficking Recovery period
- Female, Uganda, 35, THB/SE, cross-border human trafficking Reflection period

Number of victims who received support (where possible, by gender, age, nationality, form of exploitation, inland or cross-border human trafficking).

All of the victims listed above received support, psychosocial counselling and appropriate referral from our counselling centre.

The number of victims who were granted a residence permit, stating the type of permit and its period of validity (where possible, by gender, age, nationality and form of exploitation).

2009

- Female, 20, Nigeria, THB/SE, cross-border human trafficking Subsidiary protection

2010

- Female, 32, Nigeria, THB/SE, cross-border human trafficking RP Section 25 (3) AufenthG
- Female, 21, Kenya, THB/SE, cross-border human trafficking RP Section 25 (2) AufenthG, GCR refugee status

2011

- Female, 32, Nigeria, THB/SE, cross-border human trafficking RP Section 28 (1) 3 AufenthG; mother of a German child

2012

- Female, 36, Nigeria, THB/SE, cross-border human trafficking; counselling centre to LKA; identified by the LKA RP Section 25 (4) a AufenthG
- Female, 33, Nigeria, THB/SE, cross-border human trafficking Tolerated status

2013

- Female, 16, THB/LE and THB/SE RP § 25 (2) AufenthG, GCR refugee status
- Female, age unknown, THB/SE, cross-border human trafficking RP Section 25 (2) AufenthG, GCR refugee status

2014

- Female, Nigeria, 25, THB/SE, cross-border human trafficking □ RP Section 25 (4) a AufenthG
- Female, Nigeria, 39, THB/SE, cross-border human trafficking □ Asylum refused, currently still AufenthG
- Female, Kenya, 18, THB/SE, cross-border human trafficking □ Tolerated status

2015

- Female, Nigeria, 28, THB/SE, cross-border human trafficking □ Tolerated status

2016

- Female, Nigeria, age unknown, female, THB/SE, □ no information
- Female, Kenya, 36, THB/SE, cross-border human trafficking □ Tolerated status
- Female, 35, THB/SE, cross-border human trafficking □ Tolerated status
- Female, 33, THB/SE, cross-border human trafficking, LKA □ EU

2017

- Female, Romania, age unknown, female, THB/SE, cross-border human trafficking □ EU
- Female, Bulgaria, female, 18, inland human trafficking □ EU
- Female, Nigeria, 21, THB/SE, cross-border human trafficking, LKA □ Tolerated status
- Female, Albania, 26, THB/SE, inland human trafficking, LKA □ Tolerated status

Number of victims granted refugee status or subsidiary/supplementary protection.

- Female, 16, THB/LE and THB/SE, cross-border human trafficking □ RP Section 25 (2) AufenthG, GCR refugee status
- Female, 20, Nigeria, THB/SE/FP, cross-border human trafficking □ Subsidiary protection
- Female, 21, Kenya, THB/SE, cross-border human trafficking □ RP Section 25 (2) AufenthG, GCR refugee status
- Female, THB/SE, cross-border human trafficking □ RP Section 25 (2) AufenthG, GCR refugee status

Bremen

- Number of victims granted a recovery and reflection period (where possible, by gender, age, nationality, form of exploitation:

Three individuals in the course of the past few years.

- Number of investigations in cases of human trafficking
- Number of prosecutions in cases of human trafficking

2010 = 41
2011 = 28
2012 = 26
2013 = 40
2014 = 22
2015 = 10
2016 = 16

No valid statistics are available with regard to the other questions.

Hamburg

The respective authorities and specialised counselling centres collect data for their specific areas of work.

Response from KOOFRA:

The statistics provided below have only limited significance because:

- KOOFRA's responsibility is limited to adult women
- The mandate to support women victims of forced prostitution was only issued in 2014
- Exploitation for the purpose of forced criminal acts, organ removal and forced begging has only been a criminal offence under German law since 2016.

In the interest of data minimisation, see Section 3 a BDSG, many of the statistics requested are not stored by KOOFRA. Whether a case resulted in prosecution remains unknown if the client was referred to a different Land and thus to another specialised counselling centre, had to relocate or ceased to receive support from KOOFRA.

Year	Gender	Form of Exploitation	Age	Nationality	Where identified as a victim of THB
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2010	F (24) M (1) Trans (0)	THB/L (1) THB/S (24)	Under 18 (2) 18 to 21 (4) 21 to 25 (9) 26 to 30 (6) Over 30 (3) Unknown (1)	Bulgarian (6), German (4), Ghanaian (1), Equatoguinean (1), Nigerian (4), Polish (3), Romanian (1), Slovakian (3), Thai 1, unknown 1)	Police unit or LKA (15) Counselling centre (10)
2011	F (34) M (0) Trans (0)	THB/L (4) THB/S (30)	Under 18 (3) 18 to 21 (5) 21 to 25 (15) 26 to 30 (3) Over 30 (5) Unknown (3)	Azerbaijani (1), Bulgarian (8), German (3) Dominican (1) Ecuadorian (1), Estonian (2) Lebanese (1), Nigerian (1) Polish (3), Romanian (5) Serbian (1), Slovakian (5) Turkish 82)	Police unit or LKA (14) Counselling centre (20)
2012	F (34) M (0) Trans (0)	THB/L (0) THB/S (34)	Under 18 (1) 18 to 21 (7) 21 to 25 (7) 26 to 30 (4) Over 30 (8) Unknown (7)	Afghan (1), Bulgarian (5), German (4), Ghanaian (2) Iranian (1), Kenyan (1) Moroccan (1), Nigerian (3) Filipino (1), Polish (3) Romanian (1), Russian (2) Serbian (1), Slovakian (2) Thai (1), Togolese (1) Turkish (1), unknown (1)	Police unit or LKA (12) Counselling centre (20)
2013	F (30) M (0) Trans (0)	THB/L (2) THB/S (28)	Under 18 (2) 18 to 21 (6) 21 to 25 (3) 26 to 30 (6) Over 30 (11) Unknown (2)	Beninese (1), Bosnian (1) Bulgarian (6), German (4) Kenyan (1) , Paraguayan (1) Polish (5), Romanian (4), Russian (1), Slovakian (5), Venezuelan (1)	Police unit or LKA (14) Counselling centre (16)
2014	F (32) M (0) Trans (0)	THB/L (3) THB/S (29)	Under 18 (1) 18 to 21 (1) 21 to 25 (6) 26 to 30 (5) Over 30 (9) Unknown (10)	Albanian (1), Brazilian (1) Bulgarian (11), German (3) Ecuadorian (1), Ghanaian (1) Korean (1), Portuguese (1) Romanian (4), Serbian (3), Slovakian 2, Hungarian (1), Unknown (2)	Police unit or LKA (11) Counselling centre (21)

2015	F (17) M (2) Trans (0)	THB/L (3) THB/S (16)	Under 18 (2) 18 to 21 (4) 21 to 25 (2) 26 to 30 (2) Over 30 (2) Unknown (4)	British (1), Bulgarian (3) German (4), Equatoguinean 1 Kosovan (1), Nigerian (1) Romanian (4), Turkish (1) Ukrainian (2), Hungarian (1)	Police unit or LKA (7) Counselling centre (12)
2016	F (23) M (2)	MH/A (4) MH/S (21)	Under 18 (3) 18 to 21 (2) 21 to 25 (7) 26 to 30 (9) Over 30 (2) Unknown (2)	Afghan (1), Albanian (2), Bulgarian (3), German (4), Dominican (2), Equatoguinean (1), Indian (1), Polish (1), Romanian (2), Senegalese (1), Serbian (1), Syrian (1), Thai (1)	Police unit or LKA (8) Counselling centre (17)

Since 2010, there were 26 victims (17 female and 9 male) who received residence permits under Section 25 (4) a AufenthG. No residence permits were granted under Section 24 (4) b AufenthG. The residence permits were extended (some on multiple occasions):

Period of Validity	Number
1 Month	1
2 Months	1
3 Months	3
6 Months	3
12 Months	12
18 Months	1
24 Months	1
36 Months	3
39 Months	1

Age groups by year of birth:

1964	1
1965	1
1976	1
1977	2
1979	2
1981	1
1984	2
1985	1

1986	1
1987	3
1989	2
1990	4
1991	1
1992	1
1995	1
1998	1
1999	1

Nationality:

125 Bulgaria	2 individuals
146 Moldavia	1
154 Romania	3
155 Slovakia	3
160 Russian Federation	1
166 Ukraine	8
232 Nigeria	3
238 Ghana	1
277 Sudan	1
336 Ecuador	2
467 Republic of Korea	1

Police criminal statistics cannot be broken down by nationality, inland or cross-border human trafficking and the identifying organisation. Thus, for the period 2010 to 2016 victims (of the respective offences) are listed by gender.

2010			
Offences	Victims		
	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	36	0	36
Section 233 StGB - Labour Exploitation	1	1	0
Section 233 a StGB - Exploitation by means of unlawful detention	1	1	0

2011			
	Victims		
Offences	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	59	0	59
Section 233 StGB - Labour Exploitation	0	0	0
Section 233 a StGB - Exploitation by means of unlawful detention	1	0	1

2012			
	Victims		
Offences	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	25	0	25
Section 233 StGB - Labour Exploitation	0	0	0
Section 233 a StGB - Exploitation by means of unlawful detention	1	0	1

2013			
	Victims		
Offences	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	36	0	36
Section 233 StGB - Labour Exploitation	1	0	1
Section 233 a StGB - Exploitation by means of unlawful detention	3	0	3

2014			
	Victims		
Offences	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	47	0	47
Section 233 StGB - Labour Exploitation	0	0	0
Section 233 a StGB - Exploitation by means of unlawful detention	0	0	0

2015			
Offences	Victims		
	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	47	0	47
Section 233 StGB - Labour Exploitation	0	0	0
Section 233 a StGB - Exploitation by means of unlawful detention	1	0	1

2016			
Offences	Victims		
	Total	Male	Female
Sections 232, a,b StGB - Human Trafficking	64	1	63
Section 233 StGB - Labour Exploitation	0	0	0
Section 233 a StGB - Exploitation by means of unlawful detention	0	0	0

Year	Claim for Compensation	Obtained from Perpetrator	Compensation Received	Amount
2010	From perpetrator: (1) From the State: (OEG): (0) From accident insurance (SGB VII): (0)	Unknown	Unknown	Unknown
2011	From perpetrator: (0) From the State: (OEG): (1) From accident insurance (SGB VII): (0)		From perpetrator: (0) From the State: (OEG): (0) From accident insurance (SGB VII): (0)	
2012	From perpetrator: (0) From the State: (OEG): (2) From statutory accident insurance (SGB VII): (1)		From perpetrator: (0) From the State: (OEG): (1x Refused; 1 x not decided until 2017) From statutory accident insurance (SGB VII): (1 x Following claim procedure in 2016)	
2013	From perpetrator: (0) From the State: (OEG): (2) From accident insurance (SGB VII): (1)		From perpetrator: (0) From the State: (OEG): (1x refused) From accident insurance (SGB VII): (0)	

2014	From perpetrator: (1) From the State: (OEG): (0) From accident insurance (SGB VII): (0)	1x €7,000	From perpetrator: (0) From the State: (OEG): (0) From accident insurance (SGB VII): (0)	
2015	From perpetrator: (1) From the State: (OEG): (1) From accident insurance (SGB VII): (0)	From perpetrator: (1)	From perpetrator: Not enforceable From the State: (OEG): (0) From accident insurance (SGB VII): (0)	Unknown
2016	From perpetrator: (0) From the State: (OEG): (1) From accident insurance (SGB VII): (0)		From perpetrator: (0) From the State: (OEG): (0) From accident insurance (SGB VII): (0)	

The amounts were not documented.

Hesse

Year	Number	Gender	Age	Nationality	Form of Exploitation	Inland/ Cross-border	Identified by
2010	39	38x female, 1x male	6x 14-17 25x 18-25 3x 26-29 5x 30-42.	Bulgarian (13) Romanian (3) Hungarian (3) Latvian (2) Polish (2) Czech (1) Nigerian (5) German(4) Moroccan (2) Chinese (1) Columbian (1) 2x unknown	Sexual Exploitation	Cross-border and inland	Special commission
	0				Labour Exploitation		
2011	55	Female	2x 15-17 37x 18-25 6x 26-29 10x 30-39	Romanian (13) Bulgarian (10) Hungarian (10) Czech (2) Nigerian (12) German (3) Moroccan (1) Brazilian (1) Ivorian (1) 2x unknown	Sexual Exploitation	Cross-border and inland	Special commission
	0				Labour Exploitation		
2012	70	Female	4x 15-17. 38x 18-25	Bulgarian (42) Romanian (16) Dominican (1)	Sexual Exploitation	Cross-border and inland	Special commission

			9x 26-29 16x 30-39 3x 40+	Ghanaian (1) Lebanese (1) German (3) Polish (2) Hungarian (2) Turkish (1) Unknown (1)			
	0				Labour Exploitation		
2013	34	Female	1x 15-17 22x 18-25 7x 26-29 3x 30-39 1x 40+	Romanian (7) Bulgarian (18) Hungarian (1) Germany (4) Columbia (1) Paraguayan (1) Polish (1) Thai (1)	Sexual Exploitation (23)	Cross-border inland	and Special commission
	37	Male	1x 15-17 23x 18-25 8x 26-29 3x 30-39 2x 40+	Afghan (28) Pakistani (7) Indian (1) Bulgarian (1)	Labour Exploitation (37)	Cross-border	Special commission
2014	25	Female	2x 15-17 15x 18-25 3x 26-29 5x 30-39	Romanian (9) Bulgarian (7) Hungarian (2) German (3) Nigerian (4)	Sexual Exploitation	Cross-border inland	and Special commission
	1	Female	26	Polish		Cross-border	Special commission
2015	20	Female	1x 15-17 15x 18-25 2x 26-29 2x 30-39	Bulgarian (7) Romanian (6) German (3) Hungary (2) Nigerian (1) Albanian (1)	Sexual Exploitation	Cross-border inland	and Special commission
	0				Labour Exploitation		
2016	34	Female	2x 15-17 16x 18-25 2x 26-29 3x 30-39 1x 40 + 10x 18-45	Chinese (10) Moldavia (2) Turkish (1) Bulgarian (3) Romanian (11) Albanian (1) German (4) Ghanaian (1) Hungarian (1)	Sexual Exploitation	Cross-border inland	and Special commission
	7	Male	23-50	Afghan (1)	Labour Exploitation	Cross-border	Special

				Indian (3) Pakistani (3)			commission
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The number of suspected victims for whom the authorities assumed sufficient evidence that they were victims of human trafficking (by gender, age, nationality, form of exploitation, inland or cross-border human trafficking and where they were identified). Please state whether the number of victims includes those officially identified or if it is an additional number.

Number of victims repatriated to their country of origin (where possible, by gender, age, country, form of exploitation).

Number of victims repatriated to another country (where possible, by gender, age, nationality, form of exploitation).

The two questions were combined. Only anonymised, summarised data is available.

Year	Voluntary repatriation to country of origin	Police-provided victim protection	Tolerated	Deported	Remained in Germany (tolerated status not needed)	Whereabouts unknown
2010	10	2	0	8	Unknown	5
2011	11	6	1	0	Unknown	15
2012	17	1	Unknown	Unknown	Unknown	27
2013	8	8	Unknown	29	Unknown	17
2014	11	1	Unknown	Unknown	1	5
2015	8	0	Unknown	Unknown	Unknown	11
2016	8	1	6	7	Unknown	5

Number of investigations in cases of human trafficking.

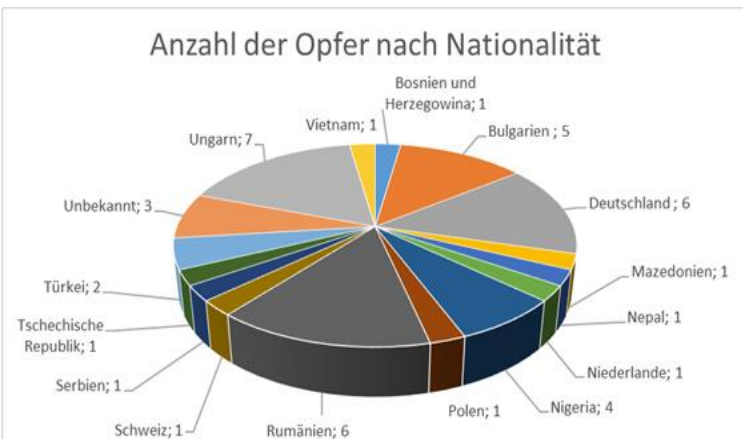
Year	Cases
2010	37
2011	44
2012	64
2013	60
2014	21
2015	18
2016	22

Note: Questions concerning victims are difficult to answer because the police criminal statistics concerning this offence do not provide detailed victim statistics.

This provision (making clients criminally responsible, Section 232 StGB) only applies since the introduction of the new offences in October 2016. Neither

investigations nor prosecutions were documented prior to that date.

Lower Saxony



Anzahl der Opfer nach Nationalität	Number of Victims by Nationality
Bosnien und Herzegowina	Bosnia and Herzegovina
Bulgarien	Bulgaria
Deutschland	Germany
Mazedonien	Macedonia
Nepal	Nepal
Niederlande	Netherlands
Nigeria	Nigeria
Polen	Poland
Rumänien	Romania
Schweiz	Switzerland
Serbien	Serbia
Tschechische Republik	Czech Republic
Türkei	Turkey
Unbekannt	Unknown
Ungarn	Hungary
Vietnam	Vietnam

The LKA Victim Protection Unit is still providing protection for one victim of human trafficking (resulting from cases in 2007). This involves a 36-year-old victim with German nationality.

In 2011, the LKA Victim Protection Unit accepted a female German victim of human trafficking for the purpose of sexual exploitation into the victim protection programme for a period of approximately one year.
There are currently no victims of human trafficking in the victim protection programme.

Cases handled by the Oldenburg Police Directorate:

1 victim, female, 16, Nigerian, human trafficking for the purpose of sexual exploitation, cross-border human trafficking.

1 victim, female, 17, Sudanese, human trafficking for the purpose of sexual exploitation, cross-border human trafficking.

With regard to the number of victims who received counselling and support from three specialised counselling centres for victims of human trafficking for the purpose of sexual exploitation, reference is made to Attachment 7 (see below).

Victims of Human Trafficking in Lower Saxony

Contact Initiation by Age

Age	2010	2011	2012	2013	2014	2015	2016	TOTAL 2010 to 2016
< 18	5	6	5	2	4	8	14	44
18 - 25	26	39	32	22	55	63	68	305
26 - 30	15	12	13	6	27	24	26	123
31 - 40	13	8	9	6	24	22	26	108
> 40	4	1	4	7	2	14	6	38
Unknown	10	11	10	19	58	42	20	170
TOTAL	73	77	73	62	170	173	160	788
Ages exclusively from 1 counselling centre out of 3								

Number of victims who received a residence permit, stating the type of permit and its period of validity (where possible, by gender, age, nationality, form of exploitation).

In accordance with statistics concerning the Federal Act on Foreign Nationals, on 30 September 2017 nine (9) individuals in Lower Saxony were in possession of a residence permit under Section 25 (4) a AufenthG.

These individuals were all female. Their ages ranged from: < 16: 1 individual, 18-25: 2, 23-35: 6.

The statistics contain no information on the period of validity of their residence permits, nationalities and form of exploitation involved.

Whether other forms of residence were granted in these cases is not known (e.g. Section 25 (3), 5 AufenthG). Neither the statistics nor the central register of foreign nationals (AZR) contains such data.

The number of victims granted refugee status or subsidiary/supplementary protection is not known. The above-cited statistics provide no such data.

Cases handled by the Osnabrück Police Directorate:

2 victims/cases

2011: 1 x 31, female, Nigerian, cross-border human trafficking (JuJu ritual); identification/initial investigations PI Aurich/Wittmund, referred to LKA Lower Saxony (investigations continued, victim protection programme, tolerated status/residence permit (period of validity unknown))

2016: 1 x 15, female, Serbian, cross-border human trafficking and promotion of sexual acts by minors, legal custody assumed by LK Aurich (child welfare services), tolerated status/residence permit (period of validity unknown), possibly also subsidiary/supplementary protection.

Cases handled by the Oldenburg Police Directorate:

1 victim, female, 16, Nigerian, THB for the purpose of sexual exploitation, form of exploitation unknown

1 victim, female, 17, Sudanese, THB for the purpose of sexual exploitation, cross-border human trafficking, type of residence granted unknown

Concerning question: Number of victims granted a period of recovery and reflection (where possible, by gender, age, nationality, form of exploitation):

Cases handled by Osnabrück Police Directorate:

All victims female:

2011: 1 x 31, Nigerian, cross-border human trafficking (JuJu ritual)

2012: 2 x 17, Slovakian, cross-border human trafficking and promoting sexual acts by minors

2016: 1 x 15, Serbian, cross-border human trafficking and promoting sexual acts by minors

Cases handled by Osnabrück Police Directorate:

1 victim, female, 16, Nigerian, THB for the purpose of sexual exploitation

Number of victims granted refugee status or subsidiary/supplementary protection.

Number of victims who claimed compensation and who received compensation (where possible, by gender, age, nationality, form of exploitation), stating where the compensation came from the perpetrator or the State and also the amount.

The Lower Saxony reports on human trafficking (Lagebilder) from the period 2010 to 2016 reveal the following cases:

2010

57 investigations into human trafficking for the purpose of sexual exploitation

15 investigations into human trafficking for the purpose of labour exploitation

2011

45 investigations into human trafficking for the purpose of sexual exploitation
1 investigation into human trafficking for the purpose of labour exploitation

2012

80 investigations into human trafficking for the purpose of sexual exploitation
2 investigations into human trafficking for the purpose of labour exploitation

2013

47 investigations into human trafficking for the purpose of sexual exploitation
2 investigations into human trafficking for the purpose of labour exploitation

2014

50 investigations into human trafficking for the purpose of sexual exploitation
1 investigation into human trafficking for the purpose of labour exploitation

2015

32 investigations into human trafficking for the purpose of sexual exploitation
5 investigations into human trafficking for the purpose of labour exploitation

2016

33 investigations into human trafficking for the purpose of sexual exploitation
4 investigations into human trafficking for the purpose of labour exploitation

No valid statistics are available for 2017.

The following statistics taken from the Police Criminal Statistics (PKS) reflect victims of human trafficking for the purpose of sexual exploitation in the period 2012 to 2016.

For 2010 and 2011, the PKS contain no researchable victim numbers in combination with nationality and age. This is due to a change in the rules concerning data collection in Lower Saxony in 2012 and a federal level in 2013.

Foreign victims:

Attachment 1 (Foreign Victims of Human Trafficking (Menschenhandel Opfer ausländisch) 2012-2016)



Anlage 1 §§ 232,
233a ausländische Opf

German victims:
Attachment 2 (German Victims of Human Trafficking (Menschenhandel Opfer deutsch) 2012-2016)



Anlage 2 §§ 232,
233a Opfer deutsch

For 2010 and 2011, only gender and age could be reported together.

Attachment 3 (Victims of Human Trafficking (Menschenhandel Opfer 2010))



Anlage 3 Anzahl
Opfer 2010 §§ 232, 2

Attachment 4 (Victims of Human Trafficking (Menschenhandel Opfer 2011))



Anlage 4 Anzahl
Opfer 2011 §§ 232, 2

For 2010 and 2011, the PKS contain no researchable victim numbers in combination with nationality and age. This is due to a change in the rules concerning data collection in Lower Saxony in 2012 and a federal level in 2013.

Attachment 5 (Foreign Victims of Human Trafficking (Menschenhandel Opfer ausländisch) 2012-2016)



Anlage 5 § 233
2012-2016.pdf

German Victims: No data available.

For 2010 and 2011, only gender and age could be reported together.

Attachment 6 (Victims of Human Trafficking (Menschenhandel Opfer) 2010 und 2011)



Anlage 6 Opfer §
233 2010 und 2011.p

No valid statistics are available for 2017.

Mecklenburg-West Pomerania

With regard to paragraphs 1 and 2:

In 2016, the LKA reported to the Federal Criminal Police (BKA) a total of five registered female victims of human trafficking for the purpose of sexual exploitation (Section 232 StGB) (In 2015: four, In 2014: six). The victims were from Romania (1), Bulgaria (3) and Ghana (1), and were aged between 18 and 29.

North Rhine-Westphalia

The annual status report on human trafficking published by the LKA NRW documents the trend in the number of cases, victims and suspected perpetrators based on reports from the police authorities within NRW using statistics collated according to a nationwide standard. The most recent report (2016) is attached (Attachment 2).



Anlage 2 Lagebild
Menschenhandel 2011