

Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings



CP(2020)10

**Report submitted by the authorities of Germany
on measures taken to comply with
Committee of the Parties Recommendation
CP/Rec(2019)06 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

Second evaluation round

Received on 16 October 2020

Ce document n'est disponible qu'en anglais.



Bundesministerium für Familie, Senioren, Frauen und Jugend, 11018 Berlin

Ms Petya Nestorova
Executive Secretary
of the Council of Europe Convention on
Action against Trafficking in Human
Beings
F-67075 Strasbourg Cedex
-Via email –
Petya.nestorova@coe.int

Unit 402
Combatting Trafficking in Human Beings and
Prostitute Protection Act

BEARBEITET VON Lisa Fischer
HAUSANSCHRIFT Glinkastraße 24, 10117 Berlin
POSTANSCHRIFT 11018 Berlin

TEL +49 (0)3018 555-1284
FAX +49 (0)3018 555-
E-MAIL lisa.fischer@bmfjsfj.bund.de
INTERNET www.bmfjsfj.de

ORT, DATUM Berlin, 16.10.2020

Dear Ms Nestorova,

It is my pleasure to transmit the information on the measures taken by Germany, thereby complying with paragraph 3 of recommendation CP/Rec(2019)06 of the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings on the implementation of the Convention by Germany.

Please find attached

1. The replies of the German Federal Government and the Laender in English
2. An annex with the relevant measures taken by the Laender in detail in German
3. An annex with an overview of abbreviations used in both texts

As has been agreed with your office via email (15.09.2020), we will submit the annex with the relevant measures taken by the Laender in English by 01 December 2020 the latest.

We look forward to the discussion at the meeting of the Committee of the Parties on 04 December 2021.

Yours sincerely,

Pp

Lisa Fischer

MEASURES TAKEN BY GERMANY IN RESPONSE TO RECOMMENDATION CP(2019)06 ON THE IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS

Preamble

Since the publication of the GRETA Report on Germany (GRETA(2019)07) on 20 June 2019, efforts on the part of the Federal Government – in close consultation with the Länder (federal states), civil society and associations – have focused on improving identification of victims of trafficking in various contexts, enhancing cooperation and coherence of measures at the federal level, and on strengthening measures against trafficking for the purpose of labour exploitation.

This report sets out the measures taken thus far at federal and Länder level in implementing GRETA's recommendations dated 20 June 2019. Hence, it covers a time period during which the effects of the COVID-19 pandemic have made victims of human trafficking more vulnerable, making it more challenging to identify and support them. Reduced contact to third parties and isolation have led to a heightened risk of becoming a victim of gender-based violence, including human trafficking, while prominent cases of exploitation and unlawful working conditions in the meat industry and in agriculture have highlighted the structural vulnerabilities of those working in various sectors of becoming victims of human trafficking for the purpose of labour exploitation. The Federal Government and the Länder have worked closely with civil-society actors to counteract these effects, drawing from long-standing cooperation, and have made a joint effort to ensure that support structures for persons affected by violence remain functional, can offer appropriate support, and can be accessed by those affected, including victims of human trafficking. Nonetheless, measures taken by the Federal Government and the Länder have become a challenging balancing act, aiming to ensure the protection of public health while avoiding further risks of becoming a victim of human trafficking. The effects of COVID-19 have made it increasingly difficult for the various actors involved to implement their goals in combating human trafficking, in particular various larger events aiming to facilitate exchange and cooperation, while other platforms and meetings were held via digital alternatives.

In Germany, legal prosecution of human trafficking and the provision of protection and support for victims are performed by the Länder, which undertake various efforts in this regard. Due to the multitude of anti-trafficking measures taken by all 16 Länder, the various Länder-level activities are set out in a Länder Annex (see Annex 1). This main report thus refers to the respective responsibilities and general trends in the measures taken by the Länder. The Länder Annex contains selected examples of concrete implementation activities in various Länder.

In Germany, action against human trafficking – especially to protect and support its victims – is taken in close cooperation with the specialised counselling centres (NGOs) and would not be possible without the work that they perform. The close cooperation with the counselling centres and with the German NGO “Network and Coordination Office Against Trafficking In Human Beings (KOK e.V.) is, therefore, of great importance to both the Federal Government and the Länder. This report thus contains examples of selected KOK activities as these make a significant contribution to the measures taken overall. KOK and its member organisations are partly funded from the federal budget. However, they operate independently and are not part of any government authority.

A. Integrated approach, coordination and monitoring

As reported in the last government report, at the initiative of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ), and on the basis of an expert report prepared by the German Institute for Human Rights (DIMR), a joint consultation process of the federal ministries BMFSFJ, Foreign Office (AA), Federal Ministry of Labour and Social Affairs (BMAS), Federal Ministry of Finance (BMF), Federal Ministry of the Interior, Building and Community (BMI) and Federal Ministry of Justice and Consumer Protection (BMJV) was launched with the aim of considering the creation of an independent national reporting mechanism on trafficking in human beings (i.e. a National Rapporteur within the meaning of Article 29, paragraph 4, of the Convention). In the current reporting period, the Federal Government has picked up on a general consensus that a national reporting mechanism on trafficking in human beings should be created, and the BMFSFJ has contracted the German Institute for Human Rights (DIMR) to produce a concrete plan for national reporting mechanisms that address gender specific violence as well as human trafficking, and thereby add to the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and the Council of Europe Convention on Action against Trafficking in Human Beings. The project aims to provide a detailed plan which describes and contrasts both mandates (i.e. gender-specific violence and human trafficking), identifies tasks and working formats as well as content priorities. The process involves close and regular consultation with government bodies, the Länder and civil society actors. The concept is due to be finalised in spring 2021 and is expected to offer substantial insights that will enable timely progress towards the introduction of a national reporting mechanism on trafficking in human beings. The setting-up of such a mechanism also aims at ensuring more effective coordination of measures relating to trafficking in human beings.

The Federal Government has continued its work in coordinating approaches to combating human trafficking inter alia in the framework of the various working groups established for this purpose. The composition of and the work performed by the Joint Federal Government-Länder Working Groups on Human Trafficking (including the Federal Government-Länder Working Group on Combating Human Trafficking, the Federal Working Group on Human Trafficking for the Purpose of Labour Exploitation, and the Federal Working Group for the Protection of Children and Young People against Sexual Violence and Exploitation) were outlined in detail in the previous GRETA reports. The working groups have continued their work during this reporting period, facilitating exchange, cooperation and coordination between the various Ministries involved in combating human trafficking as well as the Länder and civil society actors engaged in this process.

Introducing a new format to the work of these groups on 25 March 2019, aiming to further ensure comprehensive action against trafficking in human beings, the BMFSFJ and the BMAS invited the participants of the three Federal Government-Länder Working Groups (Human Trafficking, Human Trafficking for the Purpose of Labour Exploitation, Federal Working Group for the Protection of Children and Young People against Sexual Violence and Exploitation) to a joint forum on recent developments in combating human trafficking and exploitation. The aim was to provide a platform for non-state and government actors to discuss recent developments in combating human trafficking in all its forms and to thereby strengthen coherence and coordination of action against human trafficking. Participants discussed recent trends and data in relation to human trafficking as well as ongoing and upcoming legislative and other undertakings.

The working groups have also continued their work in their initial compositions:

The Federal Government-Länder Working Group on Combating Human Trafficking convened on 19 August 2020, with a specific focus on the ongoing consideration and findings regarding a possible implementation of a national reporting mechanism (see below), advancement of various data sources on human trafficking (see Chapter 'Data collection and research'), as well as ongoing and upcoming anti-trafficking activities in the context of Germany's Presidency of the Council of the EU.

Furthermore, several meetings of the federal ministries on the subject of human trafficking in March and June 2020 focused on upcoming undertakings as part of Germany's Presidency of the Council of the EU (July to December 2020) as well as the upcoming Chairmanship of the Committee of Ministers of the Council of Europe (see Chapter O.).

The Federal Government has continued its efforts to enhance and intensify cooperation on various specific aspects of trafficking in human beings, including in particular THB for the purpose of labour exploitation:

The Federal Ministry of Labour and Social Affairs (BMAS) has continued and intensified its efforts to implement the strategy for combating THB for the purpose of labour exploitation, initiated by the Federal Working Group on THB for the purpose of labour exploitation. By way of example, the strategy to expand counselling and support structures at the Länder level has been implemented through the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking by creating an internet-based resource centre offering structured information about the activities and structures in place in the Länder (see Chapter 'Measures to prevent THB for the purpose of labour exploitation'), which facilitates the exchange between the Länder. Most recently, the BMAS met with representatives of the Länder in January 2020 to deepen the involvement of the Länder in combating THB and to discuss ways in which the BMAS could support the efforts at Länder level.

The Länder have continued their work in various working groups, cooperation agreements or guidelines on the subject of trafficking in human beings, with some in the process of reviewing or updating existing structures and/or strategies, including, for example, Baden-Württemberg, Bavaria and Berlin.

The BMAS has extended the funding of the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking (established in August 2017, run by the organisation "Arbeit und Leben Berlin") until the end of 2022. The key objectives of the Service Centre for the years 2020 to 2022 are in particular preventive work, identification and support of victims, effective criminal prosecution of the perpetrators, in-depth and sustainable awareness-raising among relevant actors, consolidating nationwide binding networks against forced labour, labour exploitation and trafficking in human beings with comparable and high-quality standards and making them publicly accessible.

B. Data collection, research and awareness raising

The Federal Government and the Länder in cooperation with civil society actors have continued their efforts to enhance data collection on trafficking in human beings. As part of the research conducted by the DIMR aiming to produce a concrete plan for a national reporting mechanism, the DIMR has been asked to provide a plan for improved and comprehensive data collection and analysis (see Chapter 'Integrated approach, coordination and monitoring'). Furthermore, various existing data sets are currently under review:

As has been outlined in previous government reports to GRETA, the Federal Criminal Police Office produces the annual "Status Report on Trafficking in Human Beings and Exploitation".

Following the new legislation on trafficking in human beings, the status report had to be re-edited in 2017, both in form and content. At the end of 2019, this new THB status report was evaluated in terms of form, content and informative value.

Furthermore, the working group bringing together representatives of KOK member organisations, created in 2016 with the aim of discussing the possibility of collating data from all the specialised counselling centres and developing and testing a statistical/reporting tool, has drafted and developed a blueprint which has been continually tested by professionals on site. The KOK, together with its member organisations, currently works on further developing this tool, which is intended to be used to collect data and information on cases of human trafficking reported by the specialised counselling centres in an anonymised and pseudonymised form. The tool is not aimed at gathering data of trafficked persons but at collecting more in-depth information on cases of human trafficking and exploitation. In addition to the case numbers reported by the specialised counselling centres, the information gathered by this tool aims to shed light on aspects such as the various forms of exploitation used in those cases, the extent to which the trafficked persons are able to access their rights, and what specific support measures are provided by the specialised counselling centres in practice.

Research and awareness-raising

The KOK has used the occasion of the World Day Against Trafficking in Persons on 30 July 2020 to publish the second book of its series ‘Trafficking in Human Beings in Germany’, which is entitled ‘Reflections on Protection and Rights’. The book compiles the experience and expertise of a wide range of experts from the field and provides a comprehensive overview of the phenomenon of trafficking in human beings. It provides a practical analysis of the phenomenon’s various forms, issues and challenges with a particular focus on the people affected and their rights. The book is available in English and German and therefore offers valuable insights into both the situation in Germany and Europe.

In July 2020 the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking published an analysis of the parcel and meat industries. The publication “Preventing Forced Labour and Labour Exploitation – Recognizing Signs and Acting – First Edition: Meat and Parcel Sector” examines signs of “forced labour” and “labour exploitation” within the meaning of the German Criminal Code, which occur regularly in the meat and parcel industries, and gives recommendations for prevention and combating trafficking in human beings and victim protection.

An expert opinion on the reflection period commissioned by the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking, with the aim of harmonising the

application of the reflection period (section 59 (7) of the Residence Act), will be published in autumn 2020 by the Service Centre (see also 'reflection period').

The Service Centre also launched an online glossary "Guidelines for the practices of law enforcement" in December 2019. This alphabetical glossary offers an overview of the forms of exploitation introduced into the German Criminal Code, victims' rights and procedures, and is easy to use and adaptable. Its aim is to raise awareness of these criminal offences among the law enforcement authorities as well as the public.

At the end of 2019, the Federal Criminal Police Office's Criminalistic/Criminological Research Institute finalised a research report on the "exploitation of minors in Germany, Bulgaria and Romania" in cooperation with the counselling service SOLWODI e.V. The research project was carried out between 2017 and 2019. One of the aims of the project was to explore the phenomenology of the various forms of exploitation and to obtain conclusive findings on unrecorded cases. The aim is to draw lessons and recommendations for action on how to better shed light on the extent of unrecorded cases in the future so that victims can be identified and the phenomenon can be combated more effectively.

Knowledge dissemination and raising public awareness of trafficking in children take place in webinars, multi-professional trainings, regional networking conferences, in-house training at youth welfare services and the Police Academies and in train-the-trainer workshops. For example, a multi-professional networking workshop took place in Waren on 1 and 2 October 2019 in cooperation with the State Criminal Police Office and ZORA Counselling Centre (AWO Schwerin). The focus was on online exploitation/the darknet and new methods of investigating those crimes, with input from IT forensic experts. As a result, new round tables on trafficking in children were established in Rostock and in Schwerin. These measures were accompanied by the public campaign "not for sale" against loverboys in Schwerin and Waren between September and October 2019.

C. Measures to prevent THB for the purpose of labour exploitation (Article 5)

The Federal Government has continued and intensified measures to prevent and detect THB for the purpose of labour exploitation, making major progress through a range of legislation introduced during the reporting period, new steps in implementing the national action plan (NAP) on business and human rights, as well as raising awareness among stakeholders and potential victims both nationally and internationally:

The Act to Combat Unlawful Employment and Benefit Fraud (*Gesetz gegen illegale Beschäftigung und Sozialleistungsmissbrauch*) of 11 July 2019 gave the Financial Control of Undeclared Work (Finanzkontrolle Schwarzarbeit (FKS)) the necessary inspection and investigative powers to a) take action against exploitative working conditions within the framework of its inspections, and b) conduct investigations in the area of THB in connection with employment, forced labour and labour exploitation. Training was provided, and the FKS's service regulation was updated in order to prepare FKS officials for their new inspection and investigative powers. In the context of proactive measures, the main customs offices, in cooperation with counselling centres, carried out an increased number of training sessions aimed at helping officials to identify possible victims of THB. Further information on training of relevant officials, stakeholders and others is provided in the related chapter below.

In order to effectively combat THB for labour exploitation, the FKS is intensifying its cooperation with counselling services and bodies that deal with this area as well as with information-sharing forums on labour exploitation, forced labour and THB. It also participates as a partner in round tables, network meetings and similar events.

With regard to strengthening the monitoring of recruitment and temporary work agencies, it has been especially important for the Federal government to end the organised irresponsibility in sub-contracting constellations. A Germany-wide raid by the customs authorities in February 2019 brought to light legally questionable subcontracting practices in the parcel industry. Thus, the Parcel Deliverer Protection Act¹, which entered into force on 23 November 2019, introduces subcontractor liability to ensure the payment of social security contributions and better working conditions in the parcel industry. In the meat industry, it will become illegal to conclude project contracts for work and services (*Werkverträge*) with foreign workers for slaughtering and processing meat as of 1 January 2021.

The amendments to the Posted Workers Act in the context of the transposition of Directive (EU) 2018/957 in July 2020 will enable a permanent secure financial and legal footing for the trade union project "Fair Mobility", which ensures that foreign workers receive information on their rights and the relevant rules in their native languages.

Several Länder have added additional counselling centres against labour exploitation to their support structures, including for example North Rhine-Westphalia, where counselling centres for unemployed persons (*Erwerbslosenberatungsstellen*) will become part of the larger support network against labour exploitation as so-called "Counselling Centres for Employment" (*Beratungsstellen Arbeit*) as of 2021.

¹ <https://www.bmas.de/DE/Service/Gesetze/paketboten-schutz-gesetz.html>

Furthermore, the Federal Government has made a continued effort to raise awareness among the general public as well as, in a targeted manner, among migrant workers of the risks of THB for the purpose of labour exploitation: For example, the online glossary of the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking serves to raise awareness among the general public as well as victims of exploitation on labour exploitation, forced labour and human trafficking, which are prohibited under the German Criminal Code, as well as of victims' rights and procedures.

A revised flyer of the Service Centre was widely distributed in order to advertise free-of-charge and nationwide training on measures against human trafficking.

The specialised online-database (<https://www.servicestelle-gegen-zwangsarbeit.de>) of the Service Centre published in January 2019 provides support workers and counsellors, employees of investigative authorities, job centres, immigration authorities, trade unions and others with a basic tool to identify and advise affected persons and to contact (specialist) counselling centres. Users can get an overview of the strategies and structures for combating exploitation and coercive situations at the Länder level. The aim is to facilitate exchange and networking, on the one hand, and to generate new momentum and develop strategies for combating human trafficking, on the other

The Federal Government has also continued to work closely with trade unions, civil society and the private sector to raise awareness of trafficking for the purpose of labour exploitation, prevent trafficking in supply chains and strengthen corporate social responsibility, drawing on the Guiding Principles on Business and Human Rights and Recommendation CM/Rec(2016)3 on human rights and business:

The Service Centre against Labour Exploitation, Forced Labour and Human Trafficking regularly meets with key actors to exchange information and to develop joint activities. The KOK, the German NGO network against trafficking in human beings, is one of the most important network partners for the Service Centre. In 2019, the Service Centre also held meetings with the Federal Employment Agency in Nuremberg, the Office for the Equal Treatment of EU Workers, the Confederation of German Employers' Associations (BDA) and the German Institute for Human Rights (DIMR).

In its National Action Plan on Business and Human Rights (NAP), the German government has expressed its expectation that all German companies would exercise human rights due diligence (HRDD) along their global supply chains. Core elements of HRDD are, among others, procedures for the identification of actual and potential adverse impacts on human rights, including human trafficking and labour exploitation as well as grievance mechanisms for those affected.

Within the scope of a monitoring process carried out between 2018 and 2020, the Federal Government has reviewed to what extent companies based in Germany are meeting their due diligence obligations enshrined in the National Action Plan for Business and Human Rights. As a result, it initiated a process to explore the possibility of introducing human rights due diligence legislation in Germany. Human trafficking and labour exploitation play a key role in this regard.

As part of the NAP, the Federal Ministry of Labour and Social Affairs (BMAS) is holding NAP sector dialogues. These dialogues are being conducted in the sectors of the German economy that face particular challenges with regard to human rights, including the issues of human trafficking and labour exploitation. The first NAP sector dialogue has started and will focus on the automotive industry. Companies, business associations, trade unions, civil society organisations and the Federal Ministry of Labour and Social Affairs have signed a dialogue agreement to strengthen human rights due diligence along global supply chains.

Pooling their competences and resources, the stakeholders involved in the implementation of the NAP have committed themselves to:

- developing a common understanding of industry-specific human rights risks as well as requirements for human rights due diligence;
- developing and disseminating implementation-oriented, industry-specific guidelines for the integration of the NAP requirements for human rights due diligence (five core elements) into operational management processes;
- agreeing on suitable indicators and a possible process so that companies can verify the effectiveness of measures taken;
- enabling and supporting small and medium-sized enterprises (SMEs) and suppliers to the automotive industry by exchanging and identifying examples of best practice;
- setting up joint pilot projects, such as a sector-wide grievance mechanism.

Working to prevent THB for the purpose of labour exploitation internationally, the Federal Government supports the provision of individual counselling and information to potential migrants with regard to regular and safe migration pathways and risks posed by irregular migration. One aim of this personalised counselling is to sensitise migrants to untrustworthy options of migration which may lead to labour exploitation based on high (and maybe illegal) placement fees or problematic employment contracts. Personalised counselling contributes to raising awareness for regular-migration pathways, and thus reducing the risks related to irregular migration. It is currently provided in 10 partner countries and will be extended to three additional countries by the end of the year 2020.

D. Measures to prevent trafficking in children (Article 5), identification and assistance of child victims of THB (Articles 10 and 12)

The Federal Government in cooperation with the Länder and civil society continues to work on and enhance measures and structures aimed at preventing THB in children, as well as to identify and support those affected. In December 2019 the Federal Government set up the “National Council against Sexual Violence against Children and Young People”, in which the federal, state and local governments act together to sustainably combat sexual violence against children and young people and its consequences. A working group of the national council will specifically deal with the subject of protecting children and young people from exploitation.

As has been outlined in previous reports to GRETA, the Federal Cooperation Concept “Protection and help in cases of trafficking in and exploitation of children” is designed as a national referral mechanism with a nation-wide set of recommendations for collaboration between the youth welfare office, police, specialised counselling centres and other entities involved in the identification and protection of child victims of trafficking. It is currently in the process of implementation throughout the country, with financial support from the BMFSFJ, which commissioned ECPAT Germany to support municipalities and the Länder in adapting and implementing the new cooperation concept. Due to the federal system, the concept needs to be adapted to the respective provisions and structures in the individual state. ECPAT Deutschland e.V., on behalf of the BMFSFJ, offers support through guidance on an implementation strategy and through its multi-profession workshops for professionals from child welfare services, specialised counselling centres, the Federal Office for Migration and Refugees (BAMF), the police and staff from other childcare organisations on the topic of trafficking in and exploitation of children in the Länder.

The Federal Cooperation Concept provides in-depth information on how to better support and protect children. Within the implementation process of the concept in the Länder, two-day workshops are being offered, comprising different stakeholders. The multi-stakeholder concept not only allows participants to gain knowledge about the topic and awareness-raising but also enhances the cooperation between stakeholders, involving youth welfare offices, police, specialised counselling centres and many other entities involved in the identification and protection of trafficked children. The identification of and assistance to children are continuously improved by sensitising professional stakeholders to child trafficking, victim rights and protective measures through the process of implementing the Federal Cooperation Concept.

In the period June 2019 to August 2020, multi-professional training, regional networking conferences, in-house training at youth welfare services and at police colleges, and train-the-trainer workshops have been conducted in Baden-Württemberg, Brandenburg, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Saxony, Thuringia. As a result of this training, multi-professional working groups have been established, with the aim of meeting at least twice a year in order to exchange experiences and to enforce the cooperation between the different entities involved.

Additional knowledge dissemination takes place in webinars: Online training on methodology for child trafficking workshops for trainers, basic knowledge webinars on child trafficking and exploitation in Germany and the Federal Cooperation Concept and webinars with a focus on trafficking of unaccompanied minors. ECPAT webinars combine comprehensive information on the subject of child trafficking with different priorities and direct exchange with experienced practitioners. They aim at anyone interested in gaining a basic understanding of the trafficking and exploitation of minors.

For example, in-house training took place at the Youth Welfare Office in Potsdam on 19 August 2020 in cooperation with counselling centre IN VIA Brandenburg with a focus on trafficking of unaccompanied minors. In Dortmund, a multi-professional networking workshop took place on 23 and 24 January 2020 in cooperation with counselling centre Dortmunder Mitternachtsmission with a focus on trafficking in children from Romania and Bulgaria for the purposes of forced begging and illicit activities. A symposium on THB, including trafficking in children took place in Erfurt on 6 October 2020 in cooperation with the Thuringian Commissioner for Integration, Migration, Refugees, 'Diakonie Mitteldeutschland' and the counselling centre refugio. The occasion was used to announce the opening of a new counselling centre on THB.

In order to use the Federal Cooperation Concept also in an international context, the Concept was translated and designed in an English version and is currently under final review. Publication is expected for September 2020.

The Federal Criminal Police Office has been running the ISF-sponsored EU project THB LIBERI "Combating trafficking in human beings and exploitation against children, young people and adolescents in Germany and Europe" since 2018. The aim of the project, taking into account the recommendations of Directive 2011/36/EU, is to combat and prevent the exploitation of children, young people and adolescents by organised criminal groups in the most sustainable way possible across institutions and through close national and international cooperation. For the current project period 2018-2021 the priorities are "Trafficking in the internet", "Exploitation by Family Structures" and "Person-related

evidence”, which includes the implementation. In addition to nationwide support for investigation procedures and operational measures, preventive measures are also being implemented.

All new case workers at the Federal Office for Migration and Refugees (BAMF) continue to be provided with training and clear instructions on how to proceed when detecting indications of THB. The BAMF employs specially trained case workers to handle asylum applications of unaccompanied and separated minors. If human trafficking is suspected, another case worker trained for victims of human trafficking will be involved.

E. Measures to discourage demand (Article 6)

Germany has fully transposed Directive 2011/36/EU into national law through the Act to Improve the Combating of Human Trafficking and to Amend the Federal Central Criminal Register Act and Book Eight of the Social Code (Gesetz zur Verbesserung der Bekämpfung des Menschenhandels und zur Änderung des Bundeszentralregistergesetzes sowie des Achten Buches des Sozialgesetzbuches), which came into force on 15 October 2016. In addition to a revision of the criminal law provisions on trafficking in human beings, the law includes an expansion of scope to cover cases of human trafficking for the purposes of carrying out criminal acts and begging as well as for the purpose of organ trafficking. The law also provides for an expanded definition of the qualifying elements to include cases where the victim is under 18 years of age. The offences of labour exploitation and exploitation involving deprivation of liberty have also been added. In the area of forced prostitution, Germany has created a criminal offence in section 232a(6) of the Criminal Code (Strafgesetzbuch, StGB), according to which “customers” of sexual services make themselves liable to prosecution if they take advantage of a victim’s predicament for the performance of sexual acts. Such offences are punishable by a prison sentence of between three months and five years. Criminal legislation to combat trafficking in human beings will be evaluated by 2021. The outcome of the evaluation will provide an opportunity to examine to what extent the existing criminal provisions should be amended to provide better protection for victims of trafficking.

On 16 June 2020, the Federal Government adopted the government draft of a Law to Strengthen Integrity in the Private Sector (Gesetz zur Stärkung der Integrität in der Wirtschaft) put forward by the Federal Minister of Justice and Consumer Protection. The new corporate liability regime will provide an independent legal basis for sanctions against associations (legal persons and associations of persons whose purpose is to carry out an economic activity), subject them to the principle of mandatory prosecution and, by means of an improved set of instruments, enable the appropriate punishment of corporate crime,

including trafficking in human beings. At the same time, it will promote compliance measures and provide incentives for companies to conduct internal investigations. In future, public prosecution offices will have to investigate not only against natural persons but also against involved companies.

For further information on measures to discourage demand in THB for the purpose of labour exploitation, please refer to the section on preventing trafficking along supply chains in Chapter C. “Measures to prevent THB for the purpose of labour exploitation”.

F. Identification of victims of THB (Article 10)

This reporting period has seen major progress with regard to structures allowing for effective identification of victims of THB, with the major development being an extension of the mandate of the Financial Control of Undeclared Work (FKS) as well as a related increase in training for staff of the FKS, as well as progress in the implementation of the new Prostitute Protection Act (ProstSchG):

FKS staff are often the first people who find indications of human trafficking in connection with employment at locations while performing their duties. Training was provided to prepare FKS officials regarding their new inspection and investigative powers and the associated protection of victims of THB in connection with employment, forced labour and labour exploitation. In the context of proactive measures, the main customs offices, in cooperation with counselling centres, carried out an increased number of training sessions aimed at helping officials to identify possible victims of THB. At the level of local FKS offices, coordinators for the protection of victims of THB in connection with employment, forced labour and labour exploitation are designated. These coordinators participate in special training and awareness-raising measures together with the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking.

Regarding the expansion of FKS’s mandate and the training of FKS officials, see Chapter C.

At federal level, the establishment of central victim protection structures in the Länder is currently being promoted in order to ensure the best possible level of victim support. 12 of the 16 Länder now have a Victims’ Commissioner or central victim protection structures in place. The responsibilities of each Victims’ Commissioner vary. In some Länder, the Victims’ Commissioners are only responsible for terrorist acts or major incidents, in others they are responsible for crimes in general.

A meeting with representatives of the Länder at the Federal Ministry of Labour and Social Affairs (BMAS) is scheduled for November 2020, with the aim of discussing the need for

drafting a model co-operation agreement, which should facilitate the cooperation and exchange between the Länder.

The online glossary of the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking (see under nos. 13 and 14) offers a clear overview of and guidance on new forms of exploitation in the Criminal Code for law enforcement authorities.

Further measures commenced and/or continued during the reporting period aim at improving identification of victims during the asylum procedure. The Federal Ministry of Labour and Social Affairs and the European Social Fund in Germany are financing the project “Participation Fair” as part of the ESF Integration Guideline. Target groups are asylum seekers, tolerated persons and refugees with residence titles on humanitarian grounds. The aim of the project is to offer individual counselling to target groups affected by human trafficking, forced labour and labour exploitation.

Funding for the project ‘Asylum and trafficking in human beings’ (Flucht und Menschenhandel), implemented by the KOK, has been extended until the end of 2021 (financed by the Federal Government Commissioner for Migration, Refugees and Integration). The goals of this project are to:

- Support projects implemented by the member organisations that have a special focus on refugees
- Sensitise various actors to the phenomenon of human trafficking in the context of asylum and international protection
- Improve identification of trafficked persons in the context of asylum and international protection
- Protect trafficked persons in accommodation for persons seeking international protection

Several member organisations of the KOK are implementing projects that focus on human trafficking in the context of asylum and international protection. These focus on various aspects, including, for example, the identification of trafficked persons, counselling services to specific groups (for example, women from sub-Saharan Africa), empowerment and integration of refugees affected by human trafficking, counselling on work and training, and integration into the labour market, etc.

The reporting period has furthermore seen first tangible results from the implementation of the /Prostitute Protection Act (ProstSchG)², which entered into force on 1 July 2017 and aims

² In past reports referred to as the ‘Act on Regulation the Business of Prostitution and Protecting Persons Working in Prostitution.’

to strengthen the sexual self-determination rights of prostitutes, create the legal conditions to ensure favourable working conditions, prevent harmful forms of prostitution and combat crimes such as human trafficking, violence, exploitation of prostitutes and pimping. Previous government reports outlined the purpose and content of the law.

The implementation of the Act requires the adoption of new legislation at the level of the Länder and adaptation of their existing administrative structures and procedures. As a result, the introduction of the modified approach regulating prostitution is an ongoing process which has seen significant progress during the reporting period. In order to support and ensure consistent implementation throughout Germany, the Federal Government and Länder are in constant contact with each other and exchange information.

The Federal Government has issued an ordinance that stipulates an obligation to compile and update federal statistics on various aspects of the ProstSchG (Verordnung über die Führung einer Bundesstatistik nach dem Prostituiertenschutzgesetz (Prostitutions-Statistikverordnung – ProstStatV) vom 13. Juni 2017 (BGBl. I 2017, 1934). It specifies the sampling of statistical data drawn from official registration and permission procedures that will enable reliable data on legal prostitution in Germany. In this context, on 30 June 2020, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) published a report based on data compiled by the Federal Statistical Office for the years 2017 and 2018. The report as well as recent data provided by the Federal Statistical Office (30 July 2020) for the year 2019 point to an increase in registered prostitutes (approx. 23%) as well as the number of licences issued to operate a prostitution business (approx. 35%). This implies that the administrative process (establishing the structures and adapting procedures by the Länder) required by the ProstSchG has become more established compared to previous years.

The data compiled in the report furthermore gives a first indication of the Act's potential to identify at-risk businesses and persons and provide protection, which is most visible in the number of negative decisions issued by the authorities, namely the decision not to grant or extend a licence or to withdraw or revoke (Rücknahme und Widerruf) a licence to operate a prostitution business. Negative decisions were issued in a total of 119 cases in 2018. These numbers clearly show that the administrative process ensures the protection of prostitutes. According to the ProstSchG, a decision not to grant a licence can be based either on a violation of the prohibition to instruct on the extent of the sexual services provided or on the way these services are provided, or a violation of the prohibition to make excessive demands for the rental of premises or other services. Furthermore, if the business owner lacks

personal reliability, which is assessed using specific criteria (such as previous convictions, etc.), a licence will not be granted or will be withdrawn (Rücknahme).

The other grounds to revoke (Widerruf) a licence can be two-fold: either there are factual indications that the holder of a licence knows or should have known that the person engaging in prostitution has limited freedom to make that decision either because the person is under 21 years old and was pushed to commence to or continue to work as a prostitute by a third party, or because a third party takes advantage of that person's predicament, their helplessness on account of being in a foreign country or is dependent due to their personal or economic situation, or is exploited by a third person (section 23 (3) ProstSchG). The cases described above therefore highlight the Act's potential to protect the prostitutes' right to sexual self-determination and to protect them against exploitation.

The Act (ProstSchG) provides that the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) will evaluate the effects of the Act on a scientific basis five years after its entry into force (starting in 2022), taking into account the experience of its practical application. An evaluation report must be submitted to Parliament by 2025. The conceptual preparations and coordination for the evaluation process have commenced in August 2020.

On 16 March 2020, as part of the 'Guidelines to combat the coronavirus epidemic' (Leitlinien zum Kampf gegen die Corona-Epidemie), a joint decision was made by the Federal Government and the Länder to enact a temporary closing of brothels and other prostitution businesses, a decision which was enacted throughout Germany. The government has been in constant and close contact and exchange with the Länder and civil society actors in order to assess and react to potential economic or security risks or consequences for those working in this field.

The Federal Government and the 16 Länder have furthermore implemented various measures aimed at ensuring continued protection of women from violence which are also expected to benefit women affected by trafficking in persons. For example, the German government passed a bill for easier access to social security and protection of social services due to the coronavirus pandemic. This bill also includes measures for violence protection services, such as women's shelters and women's support services.

The national helpline "Violence Against Women", funded by the German government, is continuing to provide an extremely important service during the coronavirus crisis. It offers

around-the-clock support on 365 days per year and can be reached via phone, chat or email. More than 80 qualified female support workers offer help and guidance to women who are affected by violence (including victims of THB), people from their social circle and professionals working in the sector. The support is free, anonymous, confidential and available in 18 languages. Due to coronavirus-related measures, the helpline team is facing additional challenges, but everything is done to ensure continued service.

In April 2020 the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth launched the nationwide “Not safe at home?” campaign as part of the #stronger than violence initiative. For this campaign, supermarkets and other shops put up posters to inform people who experience domestic violence and their friends and family about available help and support services.

G. Education and training of professionals relevant to action against THB

Despite the fact that face-to-face training programmes were not possible for a considerable part of the reporting period, the Federal Government, the Länder and civil society actors can report considerable progress in the training of relevant professionals in the area of action against THB.

Against the background of the adoption of the Act to Combat Unlawful Employment and Benefit Fraud (Gesetz gegen illegale Beschäftigung und Sozialleistungsmissbrauch) in 2019 and the related expansion of the mandate of the Financial Control of Undeclared Work (Finanzkontrolle Schwarzarbeit (FKS)), which now also covers the criminal offences of human trafficking in the context of forced labour and labour exploitation, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking and the General Customs Directorate (Directorate VII, FKS) have intensified their cooperation. A letter of intent (November 2019) provides in particular for the training of staff of the FKS in the main customs offices (Hauptzollämter). In 2019, the Service Centre conducted two training sessions for FKS officials of the Berlin main customs office, which focused on the investigation of exploitative working conditions and the identification of forced labour and human trafficking.

Training was provided to prepare FKS officials for their new inspection and investigative powers and the associated protection of victims of THB in connection with employment, forced labour and labour exploitation (for further information see section ‘identification of victims of THB’). From 3 to 4 March 2020, an expert meeting in the area of ‘Trafficking in human beings for the purpose of employment’ and ‘Labour exploitation’ initiated by the Federal Criminal Police Office took place with approximately 50 representatives of the

Länder, the Federal Police, the General Customs Directorate, the Financial Control of Undeclared Work (FKS) and other actors. The focus was on intensifying and improving cooperation between the FKS and the police as a result of the above-mentioned new legislation and the associated new responsibilities of the FKS in the area of labour exploitation. It responded to the great need for awareness-raising, networking and exchange and, for the first time, provided a platform for these aspects.

In 2019, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking conducted eight training sessions for 152 participants from counselling centres, public job centres or citizens' offices and the Financial Control of Undeclared Work (FKS). Furthermore, in 2020, the Service Centre was invited by the Berlin Senate Department for Integration, Labour and Social Affairs to give an expert input on indications of exploitation and forced labour at a conference on public procurement.

The German Judicial Academy (DRA) is a national further training facility for judges from all branches of jurisdiction and for public prosecutors from throughout Germany. It is sponsored jointly by the Federal Government and the Länder. The Academy's programme includes events on the subject of trafficking in human beings. The responsibility for organising training events and training for judges and public prosecutors as well as for other public authority employees lies with the individual Länder.

After a first workshop with prosecutors on "exploitation of work force, forced labour and human trafficking" in November 2018, a second one took place in November 2019 at the Federal Ministry of Labour and Social Affairs (BMAS). At this event, the handbook for experts of law enforcement "Human trafficking, labour exploitation, forced labour" was presented (see Chapter B). Against the backdrop of the modified criminal law on these three sections, which transposed Directive 2011/36 EU in October 2016 into national law, public prosecutors discussed various legal cases and the question of effective law enforcement. An evaluation of the modified law is in preparation for 2021 – 5 years after it entered into force. The next meeting with prosecutors is scheduled for fall 2020.

On 30 and 31 October 2019, the Federal Criminal Police Office organised an expert meeting on "Trafficking in human beings for the purpose of sexual exploitation", in which about 120 police officers from the Federal Police and the police forces of the Länder who are involved in the fight against trafficking in human beings exchanged information on the current problems and best practices concerning trafficking in human beings. In addition to trends and analyses, the meeting also presented current investigation procedures and experiences in the practical implementation of new German legislation on trafficking in human beings and exploitation.

Since June 2019, a total of four training measures for new special case officers for victims of human trafficking have been carried out at the BAMF. The asylum procedure counsellors are also sensitised in their training courses to identify trafficked persons, and can thus point to potential human trafficking even before the asylum procedure begins. Since June 2019, a total of five training measures for new asylum procedure counsellors have been carried out at the BAMF.

In the period from June 2019 to August 2020, ECPAT Deutschland e.V. offered nationwide multi-professional training, regional networking conferences, webinars, in-house training at youth welfare services, police colleges and train-the-trainer workshops. Train-the-trainer workshops took place for example in Berlin on 28 June 2019 to qualify further professionals to become ECPAT trainers in the field of trafficking and exploitation of children, in Freiburg on 8 and 9 November 2019, and a zoom lecture on the Federal Cooperation Concept and trafficking in children in Germany on 9 June 2020 in cooperation with the Amnesty International student group at the University of Münster.

H. Assistance measures for male victims of THB (Article 12)

Various measures aimed at offering counselling, support and protection against violence are aimed specifically at boys and men, which includes boys and men affected by human trafficking and exploitation. The following measures are highlighted in this reporting period:

The German nationwide specialist and coordination unit to protect men from violence (Bundesweite Fach- und Koordinierungsstelle Männergewaltschutz) actively advises and supports municipalities, the Länder, independent organisations (freie Träger) and individual stakeholders in establishing projects for the protection of men. This is done on the basis of the „Recommendations on action for establishing and implementing projects for the protection of men” (Handlungsempfehlungen für den Aufbau und Betrieb von Männerschutzprojekten) provided by Landesarbeitsgemeinschaft (LAG) Jungen- und Männerarbeit Sachsen e.V. The unit will also support and promote the setting-up of helplines and online counselling to men in individual Länder. The project website www.maennergewaltschutz.de assembles information on help and support offers for men and their children.

Training concept of ‘male-focused counselling services’ (Männerfokussierte Beratung): There are only few counselling centres offering help and support specifically for boys and men. Their setting is often under female influence, so men rarely feel recognised and addressed. The new project trains men to become counsellors and multipliers within two years. The

concept aims at existing counselling centres so that it can be widely distributed throughout the country. The concept is to be translated into a steadily growing training model.

Counselling network for men (Männerberatungsnetzwerk; www.maennerberatungsnetz.de): Its aim is to help boys, men and fathers to find counselling and support. The project gathers counselling offers for men – be they individual counselling, self-help groups or guided support groups – regarding questions from A to Z, including for example: work, poverty, education, upbringing, family, health, violence, detention and prison, homosexuality, crisis, human trafficking, relationships, care, homelessness, sexuality, separation and divorce, fatherhood, reconciliation of private and working life and contentment. By entering their postal code and the subject they would like to be counselled on, men have easy access to information on offers in the region they live in.

Providing victim support is the task of the individual Länder. There are a large number of different victim support institutions in the Länder. Depending on their particular focus, these also specialise in supporting certain groups of people (see Annex 1 for examples).

I. Recovery and reflection period (Article 13)

Where there are concrete grounds that a foreigner who is obliged to leave the country has become a victim of human trafficking, forced prostitution or forced labour, the individual concerned is afforded a period of recovery and reflection of at least three months (section 59 (7) of the German Residence Act (AufenthG). The departure deadline is to be calculated such that it allows the foreigner time to decide on whether to testify as a witness. The provision of a recovery and reflection period is thus in no way reliant on a prior declaration of willingness to testify. During this time, victims of human trafficking receive benefits under the provisions of the Asylum Seekers Benefits Act (AsylbLG). The specialist counselling offices offer counselling and support for victims during the recovery and reflection period.

The Service Centre against Labour Exploitation, Forced Labour and Human Trafficking commissioned an expert opinion on the so-called reflection period in order to harmonise the application of the reflection period (section 59 (7) of the German Residence Act). The report examines the (European) legal basis and regulations regarding the reflection period and provides information for better and European law-compliant application by the German authorities. The final version will be published in autumn 2020.

In its exchange meetings and trainings, the KOK draws specific attention to the reflection period and its importance. This includes exchange meetings with the FKS and the Federal Police (as well as a fact sheet on human trafficking drafted by the KOK for the Federal Police).

J. Compensation and legal remedies (Article 15)

The legal amendments to the Crime Victims Compensation Act announced in the last legislative period were carried out through the Social Compensation Act, which was adopted on 19 December 2019. The core element is the new Fourteenth Book of the Social Code. Most parts of this new Book of the Social Code will enter into force in January 2024. State compensation will also be available to those who have not experienced direct physical, but psychological violence, which is the case for many victims of THB. As of 1 January 2021, victims of violence, including victims of THB, can obtain access to emergency aid in so-called trauma outpatient clinics. They will also be assisted in the application and administrative procedures through case management. Furthermore, restrictions based on the residence status of the victims are now abolished. Victims of violence will be treated equally regardless of their nationality and residence status.

If the victim suffers material damage, this must be compensated in full by the offender in accordance with the general principles of German tort law (section 823 (1) of the Civil Code [Bürgerliches Gesetzbuch, BGB]), section 823 (2) BGB in conjunction with the protective statute under criminal law, section 826 BGB). If trafficking in human beings is committed in conjunction with unlawful imprisonment and/or bodily injury, compensation for non-pecuniary damage may also be claimed in the form of damages for pain and suffering (section 253 (2) BGB). With the Act on the Introduction of a Right to Survivor's Benefits (Gesetz zur Einführung eines Anspruchs auf Hinterbliebenengeld), which has been in force in Germany since 22 July 2017, the right to compensation for non-pecuniary damage was extended to include cases of death. Under this Act, compensation is paid to close relatives of the victim killed by the criminal act for the emotional suffering caused by the killing. The above-mentioned claims for compensation can be asserted without limitations before German courts, including in civil proceedings, provided that they have jurisdiction in the matter.

At the German Judicial Academy (DRA), a national training institution jointly sponsored by the Federal Government and the Länder, public prosecutors and judges regularly have the opportunity to attend further training courses on the subject of compensation for victims, for example in conferences on "Sentencing, Victim Protection and the Adhesion Procedure" and "On the Law of Criminal Asset Recovery", which address, inter alia, the model of victim compensation.

The Federal Ministry of Justice and Consumer Protection has been monitoring the legal developments in practice since the reform of the asset recovery system came into force in

2017, and has also exchanged information on the judicial practice in the Länder. It is currently examining whether there is a need to improve certain provisions on criminal asset recovery.

K. Repatriation and return of victims (Article 16)

In 2016, the Federal Ministry for Economic Cooperation and Development (BMZ) created the program 'Returning to New Opportunities', which aims to support migrants and refugees, including in particular victims of THB and other vulnerable groups, before, during and after their return to and specifically in the process of reintegration in their respective countries of origin. This includes individualised counselling during the whole process of return and reintegration, assistance in the socio-economic reintegration, training and education as well as psychosocial assistance while taking the specific needs of vulnerable groups into account. The programme is implemented and conducted in close cooperation with the national authorities of the countries of origin, inter alia, by setting up and financing permanent cooperative counselling centres for returnees and the local population. The centres provide advice, inter alia, on legal pathways for migration as well as on the risks associated with irregular migration and thus support national authorities in the host countries in risk awareness and the facilitation of safe, orderly, regular and responsible migration.

Through the European Return and Reintegration Network (ERRIN), a pilot project for the reintegration of victims of human trafficking has been offered in Nigeria as of 30 July 2020. The aim of this project is to enhance the cooperation between the counselling centre at home and the organisation in the country of origin in supporting the victims of human trafficking in their return to Nigeria. Participants in this project are the ERRIN service provider Caritas International/Idia Renaissance together with a network of local partners active in the fight against human trafficking. Germany as a Member State of ERRIN supports this project.

L. Substantive criminal law (Articles 18, 19, 22 and 26)

With the Act to Improve the Combating of Human Trafficking and to Amend the Federal Central Criminal Register Act and Book Eight of the Social Code of 11 October 2016 (Federal Law Gazette I p. 2226) (Gesetz zur Verbesserung der Bekämpfung des Menschenhandels und zur Änderung des Bundeszentralregistergesetzes sowie des Achten Buches Sozialgesetzbuch), which entered into force on 15 October 2016, the criminal offences for the purpose of combating human trafficking (sections 232 to 233a of the Criminal Code (Strafgesetzbuch, StGB), i.e. human trafficking; forced prostitution; forced labour; exploitation of labour; exploitation involving deprivation of liberty) were fundamentally redrafted and expanded.

In accordance with a request made by the Committee on Legal Affairs and Consumer Protection of the Bundestag during the legislative process, the criminal provisions of sections 232 to 233a StGB are to be evaluated by 2021. The evaluation is intended to examine the impact and practical application of the revised legislation to combat human trafficking. In selecting the appropriate questions for this purpose, consideration was given to the criticism already voiced by practitioners and by non-governmental organisations that the reformed criminal provisions would not have any effect in practice. Consideration was also given to the criticism voiced at the international level of a supposedly inadequate prosecution in Germany. This criticism often refers to the low number of cases in criminal prosecution statistics. The evaluation will therefore examine the background to the number and course of criminal proceedings in the area of trafficking in human beings in order to enable improvements in the fight against trafficking in human beings as needed. The statistical recording of offences in the area of trafficking in human beings will also be analysed. The results of the evaluation are expected in the fourth quarter of 2021.

M. Non-punishment of victims of THB (Article 26)

In German law, the principle of legality applies, which means that the public prosecutor's office is obliged to investigate criminal offences. However, there are some exceptions to this principle in the German Code of Criminal Procedure (StPO) that allow the non-prosecution of a criminal offence under certain conditions. The refusal of further prosecution is possible in particular under section 153 StPO (Non-prosecution of petty offences), section 153a StPO (Non-prosecution subject to imposition of conditions and directions) and section 154c StPO (Non-prosecution of victim of coercion or extortion). Within the scope of the exercise of discretion, the concrete circumstances of the respective individual case are decisive. However, section 153 and 153a StPO are only applicable to offences.

The victim's predicament is taken into account in particular in the case of section 154c StPO. In the area of trafficking in human beings, section 154c paragraph 2 of the Code of Criminal Procedure is therefore of particular importance: If a victim of trafficking in human beings reports this offence and if, as a result, an offence committed by the victim becomes known, the public prosecutor's office may refrain from prosecuting the offence unless atonement is indispensable due to the gravity of the offence. The consent of the court is not required for this.

Furthermore, it must be pointed out that a person who commits a crime under the conditions of section 35 paragraph 1 of the German Criminal Code acts without guilt and may be exempt from punishment. This is the case if the person commits the punishable act in order to avert a present danger to life, limb or liberty which cannot otherwise be averted for himself or herself or a relative or another person close to him or her.

N. Protection of witnesses and victims (Articles 28 and 30)

The Law for the Modernisation of Criminal Procedure of 10 December 2019 (Gesetz zur Modernisierung des Strafverfahrens, BGBl. 2019 I, 2121) includes the following improvement for victims in criminal procedures – which also applies to victims of human trafficking for sexual exploitation: In protection of their interests and with their consent, the testimonies of all victims of sexual crimes – no matter whether they are minors or grown-ups – that are given before a judge, are now to be recorded in picture and sound. These recordings can be shown during the main proceedings and used as evidence (sections 58a and 255a of the Code of Criminal Procedure (Strafprozessordnung - StPO)). Thereby repeated interviews and revictimisation can be avoided.

O. International co-operation (Articles 32 and 33) and cooperation with civil society (Article 35)

German Development Cooperation has been continuously active in the main countries of origin to eliminate the major causes of human trafficking in cooperation with state actors and civil society, e.g. through the annual call for project proposals of the Special Initiative on Forced Displacement.

Moreover, German Development Cooperation supports the UN Women project “Making Migration Safe for Women” with a focus on Niger (EUR 2.2 million; 3 years / 2019-2021). The programme aims at improving the safety of female migrants by supporting gender-responsive migration policies at national level as well as international norms and standards to guarantee the safety and rights of female migrants. Furthermore, the project supports civil society organisations that advocate for the rights and the protection of female migrants.

Together with the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking, the Federal Ministry of Labour and Social Affairs (BMAS) held a workshop on fair recruitment of migrants on 21 February 2020, with representatives of the ILO, ETUC, ITUC, the Labour Inspectorate of Bulgaria, among others, to discuss the basic principles and conditions for expanding the online platform Migrant Recruitment Advisor (MRA) for migration movements within and to Europe and particularly to Germany. The MRA is a project of the International Trade Union Confederation (ITUC, www.ituc-csi.org), which has aimed to promote fair recruitment, ensure safe migration for migrant workers and reduce vulnerability to forced labour since 2017. The MRA is designed as a worker-to-worker platform where migrant workers can seek information as well as leave complaints about their recruitment experience and work experience and seek help and support. So far, the MRA's regional focus has been on the migration link between Asia and the Middle East as well as some African countries.

The membership with PICUM (Platform for International Cooperation on Undocumented Migrants, <https://picum.org>) continues to enable the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking to exchange ideas, for instance, with the British organisation FLEX (Focus on Labour Exploitation, www.labourexploitation.org).

The Federal Criminal Police Office has continued its intense international cooperation and has further intensified its co-operation, particularly in the field of the EMPACT THB project. The EMPACT THB sub-project ETUTU to combat Nigerian trafficking in human beings is led by Germany. However, due to the COVID-19 pandemic, the six-monthly ETUTU Platform meeting scheduled for March 2020 in Belgium and numerous operational measures in Morocco and Nigeria were not implemented. Furthermore, since 2019, Germany has been co-leader of the Dutch-led subproject 'Chinese trafficking'. The project focuses on strategic and operational cooperation with the PRC in the areas of 'Chinese forced prostitution' and 'Chinese labour exploitation'. These objectives include law enforcement, case-related information exchange and the setting up of joint European investigation teams. The EMPACT sub-project will organise six-monthly expert and platform meetings in Europe and China.

The reporting period includes the first months of the German Presidency of the Council of the European Union (July to December 2020). In that role, the Federal Government has been actively involved in organising the meeting of the NREM as well as a joint meeting with the NREM and the EU Civil Society Platform against Trafficking in Human Beings (20 and 21 October 2020). In preparing this meeting jointly with the EU's Anti-Trafficking Coordinator (ATC), the Federal Government has highlighted the effects of the COVID-19 pandemic on the risks to become a victim of human trafficking as well as the possibilities to provide support, and has therefore introduced the subjects of trafficking in children, support and protection of victims, and trafficking for the purpose of labour exploitation as core elements of the discussions at the meetings. The event will include a presentation on the THB LIBERI project. In January 2021, a major conference on human trafficking is planned at the Council of Europe in Strasbourg in the context of the German Presidency of the Council of Europe. The conference is organised by the THB LIBERI project and GRETA, together with the BMFSFJ and the Permanent Representation of Germany at the Council of Europe.

Cooperation with civil society stakeholders

Cooperation with civil society stakeholders in Germany has also continued throughout the reporting period. As an example, in November 2019, the German NGO network against trafficking in human beings (KOK) and the BAMF jointly organised a nationwide practitioners' conference for representatives of specialised counselling centres for people affected by human trafficking and the BAMF's special case officers for victims of human trafficking. In

addition, in several Länder, regional networking meetings for specialised counselling centres and special case officers for victims of human trafficking were held. The daily, case-by-case cooperation between the BAMF and specialised counselling centres continues in a proven way.

The KOK has furthermore made increased efforts to exchange with the Federal Police (Bundespolizei) and the Federal Criminal Police Office, in particular at two exchange meetings. The KOK has drafted and provided a fact sheet to Federal Police officers which addresses the subject of human trafficking and the rights of trafficked persons. The KOK furthermore holds exchange meetings with the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking on a regular basis.

In addition, the BMFSFJ has continued its structural funding to the KOK in 2020, aiming at further supporting a sustainable NGO network against THB and thus, enabling close cooperation and exchange between governmental and non-governmental bodies on THB throughout Germany.

Further examples of cooperation with civil society are presented throughout this report.



Bundesministerium für Familie, Senioren, Frauen und Jugend, 11018 Berlin

Ms Petya Nestorova
Executive Secretary of the Council of
Europe Convention on Action against
Trafficking in Human Beings
F-67075 Strasbourg Cedex
-Via email-
Petya.nestorova@coe.int

BEARBEITET VON Lisa Fischer
HAUSANSCHRIFT Glinkastraße 24, 10117 Berlin
POSTANSCHRIFT 11018 Berlin
TEL +49 (0)3018 555-1284
FAX +49 (0)3018 555-
E-MAIL lisa.fischer@bmfjsfj.bund.de
INTERNET www.bmfjsfj.de

ORT, DATUM Berlin, den 30.11.2020

Dear Ms Nestorova,

please find attached the translated (English) version of Annex 1 as part of the information on the measures taken by Germany, forwarded to your office on 16 October 2020, thereby complying with paragraph 3 of recommendation CP/Rec(2019)06 of the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings on the implementation of the convention by Germany.

In addition to having been translated, this text contains minor changes compared to the version that was sent to you in October.

Thank you again for extending the deadline to hand in this translated version of the Annex.

We look forward to the discussion at the meeting of the Committee of the Parties on 04 December 2020.

Yours sincerely,

Pp

Lisa Fischer

Selected measures taken by the Länder (federal states) in response to Recommendation CP/Rec(2019)06 on Implementing the Council of Europe Convention on Action Against Trafficking in Human Beings in Germany

Chapter	Recommendation	Länder
A.	Integrated approach, coordination and monitoring	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • In 2005, the Ministry of Labour and Social Affairs published a guideline in co-work with the representatives of the Baden-Württemberg Ministry of the Interior, the Land Criminal Police Office (LKA) and the counselling offices. This guideline contains possible steps for cooperation between the authorities and the counselling offices to improve the protection of the victims of trafficking in human beings (THB) for the purpose of sexual exploitation. The guideline was updated in 2016 and will be modified next year (2021). • Baden-Württemberg also published a guideline for dealing with human trafficking. The purpose of this guideline is to prevent labour exploitation. It was posted online in autumn 2019. <p><u>Bavaria:</u></p> <p>In Bavaria, a large number of measures have already been established in the field of combating human trafficking, and several authorities are involved in their implementation (round tables, expert meetings, further training schemes). They contribute to the further development of a joint strategy to combat human trafficking. The Land Bavaria Criminal Police Office, BLKA) backed by several authorities, is currently examining ways of intensifying existing approaches to combating human trafficking. The first results of this review will be discussed in a timely manner with the Land Bavaria Ministry of the Interior, Sports and Integration (StMI).</p> <p><u>Berlin:</u></p> <p>The current Berlin Cooperation Agreement between the police and specialised counselling centres for female victims of human trafficking dates back to 2008. It covers human trafficking for the purpose of not only sexual but also labour exploitation. In order to do justice to both the changes in the Criminal Code (Strafgesetzbuch, StGB), the diverse actors now involved and, not least, the people affected, a review of this agreement began in 2019. For example, customs authorities (Financial Monitoring Unit to Combat Unlawful Employment (FKS) and the Berlin Advisory Centre for Migration and Good Work (BEMA) are also involved. Due to the coronavirus pandemic, this process came to a standstill, but is to be relaunched in the near future.</p> <p><u>Brandenburg:</u></p> <p>Measures to combat human trafficking for the purpose of sexual exploitation are taken into account in state framework programmes and in action plans to combat violence against women and children:</p> <p>A) THB for the purpose of labour exploitation:</p> <ul style="list-style-type: none"> • Together, Berlin and Brandenburg constitute the working group 'Combating undeclared work and unlawful employment', which last met on 19 November 2019 to discuss the topic 'Combating forced labour, trafficking in human beings and labour exploitation – legal possibilities, experiences and obstacles in practice'. The working group consists of representatives of various Senate departments from Berlin and Brandenburg, the Financial Control Office of the Customs Administration, the administrative offices of the administrative districts and district offices, the regional directorate of the Federal Employment Agency, German Pension Insurance, the tax investigation unit of the tax office, the Chamber of Crafts in the field of trade law, state offices for occupational safety, state criminal investigation department, etc. The working group engages in a very constructive and practice-oriented exchange of experiences amongst the various aforementioned agencies.

		<ul style="list-style-type: none"> • The 'Round Table on Seasonal Work' was launched in 2020 as a joint initiative of the Ministry of Economy, Labour and Energy (MWAE) and the Ministry of Agriculture, Environment and Climate Protection (MLUK). In addition to the two Länder ministries, agricultural associations, the German Trade Union Federation (DGB), IG BAU and the specialist unit 'Migration and Good Work' are involved. So far, the round table has met twice and agreed on 10 basic rules for fair seasonal work and has discussed a model employment contract for seasonal workers. • The MWAE has two projects to combat trafficking in human beings and labour exploitation: <ol style="list-style-type: none"> (1) The agency 'Migration and Good Work at Work and Life' (DGB and adult education centre [VHS]). This agency advises and supports foreign employees in nine languages on problems of labour justice. The website <i>rightsatwork.de</i> was launched in early 2020. Since a large number of Polish workers make use of the advice offered by this agency, cooperation with the Interregional Trade Union Council (OPZZ = nationwide trade union association, Solidarnosc and DGB Berlin-Brandenburg) has been intensified. The aim is to provide employees with information about their labour rights in Germany before they enter Brandenburg and thus help to avoid conflicts and precarious working conditions. In 2019, the focus of the consultations on site was specifically on seasonal workers in agriculture and in the logistics sector. The responsible ministry (MWAE) supports the project with accompanying letters for employers. Since the advent of the coronavirus, flyers and further information on the hygiene regulations to be observed in the workplace have been regularly prepared and distributed to foreign employees. (2) The project 'Fair integration' at Caritas in Cottbus (a sub-project of the Brandenburg IQ-Network) is targeted specifically at refugees. It advises them on labour law issues in the different languages of the refugees' main countries of origin. <p>B) Trafficking in human beings for the purpose of sexual exploitation: The Ministry of Social Affairs, Health, Integration, and Consumer Protection of the State of Brandenburg (MSGIV) supports and finances (2020-2022) the centre 'Coordination and Counselling Centre for Women Affected by Trafficking in Human Beings'. The central tasks of the specialised counselling centre are to raise awareness, provide information, record the phenomenon and needs, and develop and set up help structures. The counselling centre cooperates with the above-mentioned 'Migration and Good Work Centre' of the MWAE. Cooperation between the Brandenburg police and IN VIA e.V. also takes place on a case-by-case basis.</p> <p><u>Bremen:</u> In 2019, the Land Bremen continued to regularly attend the meetings of the Federal Government-Länder Working Group on Combating Human Trafficking for the Purpose of Labour Exploitation at the Federal Ministry of Labour and Social Affairs (BMAS). Concerning the topic of labour exploitation, the Senator for Economic Affairs, Labour and Europe will continue to coordinate the exchange formats on this topic within the Land in the aftermath of the partial departmental restructuring in 2019. To this end, actors from the operational units (police, customs, Senator for the Interior), law enforcement authorities (police, customs, public prosecutors' offices), social service providers (job centres, employment agencies) and the relevant specialised counselling centres are involved on an ad hoc basis.</p> <p>The following specialised counselling centres have been set up in Bremen:</p> <ul style="list-style-type: none"> • Mob - Bremen and Bremerhaven counselling centre for mobile workers and victims of labour exploitation • Baez – Counselling for victims of human trafficking and forced prostitution <p>In addition, the following counselling services are also available for sex workers:</p> <ul style="list-style-type: none"> • Nitribitt e.V., a meeting place and counselling centre for prostitutes, passes on cases of forced prostitution to the Baez and informs prostitutes about their rights.
--	--	---

		<p>Every year, a central interministerial meeting on combating undeclared work and unlawful employment is hosted in Bremen by the Senator of Finance.</p> <p>The police, the public prosecutor’s office, counselling centres and other institutions such as the Office for Social Services, the Bremen Central Office for the Realisation of Equal Rights for Women, the health office and women’s shelters exchange information twice a year at the Baez Round Table.</p> <p>Event-related contact and coordination formats of authorities and counselling centres (e.g. youth welfare office, BAMF, police, job centre, Office for Social Services, housing facilities, emergency accommodation, locations of homeless assistance, railway station mission, hospitals and treatment centres, various counselling centres and outreach social work facilities) are used for the purpose of awareness-raising, training and further networking of existing offers and actors who are in contact with suspected cases involving minors and adults of all genders.</p> <p><u>Lower Saxony:</u> Since 2013, Lower Saxony has represented the Conference of Interior Ministers in the Federal Government-Länder Working Group on Human Trafficking. Interministerial and interdisciplinary cooperation is undertaken on the basis of the Cooperation Decree (https://www.ms.niedersachsen.de/gewaltschutz/frauenhandel/menschenhandel-zur-sexuellen-ausbeutung-und-zwangsprostitution-13328.html) which entered into force in 2008 and was updated in July 2020. The decree regulates cooperation between the police, public prosecutor’s office, immigration and social assistance authorities, youth welfare offices, employment agencies, job centres, trade and regulatory authorities, health authorities and specialised counselling centres to protect victims of human trafficking for the purpose of sexual exploitation and forced prostitution. They can be foreign or German victims, witnesses and victim witnesses. The decree describes in detail the principles of cooperation and the tasks of the respective stakeholders in order to ensure that information is shared amongst them. Joint meetings are held at least once a year. In addition to this, interdisciplinary further training and information events are held as required.</p> <p><u>Schleswig-Holstein:</u> In 2019 and 2020, the Land Schleswig-Holstein continues to support the Counselling Centre Contra against Trafficking in Women, which is in close contact with the actors involved. At the Land level in Schleswig-Holstein, the institutions and NGOs concerned work together within the framework of the Round Table of Victim Support Organisations and, at the federal level, specifically in the Federal Government-Länder Working Group on the Prostitute Protection Act (ProstSchG). Until 2019 there was a separate working group of the Land Prevention Council for the implementation of the ProstSchG in Schleswig-Holstein. Their work has been taken up by the newly established Working Group on the Implementation of the Istanbul Convention.</p>
B.	(1) Data collection	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • The statistical recording of victim data in a database, which also includes the victim’s age, gender and origin, is undertaken in Baden-Württemberg solely in the Police Crime Statistics (PKS). In addition, the Land Baden-Württemberg collects annual case data for the Status Report on Trafficking in Human Beings and Exploitation. These anonymized data collection tools constitute the entire database for Baden-Württemberg. There is no knowledge here of a separate statistical system covering measures to protect and promote the rights of victims. • The justice system in Baden-Württemberg cannot contribute anything to the development of special statistics or a data collection system that goes beyond the existing criminal prosecution statistics, which already cover offences under sections 232-237 of the Criminal Code.

		<ul style="list-style-type: none"> • There were no significant changes in the area of data collection during the reporting period. The measures implemented so far have proved successful. <p><u>Bavaria:</u> In August 2020, the BLKA discussed for the first time in talks with the specialised counselling centres Jadwiga (Stop dem Frauenhandel Ökumenische gGmbH) and Solwodi Bayern e.V. what forms of data collection are practised there and to what extent cooperation involving the transmission of anonymised data to the police seems possible. The aim is to be able to draw conclusions about the so-called grey area (or relative unknown situation, i.e. victims who are already known to a specialist service but not to the police). This should serve to examine whether and how such victims could be motivated to cooperate with the police.</p> <p><u>Brandenburg:</u> Criminal offences are mainly recorded in the police crime statistics (PKS) (anonymised). Trafficking in human beings is what is known as a victim offence, i.e. information on the sex, age and nationality of the victims is listed along with the types of exploitation (using different crime codes). In the year 2019, two cases of THB were covered.</p> <p><u>Hamburg:</u> Specialised office for counselling, permits and registration under the Prostitute Protection Act: Data are collected on an event-related basis and in consultation with the person concerned as soon as signs of a case of human trafficking for the purpose of sexual exploitation and/or forced prostitution are identified in the counselling situation and the chain of intervention agreed with the Land Criminal Police Office (LKA) is triggered. The data are collected as a protocol.</p> <p><u>Hesse:</u></p> <ul style="list-style-type: none"> • Prostitute Protection Act: Due to the legal situation (data protection, medical confidentiality), institutional conflicts of interest and the attitude of women's associations, there is no standardised or automatic exchange with prostitutes' reporting centres and health authorities in Hesse. Only in individual cases do the law enforcement authorities exchange information with the regulatory authorities, health authorities and non-governmental organisations (NGOs). • Case numbers for human trafficking have been recorded in the police criminal statistics (PKS) since 2017. The Federal Criminal Police Office (BKA) reports human trafficking cases in its own status report. <p><u>Lower Saxony:</u> All cases of trafficking in human beings (including all forms of exploitation) and exploitation of prostitutes that are fully processed by the Lower Saxony police in 2019 and 2020 and included in the police crime statistics (PKS) are recorded in accordance with data protection regulations and are included every year in the Lower Saxony status report 'Human Trafficking and Exploitation' and in the federal status report.</p> <p><u>Schleswig-Holstein:</u> Within the framework of the ongoing needs analysis of the assistance and support system for women affected by violence in Schleswig-Holstein, the counselling needs of trafficked persons are also recorded. Otherwise, the relevant data are collected by the Land Criminal Police Office.</p>
B.	(2) Research and awareness raising	<p><u>Baden-Württemberg:</u> In Baden-Württemberg, the 'Round Table Prostitution' was launched in 2019. The aim of this Round Table is to come up with strategies for awareness rising and sensitisation. Research and evaluations are regarded as possible measures. The Prostitute Protection Act</p>

	<p>(Prostituiertenschutzgesetz, ProstSchG), which also includes the identification of THB by the reporting authorities, will be evaluated from 2022-2025 by the Federal Government. At the Round Table the participants are invited to take part in this process. Participants are the representatives of the different authorities (e.g. police, justice, public health service) as well as representatives of the counselling offices and the different NGOs. In this context, THB for the purpose of sexual exploitation is also discussed and ways of avoiding more victims are promoted.</p> <p><u>Bavaria:</u> As part of its comprehensive concept for protection from and prevention of violence, the Bavarian Land Government will also consider new types of violence, their early detection and counter-measures. To this end, it has set up an interministerial working group under the lead of the Land Bavaria Ministry of Family, Labour and Social Affairs, (StMAS), which was constituted on 10 May 2019. As part of the comprehensive concept for protection from and prevention of violence, possibilities for improvement in the areas of prevention and intervention in favour of victims of human trafficking/forced prostitution are also examined and further measures developed (see also D.).</p> <p>In the past, the BLKA has repeatedly taken the opportunity to raise public awareness by addressing relevant topics in Bavarian TV and radio broadcasts for specific target groups. One example for this is the topic of labour exploitation in the field of inland water transport, lover boy and forced prostitution, and human trafficking via the Internet. A project on the topic of exploitation for the purpose of begging is currently in the planning stage.</p> <p><u>Brandenburg:</u> In recent years, students in the bachelor's degree programme 'Law Enforcement/Police Service' at the Brandenburg Police Academy have also dealt with the subject of trafficking in human beings in their academic theses.</p> <p><u>Bremen:</u> In November 2019 the first expert meeting was held on the topic 'Challenges and effects of labour exploitation in the Land Bremen'. It was organised by the Bremen and Bremerhaven Counselling Centre for Mobile Workers and Victims of Labour Exploitation (MoBA). At this event, representatives of civil society, academia and politics discussed, inter alia, current problems in combating human trafficking for the purpose of labour exploitation with the emphasis on EU citizens.</p> <p>In addition to the target group-oriented approaching of victims, for instance via multilingual flyers in public transport or through contacts in the communities, networking and public information are important tasks of the MoBA. The specialised counselling centre also carries out active press work on the topic of labour exploitation. Its findings are published in regional and national media (for instance https://www.zdf.de/dokumentation/zdf-reportage/wutsache-mindestlohn-100.html).</p> <p><u>Lower Saxony:</u> Awareness raising and sensitisation campaigns are carried out with the support of the Lower Saxony Criminal Police Office, mainly by private organisations and civil society foundations. Various events (e.g. panel discussions with the active participation of senior political officials) also make the topic of trafficking in human beings accessible to a broad public. Recently, in September 2019, SOLWODI Niedersachsen e.V. was given permission to proactively perform outreach work in the prostitution milieu in Osnabrück. In May 2020 they started their street work. The Phoenix e.V. association, which is active in Hanover and has been counselling sex workers in Lower Saxony for 30 years, staged the swarm art project 'Strich-Code-Move' from 23 to 28 September 2019. The project drew attention to the topic of sex work and</p>
--	--

		<p>the everyday realities of sex workers were highlighted and prejudices were dismantled. The association kobra e.V. was able to put in place an additional shelter for women affected by human trafficking for the purpose of sexual exploitation in Lower Saxony for 2020 with state funding.</p> <p><u>North Rhine-Westphalia:</u> The Land North Rhine-Westphalia (Ministry of Regional Identity, Communities and Local Government, Building and Gender Equality of the Land of North Rhine-Westphalia) has produced an explanatory video on the topic of 'Human Trafficking for Sexual Exploitation/Lover boys'. It is available on social media: 'Say no! To sexual exploitation and lover boys', (Sag nein! Zu sexueller Ausbeutung und Loverboys) for example at https://www.youtube.com/watch?v=pvDKqVNINo. The target group of the video are girls and young women who are the potential victims of the lover boy method, and the general public. It is also used for educational work.</p>
C.	<p>Measures to prevent THB for the purpose of labour exploitation</p>	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • The Baden-Württemberg police force takes part in Action Days as part of the EMPACT project in this crime area. Against this backdrop, companies and locations in which or where experience has shown that exploitative work takes place, are monitored in a manner that raises public awareness. For example, monitoring activities are mainly carried out at milieu-specific locations, such as farms, the food industry, construction sites, restaurants, highways and rest areas (transport industry). • With the introduction of an auditing competence and the in-house investigative responsibility of the Financial Monitoring Unit to Combat Unlawful Employment (FKS) in the field of human trafficking and labour exploitation in 2019, an additional, effective publicity basis for combating human trafficking and labour exploitation was also created for Baden-Württemberg. <p><u>Berlin:</u> see 'training schemes'</p> <p><u>Bremen:</u> The prevention of human trafficking for the purpose of labour exploitation is an important concern of the Senate of the Free Hanseatic City of Bremen. With the establishment of the Bremen and Bremerhaven Counselling Centre for Mobile Workers and Victims of Labour Exploitation (MoBA) on 1 January 2017, the Senator for Economic Affairs, Labour and Europe closed an institutional gap in the delicate area between the state authorities and people seeking advice. The counselling centre, which is primarily geared towards EU citizens, provides support in particular for migrant workers who are looking for employment in Bremen without giving up their foreign domicile (centre of vital interests), and to victims of labour exploitation. The MoBA advises, informs and supports those seeking advice and those affected nationwide in their respective languages of origin (mainly Polish, Bulgarian, Romanian, but also German, Russian and English) on issues relating to the topic 'labour' (e.g. labour law, social security). The MoBA currently has a 2.85 (full-time equivalent) posts. Counselling is mainly provided in the established counselling centres in Bremen and Bremerhaven. In addition, outreach counselling is also provided in the social sector (communities, districts, hotspots) and in companies.</p> <p>Furthermore, support for affected persons is provided by the relevant specialised authorities within the scope of their respective responsibilities (e.g. occupational health and safety, social services office, health authority, police).</p> <p><u>Hamburg:</u> Launch of the measure to implement the specialised office from November 2017/early 2018 – specialised office for counselling, permits and registration under the Prostitute Protection Act: In 2018, two intensive two-week training courses on the areas of responsibility under the ProstSchG were held in the spring and autumn. For this purpose, the social welfare authority had developed a special training concept for internal and external officers for the expert handling of this topic in the specialised office, including a further training course conducted by the KOK e.V. on the topic of human trafficking. In the first half of 2019, further and more in-depth training courses</p>

were also held on the topic of human trafficking. In addition to this, consolidation is also ensured via webinars. At the same time, a comprehensive internal guideline on the application procedure was drawn up at the beginning of the training measures, which takes up the contents of the further training and is constantly being further developed.

Hesse:

At the federal level, specialist seminars and conferences (BKA, trade unions, etc.) were proposed during the reporting period. Round tables were held at all Hessian police headquarters to combat human trafficking and sexual exploitation. In addition to the police authorities, aid organisations (e.g. FIM, FRANKA, SOLWODI) and the local regulatory and health authorities took part.

Mecklenburg-Western Pomerania:

- One key concern of the Land government of Mecklenburg-Western Pomerania is to ensure good working conditions. One element of this is the prevention of human trafficking for labour exploitation.
- The Ministry of Economics, Labour and Health therefore supports the project 'CORRECT! – Counselling Centre for Foreign Employees in Mecklenburg-Western Pomerania and for Combating Human Trafficking and Labour Exploitation'.
- The counselling centre has a central counselling office in Schwerin and also provides outreach mobile counselling with three counsellors in seven European languages. The CORRECT! counselling centre (www.correct-mv.de) takes preventive action and provides information on minimum standards under labour law and on ways of enforcing them.
- Judges and public prosecutors in the Land are regularly offered appropriate further training courses, for example through the German Judicial Academy (DRA). In addition, there were several opportunities to exchange information, for instance with the police.

Lower Saxony:

With reference to sections C. and thereafter D. of the recommendations, especially with regard to the sensitisation of the public and immigrant workers called for there, as well as for the identification of victims of human trafficking, the Land Lower Saxony has now set up five counselling centres for mobile workers. The last of these centres was created in Oldenburg in May 2020. The funding of all counselling centres is expected to continue after 2020, too. One of the conditions for support will be that care will be taken of individuals who could also be affected by trafficking for the purpose of labour exploitation. In addition, the Lower Saxony Ministry of Economics, Labour, Transport and Digitisation is currently examining ways of coordinating the different tasks in the fight against human trafficking.

North Rhine-Westphalia:

- In North Rhine-Westphalia, counselling projects supported by the federal and Land governments – with Land and ESF funding – have been up and running for more than seven years. They provide native-language advice on labour and social law issues for EU citizens affected by labour exploitation. One key component of these projects is that they provide advice on the spot, during consulting hours, by telephone or electronically, if possible in the person's native language. The projects work closely with the trade unions and other relevant actors.
- These services will be supplemented from 2021 by the counselling centres for the unemployed. As 'Counselling Centres for Employment', they are to become increasingly active in providing advice and support to combat labour exploitation – also in view of their many years of experience in advising people in precarious jobs. These new 'Counselling Centres for Employment' and the existing counselling projects for fair mobility and free movement of workers funded by the federal and Land governments will be developed into a Land-wide counselling network.
- In addition to counselling services, the Ministry of Labour, Health and Social Affairs of the Land North Rhine-Westphalia has been providing online multilingual information material on occupational health and safety for employees in the meat industry since July 2019. Moreover, since July 2019, all employees have also been able to submit anonymous complaints online.

		<p><u>Saarland:</u> Counselling centre for migrant and mobile workers: In May 2018, the counselling centre for migrant and mobile workers was set up in Saarland. The counselling centre has two counsellors who are native speakers of Romanian, Hungarian, Bulgarian and English. The main aim of the counselling centre is to improve the situation of migrant and mobile workers who work or want to work in the Saarland. Advice is given to employees and unemployed people with a migration background from eastern European countries who are staying and/or are employed in the Saarland. This includes in particular:</p> <ul style="list-style-type: none"> • Workers who wish to exercise their right to free movement and who are employed directly in Germany or work through temporary employment agencies. • Seconded workers (under the freedom to provide services), who usually find employment under cross-border contracts for work and services • Seasonal workers in the agricultural sector/hospitality sector and workers in cross-border road transport and haulage. • Employees engaged in self-employment/registration of a trade under the freedom to provide services and freedom of establishment. <p>The counselling centre has the following main tasks:</p> <ul style="list-style-type: none"> • Advice on labour and social law, support and information work (on-site advice as well as mobile/outreach advice) • Qualification/training of multipliers as required • Networking/cooperation • Policy advice • Public relations and prevention • Reporting obligations/statistics <p>The counselling centre for migrant and mobile workers is located at the Saarland Chamber of Employment in the staff unit 'Cross-border projects'. It receives annual funding amounting to EUR 180,000 from the Saarland Ministry of Economic Affairs (also during the reporting period).</p> <p><u>Saxony-Anhalt:</u> For 20 years, Saxony-Anhalt has supported VERA, the specialised counselling service against trafficking in women, forced marriage and violence in the name of honour, with a steadily increasing budget of currently EUR 192,200. VERA regularly stages further training courses. The specialised counselling service identifies where there is a need for changes in dealings with victims and suggests improvements in an exchange with decision-makers and funding bodies. For 2020/2021, three percent of the general cost increase has been taken into account in the annual funding. Due to the growing number of cases, the Land supports upgrading to a permanent additional staff position. In implementing the Council of Europe Convention on Action against Trafficking in Human Beings and the Istanbul Convention, it is essential to broaden and strengthen public awareness, further training and prevention. This includes the announcement of the range of services offered by the VERA specialised counselling service to the expert community in the help system and the general public, the implementation of prevention offers, initial training courses, further training, expert meetings and sensitisation activities. Increased awareness of this issue among authorities, counselling services and institutions facilitates clients' access to the help system.</p> <p><u>Schleswig-Holstein:</u> Together with the DGB 'fair mobility' and 'fair integration' counselling centres, the specialised counselling centre Contra provided multilingual information for employees in December 2019.</p>
--	--	--

		<p><u>Thuringia:</u> The training and examination of legal practitioners (future judges and public prosecutors) in Thuringia also cover the area of criminal law in 2019 and 2020, including the provisions on the criminal nature of human trafficking. This topic is also addressed in initial and further training for the police.</p>
D.	(1) Measures to prevent trafficking in children	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • The well-being of children and awareness of different types of child trafficking are important concerns. The occupational professionalization of teachers is therefore increasingly focused on democracy and human rights education. The overall goal is to raise awareness of fundamental human and children’s rights and their violation, for instance through extremist ideologies. • The curriculum of schools in Baden-Württemberg reflects the need to raise awareness of THB: school education in Baden-Württemberg is guided by the principles of sustainable development, tolerance, prevention and health promotion, occupational orientation, media education and consumer education. Raising awareness of THB fits with most of these guiding principles, and consequently raising awareness of THB is a basic concern of school education in general. In particular, the subject of raising awareness of THB will be part of ethics, geography and social studies. Although the subject of human trafficking is not explicitly mentioned in the curriculum of the vocational college for social pedagogy and the vocational school for childcare, a link can be established to the topics of 'human rights' and can therefore be discussed in these contexts. Classes in ethics, social studies and the theory of religions are particularly suitable. This also applies to the area of vocational schools. As part of media education, students focus on the new challenges of a media society and acquire the skills needed to make use of modern technology in a meaningful, reflected and responsible way. Media competence is not confined to a single subject, but is a major concern of school education in Baden-Württemberg. This is why the risks and dangers of the internet/social networks and the danger of being recruited for various (abusive) purposes will be covered in numerous subjects (e.g. social studies, religious education, ethics, foreign languages or IT). There are several schools in Baden-Württemberg which offer a course on media competence. This course is often run by educational partners, e.g. media experts seconded by the local police. • The youth welfare office of the Länder have the legal mandate to train skilled labour in the welfare system (section 85 Book Eight of the Social Code). Trafficking in children and its prevention is a regular topic in skill enhancement for child welfare professionals and other related careers. The professionals can also seek help when confronted with a case. The training courses, which likewise cover the dangers of social media and special risks for unaccompanied minor refugees, lead to increased awareness of this topic. <p><u>Bavaria:</u></p> <ul style="list-style-type: none"> • The state-funded specialised counselling centres Jadwiga (Stop dem Frauenhandel Ökumenische gGmbH) and Solwodi Bayern e.V. carry out public relations and educational work, among other things, on the lover boy method. As part of its comprehensive concept for protection from and prevention of violence, the Bavarian Land Government will also consider new types of violence, their early detection and counter-measures. To this end, it has set up an interministerial working group under the lead of the Land Bavaria Ministry of Family, Labour and Social Affairs (StMAS), which was constituted on 10 May 2019. Within the framework of this comprehensive concept for protection from and prevention of violence, possibilities for improvement in the areas of prevention and intervention to benefit victims of human trafficking/forced prostitution will also be elucidated and further measures developed (see also B). <p><u>Brandenburg:</u> Migrants and refugee children: As minors are considered to be in need of special protection according to Article 21 of the EU Reception Conditions Directive, special attention is paid to this group. This is done primarily through migration social work(ers).</p>

		<p>The organisation IN VIA e.V. also runs workshops and discussion groups for employees of institutions for unaccompanied minor refugees.</p> <p><u>Hamburg:</u> 2019 update: As part of the implementation of the Federal Cooperation Concept 'Protection and help in cases of trafficking in and exploitation of children', a cross-Länder workshop was held in 2019 to raise awareness among experts from the fields of schools, prosecution and child protection (Bremen and Hamburg). Berlin, Bremen and Hamburg are also planning to cooperate more closely to ensure the cross-Länder protection of children. An information event for employees of the Hamburg child and youth welfare office is also planned, as well as the establishment of a counselling centre for minors affected by human trafficking in all types of exploitation, relatives and other private individuals and experts. The go-ahead for this counselling centre is still pending.</p> <p><u>Thuringia:</u></p> <ul style="list-style-type: none"> • The Thuringian Institute for Teacher Training, Curriculum Development and Media (ThILLM) organises numerous further training events on this topic. These are staged centrally and regionally. For this purpose, each school has its own further training budget and can use it to organise internal training courses. • In the subjects ethics, social studies and history (The topic 'human trafficking' runs through the entire history from antiquity to the present day. Consequently, this topic is particularly relevant in the history curriculum) – the 'classical' subjects with regard to the topic – there are diverse connecting factors to address trafficking in human beings and its various facets. The topic is also addressed in other subjects, for instance in corresponding texts in German classes. • If the authorities know the persons concerned (e.g. in the case of toleration or asylum procedures), the birth of the children of asylum seekers is registered based on the knowledge available here. Births to persons unknown to the authorities are a problem.
D.	(2) Identification of and assistance for child victims of THB	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • The above-mentioned (see B.) training courses raise awareness about trafficking in children. This means that skilled workers will be able to identify victims more easily. • The youth welfare offices of the Länder bear overall responsibility for child and youth welfare. They have to make sure that the system has sufficient capacity in the child welfare infrastructure. • Every single unaccompanied minor refugee will be run through a clearing process prior to being taken into custody. During this process all of his or her personal needs will be checked. Every minor will be assigned a legal guardian. • In addition, official entities of the responsible authorities, such as immigration authorities, youth welfare offices and the Federal Office for Migration and Refugees (BAMF), which are usually the contact points for unaccompanied and separated foreign children, share any suspicions with the Baden-Württemberg police at an early stage so that the basis for investigation can be created. <p><u>Bavaria:</u></p> <ul style="list-style-type: none"> • In implementation of Directive 2013/33/EU (EU Reception Conditions Directive), the Free State of Bavaria has been working since 2019 on a standardised concept for the identification of persons in need of protection (including victims of human trafficking) upon admission to arrival, decision and return (AnKER) facilities (see also F.). • Due to the extended responsibilities of the Financial Control of Undeclared Work (FKS) in the fight against human trafficking (labour exploitation), there are plans for cooperation talks and possibly a cooperation agreement between the field of human trafficking and exploitation and the customs administration. Due to the current corona situation, however, it has not been possible to hold these meetings so far. Together with the BKA specialist unit 41, the BLKA specialist unit 533 is involved in regular training and further training events organised by the Federal Office for Migration and Refugees (BAMF). One of the aims of these events is

		<p>to raise the awareness of BAMF staff to help them recognise potential victims of human trafficking/exploitation during their asylum hearings and then be in a position to offer assistance and support measures.</p> <p><u>Berlin:</u> In order to combat human trafficking to the detriment of children, the following measures have been taken or are planned by the Senate Department responsible for youth in Berlin since June 2019:</p> <ul style="list-style-type: none"> • With the new implementing regulation on child protection, which came into force in June 2020, specified indicators for the identification of a threat to a child's welfare have been included in the child protection forms of the youth welfare offices in Berlin. Consequently, the offence of trafficking and exploitation of children is now regularly taken into account by the staff of the youth welfare offices when assessing the risk to a child's welfare. • A series of further training courses on the subject of child trafficking is planned for 2021 for employees of the youth welfare offices. • The reissued guidelines on child protection (published in October 2020 and then implemented on an ongoing basis) – Cooperation between schools and youth welfare services – also addresses the issue of trafficking and exploitation of children and mentions it in the risk assessment indicators. • In 2020, the Social Pedagogical Further Training Institute Berlin-Brandenburg is to stage a training course on sexualised violence against refugee children in the context of asylum accommodation, which will also address the aspect of child trafficking. • In addition, there are plans to raise the awareness of the staff of the Land Office for Refugee Affairs (staff of the social services and quality assurance) about topics of children's rights and child protection for the last quarter of 2020. Here the topics of trafficking and exploitation of children are taken into account by the training provider. • The Senate Department for Education, Youth and Family Affairs, which is responsible for the protection of children, is currently in close contact with the department of the Land Berlin Criminal Police Office responsible for human trafficking. Among other things, we are currently focusing on the topic of clan crime and the involvement of minors in the family in order to establish suitable procedures for cooperation between the two offices. For the forthcoming year 2021, Berlin will focus on implementing the Federal Cooperation Agreement, and then plan and implement corresponding related cooperation measures. • The Berlin specialised counselling centres of the Child Protection Network all have specific counselling services that take into account organised crime in the context of sexual violence. This ensures that adequate social support and psychotherapeutic care is on hand when minors are identified as victims of child trafficking. • In addition, the Land Berlin is involved at the federal level in the established working group 'Exploitation and International Cooperation' of the National Council on Combatting Sexual Violence against Children and Adolescents, which was newly constituted in December 2019. <p>The Senate Department of the Interior has added the following concept for the police: LKA 424, in coordination with LKA Prevention, has developed a prevention concept to combat the sexual exploitation of underage male Romanians who are forced to work as homosexual prostitutes and exploited in Berlin from within their own family structures. The aim of the concept – in addition to repression – is to identify underage sexually exploited victims of human trafficking and forced prostitution as early as possible and to remove the structures that may provide opportunities to commit this crime, inter alia through intensive public relations work, awareness-raising and training of all authorities and NGOs involved, and publication of offers of assistance for the victims.</p> <p>The concept has been in place since July 2020. It initially envisages a project duration up to July 2022 and includes close cooperation between the LKA 424 and all authorities and other institutions of relevance for this phenomenon, including</p> <ul style="list-style-type: none"> • Local responsible police stations for identified priorities (patrol service, prevention officers, service groups)
--	--	--

		<ul style="list-style-type: none"> • Immediate criminal investigation and officers responsible for the area of violence against lesbian, gay, bisexual, transgender and intersex people (LGBTI) in the local directorates • LKA Prev (prevention) including the central LGBTI officers • 'Interface services', e.g. LKA 13 responsible for sexual offences, LKA 26 responsible for pickpocketing with a view to identifying victims of trafficking • NGOs and crisis institutions • District offices, youth welfare offices, emergency services for children and young people, regulatory authorities • International social services • In the planning stage: family courts <p>In addition, LKA 42 is a project partner in the ISF project 'THB LIBERI 2018-2021' initiated by the BKA. With the participation of various German police services and the BKA Vienna, it aims to combat human trafficking and exploitation to the detriment of children, young people and adolescents in Germany and Europe. It focuses on</p> <ul style="list-style-type: none"> • Exploitation of minors and adolescents in connection with the Internet - 'Trafficking in Human Beings 2.0' • Exploitation by family clans • Alternatives to personal evidence U21 <p>Within the framework of the project, there is also an extensive exchange of experience and close cooperation with representatives of the judiciary, various NGOs and other organisations dealing with the issue of trafficking in human beings, as well as with experts in charge of individual topics.</p> <p><u>Brandenburg:</u> Rollout of the federal cooperation concept 'Protection and help in cases of trafficking in and exploitation of children'. This includes recommendations for cooperation between the youth welfare offices, police, counselling centres and other actors to identify and protect children as victims of trafficking in human beings. Plans exist to create an interdisciplinary round table on the phenomenon as well as in-house training courses for relevant authorities.</p> <p><u>Hamburg:</u> See contribution to the urgent recommendation on child trafficking.</p> <p><u>Hesse:</u></p> <ul style="list-style-type: none"> • The topic of children in the context of human trafficking was addressed from a scientific angle in a research report (7/19) commissioned by the BKA. A central finding of the research on child trafficking in Germany/Hesse is that the EU Directive 2011/36 has not yet been fully implemented. No preliminary investigations from Hesse are known in this context. • During the reporting period, internet searches on relevant sites were carried out by the police headquarters in order to detect underage victims. An incident-based procedure for the protection of affected children is carried out by the initially competent authorities, in this case the municipal youth welfare office. • Prevention programmes in the area of the 'lover boy' phenomenon are run by private providers in school classes and youth facilities. <p><u>Mecklenburg-Western Pomerania:</u> Child trafficking is a phenomenon that scarcely manifests itself at all in terms of numbers in Mecklenburg-Western Pomerania. This is also confirmed by the BKA status report of 2018. With seven initiated preliminary investigations, Mecklenburg-Western Pomerania is one</p>
--	--	--

		<p>of the Länder in which the number of cases is very low. Nonetheless, the Land Government was prompted by the Federal Cooperation Concept 'Protection and help in cases of trafficking and exploitation of children' of the BMFSFJ to raise public awareness of this topic. Furthermore, it can be assumed that any cases that may arise will be taken into account at local level within the framework of interdisciplinary networking pursuant to section 4(3) Act on Cooperation and Information in Child Protection (KKG) and that appropriate assistance will be initiated. The basis for this is the procedure according to section 8a Book Eight of the Social Code (SGB VIII).</p> <p><u>Saxony:</u> Since January 2019, the Free State of Saxony has contributed to the funding of the State Coordination Office for Medical Child Protection at the Land Medical Association. This office coordinates the work of the child protection groups in the hospitals and takes it further.</p> <p><u>Saxony-Anhalt:</u> The VERA specialised counselling service has established contact with the youth welfare office of the city of Magdeburg to provide advice to skilled workers in Saxony-Anhalt. With the interface in the child protection and early assistance network KIMA Magdeburg, VERA has given advice on issues such as human trafficking, abduction and forced marriage since 2019.</p> <p><u>Thuringia:</u> The Thuringian youth welfare offices are informed about the guidelines. This topic was also the subject of further training by ECPAT e.V. in 2019.</p> <p><i>Provision of training:</i></p> <ul style="list-style-type: none"> • In cooperation with ECPAT Deutschland e.V., a further training course entitled 'Multiprofessional Focal Workshop against (sexual) exploitation of minors and trafficking in children' was organised in January 2020. The target group included the Thuringian youth welfare offices, child and youth welfare services that care for unaccompanied minors, and the Thuringian child protection services. • Furthermore, in May 2020, ECPAT e.V. proposed additional courses for the above-mentioned target groups on the topic of 'Identifying and dealing with children and young people as potential victims of human trafficking' – because of the corona pandemic as webinars. • Another symposium on the topic of 'Identifying and Acting on Human Trafficking in Thuringia' will be held on 6 October 2020. <p><i>Training of trainers:</i> The topic of child protection is taken up both in the initial phase of employment and in general further and advanced training (counselling trainings) as well as in managerial staff development. It comprises the exploitation and maltreatment of children, including human trafficking as an extreme form. Furthermore, the Thuringian Institute for Teacher Training, Curriculum Development and Media (ThILLM) provides on-demand offers on the subject of child protection (primarily section 55a). Should further needs be identified beyond this, they can be notified at any time in the needs assessment module. Based on these notifications, the ThILLM can then organise further training courses on individual focal points (naturally also on human trafficking).</p> <p><i>Provision of support and services</i> If children who have been victims of child trafficking come to the attention of the youth welfare offices and further care and accommodation are needed, sufficient care places, including the necessary support services, are available in youth welfare facilities.</p>
--	--	--

		<p><i>Accompaniment during criminal proceedings</i> In Thuringia, 20 counsellors are on hand to offer psychosocial accompaniment during criminal proceedings (cf. section 406g Code of Criminal Procedure, StPO) in 2019 and 2020, too. Some of them focus on children, young people and victims of human trafficking.</p> <p><i>Timely appointment of guardians</i> During temporary taking into custody pursuant to section 42 a Book Eight of the Social Code, the youth welfare office must perform all legal acts that are necessary for the welfare of the child or young person (section 42 a paragraph 3 sentence 1 Book Eight of the Social Code). It is therefore – in this respect – the provisional legal representative of the unaccompanied minor(s).</p> <p>However, the youth welfare office is duty bound according to section 42 paragraph 3 sentence 4 Book Eight of the Social Code to promptly organise the appointment of a guardian or carer. If minors (including unaccompanied minors) cannot be cared for by their parents, a guardian/carers will be appointed by the family court in accordance with section 1773 ff. Civil Code (BGB) for the purpose of legal representation.</p>
D.	(3) Care arrangements for unaccompanied and separated children	<p><u>Berlin:</u> See 'identification and support for child victims of THB'</p> <p><u>Brandenburg:</u> Within the youth welfare service, unaccompanied foreign minors receive assistance with education, accommodation, support and care. Its services are of a high standard and are adapted in each case to the minor's individual needs. Assistance and support are usually provided in live-in youth welfare facilities (section 34 SGB VIII) or qualified foster families (section 34 SGB VIII) child and youth welfare (section 45 SGB VIII). In addition, a personal guardian is appointed for each unaccompanied foreign minor child or adolescent, who independently represents the interests of the child/adolescent. Furthermore, at the local level of the municipal youth welfare offices in cooperation with international actors, it is examined whether adoption is a possible option as a suitable form of care and living for children who have been separated from their families. Furthermore, vulnerability to child trafficking will be countered by non-recognition of an adoption decision under the new Adoption Assistance Act (expected to come into force on 1 October 2020).</p> <p><u>Saarland:</u> <i>Central clearing group for unaccompanied foreign female minors in the Elisabeth Zillken house of the social services for Catholic women (Elisabeth Zillken Hause des Sozialdienstes katholischer Frauen (SkF - Ortsverein Saarbrücken e.V.)</i> In January 2017, a central clearing group for unaccompanied female minors was created in the field of youth welfare with five places for female unaccompanied minors. This is the Land's response to the special protection needs of a growing number of female minors who have fled their home country without their parents, and have often experienced violence while fleeing. In this context, the Saarland has decided to exclude unaccompanied female minors from being sent on to other federal Länder. After completion of pre-clearing, the girls are immediately taken into care by the youth welfare office of the regional association and are accommodated in the Elisabeth Zillken House in the rooms specially prepared for the new clearing group. Socio-educational care is provided by experienced professionals. The central focus of the clearing procedure is – in addition to medical care, participation in a language course and clarification of school eligibility – the determination of socio-educational needs which will enable the youth welfare office select a suitable youth welfare reception facility. Up to now, it has received annual funding from the Land amounting to EUR 250,000.</p> <p><u>Thuringia:</u></p>

		<p>The provisions in Book Eight of the Social Code (SGB VIII) apply to the accommodation of unaccompanied minors, in particular sections 42, 42a ff. Book Eight of the Social Code. Unaccompanied minors are cared for in facilities of the youth welfare services. They receive corresponding health care services in accordance with section 40 SGB VIII (in congruence with children and adolescents insured via the public health insurance). To this end, the unaccompanied minors are already registered with health insurance and nursing care insurance funds at the time of temporary custody (section 264(2) SGB V). Access to school education is secured and is supported by various accompanying measures.</p>
F.	<p>Identification of victims of THB</p>	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • The guidelines for cooperation between the authorities and counselling services in Baden-Württemberg to improve the protection of victims of THB for the purpose of sexual exploitation were drawn up in 2005 and updated in 2017 as a basis for managing the numerous responsibilities of the multi-agency and multi-sectoral cooperation. The government also drew up an action plan to combat violence against women in 2014. It likewise has a section on THB for the purpose of sexual exploitation. This is an ongoing task. • Since 2009 three counselling services that provide advice for the victims of THB for the purpose of sexual exploitation have benefited from annual funding from the government, totalling around EUR 310,000 annually. . As experts on THB, they regularly organise awareness-raising training courses and conferences. 2021, a new funding programme will be implemented, which schedules the regular funding of the counselling services, so that more than the mentioned three counselling services can benefit. • Furthermore, Baden-Württemberg has published a guideline on dealing with human trafficking for the purpose of labor exploitation. This purpose of this guideline is to monitor labour exploitation. It was posted online in the autumn of 2019. • Since 1 January 2020, Baden-Württemberg has provided ESF funding for two institutions. These institutions provide advice and establish a network of responsible entrepreneurs in cooperation with the Federal Employment Agency (Bundesagentur für Arbeit). In 2019, the "Round Table of Human Trafficking for the Purpose of Labor Exploitation" was convened in Baden-Württemberg in order to bring together all those involved and thereby better help victims. <p><u>Bavaria:</u></p> <ul style="list-style-type: none"> • In the course of implementing Directive 2013/33/EU (EU Reception Conditions Directive), the Free State of Bavaria has been working since 2019 on a standardised concept for the identification of persons in need of protection (including victims of human trafficking) on their admission to AnKER (arrival, decision and return) facilities (see also D.). • Due to the extended responsibilities of the Financial Control of Undeclared Work (FKS) in the fight against human trafficking (labour exploitation), there are plans for cooperation talks and possibly a cooperation agreement between the field of human trafficking and exploitation and the customs administration. As a consequence of the current coronavirus situation, however, it has not been possible to hold these meetings up to now. • Other seminars and further training events are in the planning stage. • In order to protect and support children – regardless of the underlying crime – cooperation between the police and other actors, including procedures, etc., were laid down in writing in police department regulatory letters. The implementation of these regulations is regularly evaluated at the police department level and existing regulations are adjusted if necessary. • On the subject of raising public awareness, please refer to the answer to point B. with the target group-oriented contributions on TV and radio. • For 2019 and 2020, the budget allocation for the support of the specialised counselling centres Jadwiga ((Stop dem Frauenhandel Ökumenische gGmbH) and Solwodi Bayern e.V. as well as the housing project Scheherazade (Stop dem Frauenhandel Ökumenische gGmbH) - (for victims of forced marriage) was increased by EUR 250,000 a year to a total of EUR 850,000 a year within the framework of the Land Bavaria government's comprehensive concept for protection from and prevention of violence (see also support/protection of victims.) The specialised counselling centres supported by StMAS provide advice and support in 'women's cafés' at several locations in Bavaria. They cooperate with AnKER centres. In this context, attempts are made to identify

victims of human trafficking. The specialised counselling centres also support the identification of trafficking victims through intensive public relations work. Victims of human trafficking are likewise referred to the specialised counselling centres by the police authorities or the Federal Office for Migration and Refugees (BAMF), among others.

Berlin:

- The Berlin specialised counselling centres for victims of human trafficking (both for the purpose of sexual exploitation and labour exploitation) continue to make an important contribution to identifying victims of human trafficking by offering further training for different institutions and occupational groups (e.g. multipliers in work with refugees, people working in job placement, etc.). Reference is made to earlier statements in the context of monitoring and to the comments in section J.

Brandenburg:

- The Land Brandenburg promotes the creation of regional and nationwide networks of potential stakeholders (authorities, health authorities, police, regulatory bodies and counselling centres). The 'Migration and Good Work Unit' stages workshops in various areas of Brandenburg for the benefit of authorities and NGOs involved in the identification of victims of labour exploitation. On the basis of practical examples, processes are outlined and responsibilities are discussed. The goal of this type of workshop is to build trust between the various parties involved and to establish cooperation structures.
- In its concept for the identification and consideration of the interests of persons in need of protection within the meaning of Article 21 ff. Directive 2013/33/EU, the Central Immigration Authority has established a procedure for the initial reception centre of the Land Brandenburg for the identification of persons in need of protection: 'The asylum seekers have an opportunity to point out their special needs as defined in Article 21 of the Directive 2013/33/EU in writing and orally already during the course of their registration. This is done by means of a questionnaire and (if necessary) with the help of an interpreter. If a special need for protection is indicated, a further admission interview/screening will take place. In a session lasting about twenty minutes, specific questions (including questions on personal medical history, current sensitivities, medication intake) are used to record specific criteria that indicate a special need for protection or assistance.) This results, for example, in a 'procedural need'. This is the case, for instance, if the asylum seeker belongs to a group for whom the Federal Office for Migration and Refugees (BAMF) employs specially trained decision-makers (e.g. victims of torture, trafficking in human beings etc. or unaccompanied minors). The BAMF is then informed accordingly via the police special services. At the same time, the social service of the German Red Cross (DRK) is informed if, for example, special assistance is required for the creation of files or further procedural steps.
- During the distribution of the refugees from the initial reception facility to the administrative districts and independent cities, the data collected beforehand are transmitted to the responsible authorities, so that an appropriate response can be made in the event of already identified protection needs. If the Central Immigration Office (ZABH) has not been able to identify any particular need for protection, the specialist counselling service is – as already mentioned – responsible (subsequent identification; reference to J. in its capacity as the intended 'specialised counselling centres dealing with the identification of victims of trafficking among asylum seekers').
- If there are signs of trafficking in human beings, the ZABH protection concept generally provides accommodation that meets individual needs in order to prevent retraumatisation. In addition, the authorities' own psychosocial service is available to those affected (including psycho-diagnostics, emotional counselling to stabilise the situation, individual or family psychological counselling, and referral to relevant bodies). The psychosocial service notifies the Federal Office for Migration and Refugees (BAMF). The social service of the hostel provider commissioned by the ZABH is also informed if, for example, special assistance is required in creating files or further procedural steps. The psychosocial service will pass on information in consultation with the client (release from the duty of confidentiality is required). The person concerned also has an opportunity to seek a session with the violence protection officer.

- The cooperation between the authorities (here ZABH and the districts) is constantly being improved, among other things, by the preparation of the above-mentioned concept of ZABH in the first quarter of 2020 and by regular exchanges through rounds of experience organised by the state.
- In addition to the regular health care system, in the funding period 2020-2021 the MSGIV uses project funds to finance selected institutions which, among other things, offer psychosocial and health counselling as well as support for refugees. Here, traumatisation and psychosocial stress etc. can be addressed in various ways through individual or group counselling (low-threshold). If necessary, refugees can be referred on.

Minors:

In international adoption procedures the identity of the children is established and verified. In cases of doubt, recourse is made to a document verification procedure. The data of children and applicants are compared by the authorities involved. The aim is to further improve the good cooperation with the German Foreign Office, embassies and immigration authorities.

Hamburg:

Specialised office for counselling, permits and registration under the Prostitute Protection Act:

Registration as a prostitute includes a prior health consultation in accordance with section 10 ProstSchG and an information and counselling session at the specialised office. The information and counselling session covers basic information on the legal situation, sickness insurance cover, social security cover, and information on assistance and counselling services, especially in emergency situations. If the counselling session identifies a specific need for counselling and support, further assistance is provided as part of the registration procedure. If, in the course of the registration process, there are concrete indications of human trafficking or forced prostitution, appropriate intervention steps are taken to protect the persons concerned (section 9 ProstSchG), in particular by bringing in the Coordination Centre Against Trafficking in Women (KOOFRA e.V.) and by contacting the police (see inter alia printed paper (Drs.) 21/11140). So far, the chain of intervention developed in cooperation with the Office of Interior Affairs and Sport (BIS), the Land Criminal Police Office (LKA) and KOOFRA e.V. has been triggered in nine cases of suspected human trafficking or forced prostitution, as the persons concerned manifested a state of emergency or distress. One positive aspect is that all persons took their concerns to the specialised office and also had extensive contacts with the specialised counselling centres or the LKA. Indirect effects whereby victims are increasingly turning directly to counselling centres cannot be ruled out either.

Hesse:

In the reporting period, the BKA initiated non-event-related specific controls in conjunction with the EMPACT Control Days, in which Hesse has participated in recent years. In addition, depending on the structure of the police departments, priorities were set and regional control actions were carried out.

Lower Saxony:

Interministerial and interdisciplinary cooperation is taking place on the basis of what is known as the Cooperation Decree (<https://www.ms.niedersachsen.de/gewaltschutz/frauenhandel/menschenhandel-zur-sexuellen-ausbeutung-und-zwangsprostitution-13328.html>). It entered into force in 2008 and was updated in July 2020. The decree regulates cooperation between the police, public prosecutor's offices, immigration and social assistance authorities, youth welfare offices, employment agencies, job centres, trade and industry and regulatory authorities, health authorities and specialised counselling centres for the protection of victims of trafficking for sexual exploitation and forced prostitution. The individuals concerned may be foreign or German victims, witnesses and victim witnesses. The decree sets out in detail the principles of cooperation and the roles of the relevant stakeholders to ensure that information is shared. Joint meetings are held at least once a year. In addition to this, interdisciplinary further training and information events are organised in line with needs.

		<p><u>Schleswig-Holstein:</u> The specialised counselling centre Contra has carried out training courses for staff from the asylum reception centres. The specialised counselling centre Contra is funded annually by the Land Schleswig-Holstein.</p> <p><u>Thuringia:</u> The legal bases for the treatment of victims of trafficking are in particular:</p> <ul style="list-style-type: none"> • DIR 2011/36/EU (Trafficking in Persons Directive) Article 11: Member States are obliged to ensure support for victims. • Directive 2013/33/EU (Reception Conditions Directive) of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180 of 29 June 2013, p. 96) • Articles 21/22: Member States are duty bound to systematically identify the special protection needs of asylum seekers and to act accordingly. <p>In this respect, victims of human trafficking rank among those particularly in need of protection. According to Annex 1 to section 1(1) of the Thuringian Ordinance on minimum conditions for the operation of communal accommodation and the social care and counselling of refugees and asylum seekers (Thüringer Verordnung über Mindestbedingungen für den Betrieb von Gemeinschaftsunterkünften und die soziale Betreuung und Beratung von Flüchtlingen und Asylsuchenden, ThürGUSVO) of 15 August 2018, accommodation in communal accommodation will take into account the special need for protection of persons under Directive 2013/33/EU. This also includes victims of human trafficking. After identifying persons in special need of protection, the necessary measures for adequate accommodation are to be taken and information on specific counselling and support services is to be provided. These provisions of the Ordinance, which entered into force on 1 September 2018, continue to apply up to the present point in time and also for the duration of the validity of the Ordinance.</p> <p>In addition, victims of human trafficking are taken into account in the violence protection concept of the reception centre (EAE) in Suhl (as of December 2019). On the one hand, it is the task of the staff, both in the medical field and in the field of social counselling and care, to always look for signs of a special need for protection in all persons in such accommodation and to provide support on a case-by-case basis. On the other hand, within the framework of social care for the refugees, information events are to be held in coordination between the management of the facility and the social services, and information material is to be made available which, among other things, explains the prohibition of human trafficking.</p> <p>The need for a specialised counselling centre in Thuringia must be decided across all ministries. The basis for such a decision is, among other things, the <i>status report on human trafficking</i> of the BKA or LKA.</p>
G.	Education and training of relevant professions in THB	<p><u>Baden-Württemberg:</u></p> <ul style="list-style-type: none"> • The counselling offices with the necessary expertise organise online seminars and training courses intended for all relevant professionals. • If, for example, judges and prosecutors are listed as relevant professional groups (also with regard to organ trafficking) and their training and further training are recommended, we can only take note of GRETAS' view. The initial and further training of the judicial professional groups (legal practitioners) is primarily structured in the form of two Land law examinations lasting several years. This training continues throughout their professional lives, for instance, in the German Judicial Academy depending on the current use. Courses specifically designed to improve the fight against human trafficking are also possible. Many public prosecutor's offices have special departments that likewise focus on offences related to human trafficking. For the particularly sensitive area of sexual offences, special departments have been set up in the public prosecutor's offices, staffed by particularly experienced public prosecutors.

	<p><u>Berlin:</u> In 2019, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking staged two training courses for the staff of the Financial Control of Undeclared Work unit set up at the Berlin Main Customs Office (with the support of the Berlin Criminal Police Office, the Berlin Public Prosecutor's Office and the specialised counselling centres BanYing and BEMA), in which the General Customs Directorate was also represented.</p> <p>At the beginning of 2020, the above-mentioned service centre explained the indicators for identifying labour exploitation, forced labour and human trafficking to representatives of interested Berlin public procurement offices at a (non-public) expert conference organised by SenIAS on the topic of 'Prevention of undeclared work, unlawful employment and labour exploitation in public procurement'. On the basis of this indicator checklist, BEMA, which is funded by SenIAS, presented current cases from counselling practice at the aforementioned conference.</p> <p>On the occasion of the 29th coordination consultation of the working group 'Combating undeclared work and unlawful employment in Berlin and Brandenburg' in November 2019 with the main focus on the topic 'Combating forced labour, human trafficking and labour exploitation - Legal possibilities, experiences and obstacles in practice', all state actors involved in the fight against undeclared work and unlawful employment in the Länder of Berlin and Brandenburg have been informed about the indicators of labour exploitation, forced labour and associated human trafficking. They have also been informed about the work of the specialised counselling centres in both Länder (Berlin: BanYing and BEMA, Brandenburg: Specialist Office for Migration and Good Work) and about the tasks of the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking set up at the BMAS.</p> <p><i>On the recommendation: Raising the awareness of the health care system about trafficking in human beings for the purpose of organ removal</i></p> <p>Section 8 of the Transplant Act (Transplantationsgesetz, TPG) lays down strict guidelines on the conditions under which living donation is permitted in order to prevent organ trafficking and the associated crime. The donation of organs by living donors is monitored by a commission at Land level, which specifically examines whether coercion is used or whether a donation is to be made in return for remuneration. In Berlin, the commission is based at the Berlin Medical Association.</p> <p>According to section 9b TPG, hospitals that recover organs must appoint at least one medical transplant officer who is professionally qualified to perform his or her duties. The corresponding qualification measure is organised by the Berlin Medical Association. The curriculum contains various modules, including a large block on ethical issues. This unit deals with organ trafficking, also in connection with trafficking in human beings. The issue is also addressed in the teaching unit on statistics.</p> <p>According to information from the German Heart Institute Berlin (DHZB), which is approved as a transplant centre for the organs heart and lung, there are no contacts or cooperation with China or other countries, such as Pakistan, the Philippines, Costa Rica, which are suspected of illegally exporting organs.</p> <p><u>Brandenburg:</u> A) <i>All relevant specialists</i> The association IN VIA e.V. funded by the Land Brandenburg Ministry for Social Affairs, Health, Integration and Consumer Protections (MSGIV) organises awareness-raising discussions, round tables and specialist conferences on the subject of trafficking in human beings for relevant authorities and NGOs who may potentially come into contact with victims of/persons affected by trafficking in human beings. Since the second half of 2019 these have included expert conferences for authorities in the context of the Protection of Prostitutes Act, as well as planned expert conferences for staff in counselling centres and accommodation for asylum seekers, prevention workshops in schools and workshops on child trafficking.</p>
--	--

B) Staff working with children, migration officers, asylum officers and staff of hostels for asylum seekers

Since 2018, a cooperation project for the Brandenburg 'Qualification Programme for Migration Social Work in the Health and Psychosocial Sector', funded by the MSGIV, has included, among other things, further training courses on special protection needs (special protection needs according to the EU Reception Conditions Directive and social work with refugees) for migration social workers. In the event of further needs, the Centre of Expertise for Migration and Integration can draw on its capacities to design seminars on this subject. These needs will be examined in 2020 and, if necessary, carried over to the new funding period 2021.

C) Police officers

The Land Brandenburg Police Academy regularly stages advanced training at regular intervals in victim protection for police officers. From 14 to 15 January 2020, a two-day seminar on 'Victim Protection' was held at the Police Academy. This seminar dealt, among other things, with the minimum standards of Directive 2012/29/EU (such as taking into account special needs for protection, right to interpreting and translation services, assistance from victim support services, victim compensation). The target group were police officers entrusted with the implementation of victim protection in the state of Brandenburg.

D) Public prosecutors, judges

The Joint Legal Examination Office of the Länder Berlin and Brandenburg (GJPA) has organised its own further training events on the subject of trafficking in human beings on several occasions.

Lower Saxony:

- In Lower Saxony, the above-mentioned cooperation decree on human trafficking provides for the staging of interdisciplinary training courses. In the past, one further training event a year, organised by the LKA, took place. These events were attended by between five and eight public prosecutors and judges each year, in addition to other actors in the field of human trafficking. In 2020, the training event will be staged in line with needs. In the current Curriculum 2020 of the Police Academy of Lower Saxony the topic of human trafficking is now anchored under the heading of organised crime. 40 hours of courses are planned for this overall topic in face-to-face lectures and self-study. In addition, the topic can be dealt with in greater depth in the context of bachelor's theses or in elective modules. In this respect, Lower Saxony's law enforcement officers already gain knowledge about this specific phenomenon during their studies. In the context of courses held at least once a year by the Police Academy of Lower Saxony, colleagues undergo further and advanced training in the criminal field of human trafficking. In addition, members of Lower Saxony's police authorities can attend the BKA's special courses on human trafficking for the purpose of sexual exploitation and trafficking for labour exploitation. Furthermore, an expert meeting on human trafficking is organised by the LKA Lower Saxony for case managers once a year.
- Furthermore, a guide is available on combatting human trafficking for case managers involved in this area of crime. It contains recommendations for action, gives an overview of the principles of handling trafficking cases, and sets out the existing legal and regulatory framework. It will be updated as necessary. In the field of migration counselling there is also an ongoing focus on human trafficking and the various forms of exploitation of refugees and/or migrants living in precarious conditions. There are plans to intensify the links between the referral counselling of the relevant counselling centres and other specialised counselling centres (e.g. counselling centre for sex workers, counselling centres against exploitation on the labour market, etc.).

Mecklenburg-Western Pomerania:

Judges and public prosecutors in the Land are regularly offered appropriate further training courses, for example through the German Judicial Academy (DRA). In addition, there were several opportunities to exchange information, for instance with the police.

		<p><u>Rhineland-Palatinate:</u></p> <ul style="list-style-type: none"> • The German Judicial Academy (DRA) at its locations in Wustrau and Trier frequently organises conferences on international human trafficking and smuggling of migrants, such as the conference 'International Human Trafficking and Smuggling of Migrants' in Trier from 22 to 25 January in 2018. The judges and public prosecutors of the Rhineland-Palatinate can attend these conferences. • Furthermore, the Academy of European Law also runs training courses on combatting trafficking in human beings, for instance 'Countering Trafficking in Human Beings' in Trier from 13 to 14 December 2018. • Finally, the European Judicial Training Network (EJTN) also repeatedly offers courses on the topic of human trafficking in European cities, such as 'Trafficking of Human Beings' in Prague on 6 September 2018, 'Human Trafficking and Other Forms of Human Exploitation' in Scandicci from 28 to 30 January 2019 or 'International Human Rights Standards' in Paris from 13 to 15 February 2019. Judges and public prosecutors from the Rhineland-Palatinate can attend these further training courses, too. <p><u>Thuringia:</u></p> <p>Also in 2019 and 2020, various conferences for judges and public prosecutors were held on this topic, for instance at the German Judicial Academy – a joint educational facility of the Federal Government and the Länder. It is, moreover, the subject of initial and further police training. For the rest, reference is made to the preliminary remark.</p>
H.	Assistance for male victims of THB	<p><u>Baden-Württemberg:</u></p> <p>The current focus is on female victims, but the provided services don't exclude men, if there's help requested, and new concepts that also consider male victims specifically are being developed.</p> <p><u>Bavaria:</u></p> <p>Immediately after the introduction of the new trafficking offences in October 2016, it was recognised that accommodation for male victims of trafficking/exploitation poses particular challenges. This has now also been recognised by the specialised counselling centres and some of the requirements have already been met. Due to the corona pandemic, it has not yet been possible to hold a scheduled meeting. The involvement of church bodies has also still to be examined.</p> <p><u>Berlin:</u></p> <p>In the guidelines of the government policy of the Berlin Senate for 2016 - 2021 (House of Representatives printed paper (Abgeordnetenhaus-Drucksache) 18/0073), it is stated that the Senate supports victims of labour exploitation and – in addition to securing the provision of counselling services – provides them with temporary accommodation so that they can stay and testify as witnesses.</p> <p>In the Land Berlin the Land Office for Refugee Affairs (LAF) is responsible, among other things, for granting benefits in accordance with the Asylum Seekers Benefits Act (Asylbewerberleistungsgesetz, AsylbLG) and for implementing measures to prevent the homelessness of victims of the crimes set out in section 25(4a-4b) of the Residence Act (Aufenthaltsgesetz, AufenthG), during the period up to the departure deadline in accordance with section 59(7) AufenthG until such time as a residence permit is issued. Within the framework of this allocation of responsibilities, the LAF organises, among other things, accommodation for male victims of human trafficking for the purpose of labour exploitation or for male victims of extreme labour exploitation in the Berlin Arrival Centre in acute cases of need. Should the persons concerned decide to stay longer, the LAF will arrange for accommodation in a reception facility with full board.</p> <p>The LAF can also accommodate a larger number of potential victims of labour exploitation, forced labour or associated human trafficking as long as sufficient capacities are available. For example, following a large-scale raid carried out by the Berlin Main Customs Office on 21 August 2019, in which around 1,900 police officers from all 41 main customs offices in Germany, mainly in Berlin but also in</p>

		<p>Brandenburg and Saxony-Anhalt, searched offices and business premises at over 80 locations on behalf of the Berlin Public Prosecutor's Office with the support of the Customs Criminal Office, the Federal Police and the competent police authorities of the Länder, the LAF was able to provide short-term accommodation for 63 potential (mostly male) victims of labour exploitation/trafficking. Even if the persons were not ultimately needed as witnesses in the criminal proceedings, the LAF was able to prevent a large number of people from becoming homeless.</p> <p>Insofar as the Berlin Counselling Centre for Migration and Good Work (BEMA) provides accommodation and meals at its own expense in the Land Berlin to potential victims of labour exploitation and trafficking in human beings for the purpose of labour exploitation and forced labour until the facts of the case have been clarified or until the conclusion of official or court proceedings, BEMA may obtain reimbursement of corresponding costs in justified individual cases from the beginning of 2020 (until the end of the term of the contract on 31 December 2022) from the Senate Administration for Integration, Labour and Social Affairs on presentation of itemised cost statements up to a maximum total amount of EUR 40,000 (gross) per calendar year, insofar as the group of persons concerned cannot initially be accommodated and cared for by public agencies.</p> <p><u>Brandenburg:</u> This victim group is addressed in close cooperation with networks/NGOs for male victims in Berlin.</p> <p><u>Hamburg:</u></p> <ul style="list-style-type: none"> • Implementation of the individual case solution for men from April 2019: According to the current cooperation agreement between KOOFRA and the Hamburg police in 2018, solutions are sought in exceptional cases for the affected men in coordination with the social services. • Specialised office for counselling, permits and registration under the Prostitute Protection Act: In the context of the registration of prostitutes, there were no cases of male victims. <p><u>Hesse:</u> In Hesse, a special NGO from Frankfurt am Main – 'KISS' (funding body AIDS assistance [Träger Aidshilfe] Frankfurt am Main) – supported male victims of sexual exploitation in the reporting period. In individual cases the NGO FIM (Women's rights are human rights [Frauenrecht ist Menschenrecht e.V.]) has assisted male victims of labour exploitation in court proceedings. In the opinion of the State of Hesse Criminal Police Office (HLKA), all the authorities and institutions concerned must implement the GRETA requirements in principle and appropriately.</p>
I.	Recovery and reflection period	<p><u>Berlin:</u> In Berlin, what is termed the reflection period is only granted if the public prosecutor's office or the Berlin chief of police deems it necessary and gives his reasons to the Land Immigration Office on a case-by-case basis. From the point of view of some ministries, there appears to be a need to review whether this procedure, which was last amended on 15 August 2019, is compatible with the Council of Europe Convention on Action against Trafficking in Human Beings (procedural information for the stay in Berlin, point VAB A 9.7 https://www.berlin.de/einwanderung/service/downloads/artikel.875097.php).</p> <p><u>Lower Saxony:</u> The above-mentioned cooperation decree provides for the protection of victims <i>regardless</i> of their willingness or ability to testify. During the initial contact with the police, the victim is informed about his or her rights, possibilities and offers of help and is also given a multilingual fact sheet. Also during the reflection period benefits can be claimed as defined in Book Two or Book Twelve of the Social Code.</p>

		<p><u>Saxony-Anhalt:</u> The specialised counselling service VERA offers advice and support in the following areas, among others: Crisis intervention and initial talks, ongoing psychosocial counselling, support in clarifying questions of immigration and social law, accompaniment to authorities, accompaniment in preliminary investigations and criminal proceedings and, if necessary, in court and arrangement of legal assistance. In 2019, the first steps were taken towards cooperation with the Federal Agency on Migration and Refugees (Regional office Halberstadt) at the annual advisory board meeting of VERA. For seven years now, the Land's own training courses on the adhesion procedure for the judiciary in Saxony-Anhalt have been held regularly.</p> <p><u>Schleswig-Holstein:</u> The Schleswig-Holstein Ministry of the Interior regulated in a decree to the immigration authorities on 24 April 2018 the procedure to be adopted for a reflection period for third-country nationals https://www.frsh.de/fileadmin/pdf/behoerden/Erlasse_ab_2012/Erlass_Opfer-einer-Straftat_20180424.pdf.</p>
J.	Compensation and legal remedies	<p><u>Baden-Württemberg:</u> A great deal is covered by benefits under the Crime Victims Compensation Act, especially as far as the health consequences of a crime are concerned. However, it is not uncommon for violent crimes to cause high levels of material and financial damage for which there is no insurance cover. Moreover, the perpetrator often cannot be prosecuted or turns out to be insolvent. In this case, no claim for damages for pain and suffering can be asserted. In this context, reference may be made to a country-specific peculiarity:</p> <p>The Baden-Württemberg Land Foundation for Victim Protection (Landesstiftung Opferschutz Baden-Württemberg) was established on 20 March 2001 in order to provide assistance in the most urgent cases. It grants compensation for damages and pain and suffering up to EUR 10,000 in individual cases. In addition, the foundation supports organisations that provide advice and support to crime victims. The foundation, whose annual funds have already doubled to EUR 800,000 from the 2019 budget year, has thus been helping victims of crimes committed in Baden-Württemberg for almost 20 years, mainly through direct financial contributions to people affected by violent crimes. In addition, the foundation can provide assistance for victim-witness support programmes. The specific funding guidelines can be accessed at www.landesstiftung-opferschutz.de</p> <p>We would also like to draw attention to the guidelines for cooperation between authorities and specialist counselling centres in Baden-Württemberg dated September 2019 https://www.baden-wuerttemberg.de/fileadmin/redaktion/m-wm/intern/Publikationen/Arbeit/2019_Leitfaden_Arbeitsausbeutung.pdf</p> <p><u>Berlin:</u> On 19 December 2019, the Social Compensation Act (Gesetz zur Regelung des Sozialen Entschädigungsrecht, SozERG) was published by means of which the reform of the Crime Victims Compensation Act regulated in Article I Book Fourteen of the Social Code was implemented. In section 13 Book Fourteen of the Social Code, the list in paragraph 2 explicitly includes victims of human trafficking (sections 232 to 233a StGB) in the group of persons entitled to receive (state) social compensation as victims of an act of violence. Book Fourteen of the Social Code enters into force on 1 January 2024. Up to now, compensation under the current Crime Victims Compensation Act (Opferentschädigungsgesetz, OEG) has only been possible to a limited extent, since the health consequences of psychological violence do not figure amongst the facts of relevance for compensation.</p>

Brandenburg:

The Brandenburg Police Academy regularly stages further training courses in victim protection for police officers. In January 2020, for instance, a two-day seminar on 'Victim Protection' was held at the Police Academy. This seminar deals, among other things, with the minimum standards of Directive 2012/29/EU (such as consideration of special needs for protection, entitlement to interpreting and translation services, support by victim support services, victim compensation). The target group were police officers who are entrusted with the implementation of victim protection in the Land Brandenburg.

Hamburg:

Planning from 2020: Efforts are already underway to expand the training courses on victim protection and psychosocial accompaniment during criminal proceedings for judges and public prosecutors in connection with the introduction of section 406g of the Code of Criminal Procedure and the Act on Psychosocial Accompaniment during Criminal Proceedings (Gesetz über psychosoziale Prozessbegleitung, PsychPbG) to include 'victim compensation inter alia in connection with human trafficking'.

Hesse:

Legal protection and legal advice are usually provided by specialist lawyers if an NGO is involved. According to the information available here, compensation in the reporting period was only possible on the basis of court decisions in human trafficking proceedings and in the course of incidental actions.

Lower Saxony:

With the entry into force of the new Act on the Reform of Criminal Assets Recovery (Gesetz zur Reform der strafrechtlichen Vermögensabschöpfung) of 1 July 2017, comprehensive new provisions on victim compensation have been put in place. Also in the cases with injured parties, the court must regularly order the confiscation of the offender's proceeds or the confiscation of the value of those proceeds. Compensation for injured parties is then paid in conjunction with the execution of sentence. If the confiscation of the equivalent sum of money is not possible due to lack of assets, the injured parties will be compensated in the insolvency proceedings on a pro rata basis. The new asset recovery legislation provides that, as a general rule, in any proceedings in which the 'perpetrator or participant' or third-party beneficiaries has or have obtained 'something' through or for the offence, the public prosecutor's office must request the confiscation of the offender's proceeds or the confiscation of the value of those proceeds. A confiscation application necessitates, inter alia, the calculation of the proceeds obtained and the identification of the injured parties. This results in additional outlay in the field area of (financial) investigations by the police.

Mecklenburg-Western Pomerania:

The question of victim compensation as well as adhesion proceedings are regularly covered in further training for judges and public prosecutors, for example in the further training programme of the German Judicial Academy.

Rhineland-Palatinate:

See: 'training'

Saxony-Anhalt:

See recovery and reflection period

		<p><u>Thuringia:</u> Also, in 2019 and 2020, various conferences for judges and public prosecutors were organised on this topic, for instance at the German Judicial Academy, a joint educational institution of the Federal Government and the Länder.</p>
K.	Repatriation and return of victims	<p><u>Brandenburg:</u></p> <ul style="list-style-type: none"> • The Brandenburg foreigners authorities are required by general directive to examine each individual case for existing obstacles to expulsion and the special need for protection of the persons concerned before implementing repatriation measures. Particular consideration is given to the need for protection, for instance for victims of human trafficking. In this respect, the immigration authorities have (at least) since then been duty bound to carefully examine possible rights of residence and obstacles to deportation before repatriation (e.g. also of victims of human trafficking) although such examinations have of course already been carried out in the past. • The BAMF is responsible for conducting asylum procedures. As communicated in connection with the information on identification of victims of THB, the BAMF receives information from the ZABH on persons in need of protection, for instance victims of trafficking in human beings. The BAMF then brings in specially trained decision-makers. In this respect, it is assumed that the BAMF also takes this information into account in the case of accelerated asylum procedures.
L.	Criminal investigation	<p><u>Bavaria:</u></p> <ul style="list-style-type: none"> • A dedicated unit to combat human trafficking will be set up in the largest Bavarian public prosecutor's office (Munich I). • In conjunction with what is known as the 'Traunstein Model', special departments to combat cross-border crime, smuggling and trafficking in human beings have been set up in four Bavarian public prosecutor's offices (Traunstein, Landshut, Kempten and Regensburg) so far in 2019/2020. The public prosecutor's offices were assigned additional staff for these tasks. In the future, the Traunstein model is to be rolled out to all public prosecutor's offices close to the border. • To build on the initial training, specialised further training courses on the subject of human trafficking are open to the Bavarian police. At the Bavarian Police Further Training Institute (BPFI) in Ainring, the topic is dealt with in the following seminars: sexual offences/abuse of children/adolescents (K40180): 7 teaching units; investigation/control/narcotics investigation services (K40670): 3 teaching units; basic crime seminar (K40010): 3 teaching units; organised crime (K40400): 3 teaching units; smuggling of migrants (K40460): 3 teaching units. • The BLKA regularly organises a THB workshop in order to enable specialised investigators to exchange information and further develop their expertise. The topic is also addressed in more depth at international conferences and in established cooperation. Examples include the opportunity to take advantage of the further training courses run by the Austrian Security Academy, which also specifically address human trafficking, or the Ainringer Ostertage at the BPFI, where current international crime topics and phenomena are discussed in greater depth, and common experiences and solutions are exchanged amongst a large number of participants. • On the subject of increased efforts to investigate and prosecute cases of trafficking in human beings for the purpose of labour exploitation, the BLKA intends to take advantage of the opportunity to agree on modalities for future joint action in this area as a result of the revision of the Act to Combat Undeclared Work and Unlawful Employment (Schwarzarbeitsbekämpfungsgesetz, SchwarzArbG) and the associated extended competence of customs (especially FKS) for this phenomenon. However, due to the corona situation, these could not be implemented up to now. <p><u>Berlin:</u> With regard to the phenomenon of trafficking in human beings for the purpose of exploitation in conjunction with the committing of criminal offences or begging, the Senate Department for the Interior provides information on the following proceedings:</p>

	<p>1) Proceedings for aggravated gang theft In a preliminary investigation of human trafficking for exploitation in the committing of crimes (EV Pandora), which has been conducted since 2018, it became known that young men or adolescents were recruited in Belarus to commit shoplifting offences in Berlin together, sometimes in different combinations, under gang supervision. So far, 20 suspects (leaders and actual shoplifters) have been identified in close cooperation with the BKA through Belarus identification data, including eight potential victims of human trafficking. In January 2019, judgements were handed down against three of the main perpetrators. Due to the unwillingness of the potential victims ('thieving boys') to testify, however, the sentences were only for serious gang theft and not for human trafficking. The perpetrators were given prison sentences of 3 years and 3 months, 3 years and 6 months and 3 years and 9 months.</p> <p>2) Sentencing for trafficking in human beings for exploitation in the committing of criminal offences on 25 June 2019 A Polish family (a 43-year-old father, his two sons 15 and 26 years old and his 22-year-old daughter) lured five Polish homeless people to Berlin and locked them up in the apartment of a 77-year-old German. They forced their victims to commit shoplifting offences whilst resorting to the massive use of violence, including sexual violence. The judgement was handed down on 25 June 2019 and was the first conviction in Germany for trafficking in human beings for exploitation in the committing of criminal offences. The defendants were sentenced to terms of imprisonment of between 3 years and 3 months and 6 years.</p> <p>In contrast, no proceedings could be brought in Berlin for trafficking in human beings for the purpose of exploitation in conjunction with illegal begging up to now. There are no reliable findings on this phenomenon. Proactive efforts to shed light on possible unreported cases have been unsuccessful up to now. The interviews conducted with beggars found in the urban area of Berlin did not provide any evidence for the existence of exploitation/trafficking offences, although the truthfulness of the statements made may be questionable. In 2020, further attempts are to be made to shed light on this nebulous area.</p> <p><u>Brandenburg:</u></p> <ul style="list-style-type: none"> • Due to the low number of cases (in 2019 a total of two indicated cases), the relevant crime phenomenon of THB is not currently a main focus of the Brandenburg police force. Processing is done on a case-by-case basis. • The supervision of the effective and efficient application of the new Act on the Reform of Criminal Assets Recovery (Gesetz zur Reform der strafrechtlichen Vermögensabschöpfung) is a focal point of the technical supervision of the public prosecutor's office exercised by the Ministry of Justice. It has repeatedly been the subject of official meetings. The public prosecutor's offices are obliged to report regularly on the development of the results in the field of provisional freezing measures as well as on the final confiscation orders. <p><u>Hesse:</u></p> <p>For Hesse, it should be noted that since 2017, 72.5 new positions have been created in the overall field of public prosecution in Hesse, some of them for a specific purpose and some not. Thanks to this additional staff and the related general increase in their capacity, public prosecutor's offices in Hesse are now in a position to adequately prosecute cases related to trafficking in human beings, too.</p> <p><u>Mecklenburg-Western Pomerania:</u></p> <ul style="list-style-type: none"> • With regard to the question of specialisation of the professional groups involved in the prosecution of human trafficking offences, it should be noted that in Mecklenburg-Western Pomerania criminal proceedings for human trafficking are generally handled by special departments of the public prosecutor's office. They are normally the public prosecutors in special units for organised crime. Please also refer to the answer for 'training'!
--	--

		<ul style="list-style-type: none"> • The implementation of the Act on the Reform of Criminal Assets Recovery of 13 April 2017 is the responsibility of the courts. An evaluation of the amended legal provisions is carried out on an ongoing basis and the need for legislative adjustments is examined. <p><u>North Rhine-Westphalia:</u></p> <ul style="list-style-type: none"> • Building on the contents on the topic of 'Combating Human Trafficking' in the bachelor's course of study in the NRW Police Enforcement Service, this topic is addressed in the central further training of the NRW police. • On the topic of trafficking in human beings, the various forms of exploitation associated with it and the relevant legal powers in this context, the further training courses 'Trafficking in human beings - Refresher training' and 'Trafficking in human beings - Updating - Refresher training' are staged annually. In this context, the length of the seminar Human trafficking - Refresher training in 2020 was increased from 5 to 10 seminar days in order to cope with the legal changes and new developments in the field of human trafficking, to deal with existing topics in a more differentiated manner, and to take up new topics. • For many years, the sensitive handling of victim witnesses has been an integral part of the further training programme of the Judicial Academy of the Land North Rhine-Westphalia. The German Judicial Academy, a further training institution jointly supported by the Federal Government and the Länder, also regularly organises further training in the sensitive questioning of victim witnesses. For the first time in 2020, the Judicial Academy will also hold special training courses for the official contact persons and victim protection officers. • For 2021, the Judicial Academy of the Land North Rhine-Westphalia and the German Judicial Academy are each planning further training on the topic of sexual offences and forced prostitution. These seminars are in particular intended to promote understanding and appropriate treatment of victims. The event is intended to present the phenomenon of forced prostitution as well as the role of victim in preliminary investigations and criminal proceedings (psychological background and effect of experiences on the ability to give evidence, treatment of victims during questioning). Investigative tactics and methods, trauma research and testimony psychology as well as the specifics of victim protection will also be covered. In addition, light should be shed on the milieu and motives of victims. <p><u>Rhineland-Palatinate:</u> Insofar as cases of human trafficking are to be dealt with by the public prosecutor's offices in Rhineland-Palatinate, these cases will be pursued vigorously. The public prosecutor's offices will be adequately staffed for this purpose.</p> <p>Preliminary investigations and criminal proceedings for human trafficking are still not a mass phenomenon in the Rhineland-Palatinate. The criminal prosecution statistics for the Rhineland-Palatinate list two convictions each for 2018 and 2019 for sections 232 - 233a StGB (human trafficking, forced prostitution, etc.).</p> <p><u>Thuringia:</u> For the Thuringian police force, the Thuringian Ministry of the Interior is making efforts to increase the number of posts in order to improve staffing levels.</p>
M.	Non-punishment of victims of THB	<p><u>Hesse:</u> In order to implement GRETA's recommendation to the German authorities to take additional measures to ensure compliance with the principle of non-punishment of victims of trafficking in human beings for their involvement in illegal activities, Hesse, as chair of the Committee on the Guidelines for criminal proceedings and regulatory fines proceedings (RiStBV), intends to propose a revision of No. 102 of the RiStBV to bring it into line with the version in section 154c(2) of the Code of Criminal Procedure (non-prosecution – also – of victims of human trafficking) that has been in force since October 2016.</p>

N	Protection of victims as witnesses	<p><u>Lower Saxony:</u> The above-mentioned cooperation decree provides for the protection of victims <i>regardless</i> of their willingness or ability to testify. During the initial contact with the police, the victim is informed about his or her rights, possibilities and offers of help and is also given a multilingual factsheet. Also during the reflection period benefits can be claimed as defined in Book Two or Book Twelve of the Social Code. However, the protection of victims and witnesses and related measures depend largely on their willingness to cooperate. Once the prosecution authorities have initiated a preliminary investigation, the victims or witnesses are often no longer available for the criminal proceedings for various reasons. Intimidation and threats may also be made against relatives in the victim's home country. In such cases, the active protection of victims and witnesses by the police is not possible or only possible to a limited extent. In special preliminary investigations, the extensive protection of victims and witnesses is undertaken by specially trained police officers from the witness protection department of the LKA Lower Saxony.</p> <p>The early involvement of victim protection organisations and the confidence-building measures that go hand in hand with this are also helpful and are also used in the processing of human trafficking proceedings.</p> <p>In Lower Saxony a situation-adapted exchange takes place between the special police services for combating human trafficking and the specialised counselling centres.</p> <p>The aim of the victim protection scheme is to protect and provide professional assistance to victims in order to ensure the successful conduct of criminal proceedings.</p> <p><u>Mecklenburg-Western Pomerania:</u> The Ministry of Justice of Mecklenburg-Western Pomerania appointed a judicial officer for victim support in the Land Mecklenburg-Western Pomerania in 2018 to improve victim counselling. Furthermore, the Institute for Psychosocial Accompaniment during Criminal Proceedings is currently undergoing an evaluation and a nationwide information leaflet on the reformed Juvenile Courts Act (Jugendgerichtsgesetz) is being prepared.</p> <p><u>North Rhine-Westphalia:</u> On 15 January 2020, the Ministry of the Interior of the Land North Rhine-Westphalia published the circular 'Richtlinien zur Durchführung von Maßnahmen des Operativen Opferschutzes durch die Polizei des Landes Nordrhein-Westfalen'. Operational victim protection measures provide comprehensive and sustainable protection for persons at risk in prominent situations of danger. These measures are similar to witness protection ones. They constitute a 'last resort' for dealing with prominent situations of individual danger which may be considered if the preconditions of the Act for harmonising the protection of endangered witnesses (Gesetz zur Harmonisierung des Schutzes gefährdeter Zeugen, ZSHG) are not met.</p> <p><u>Schleswig-Holstein:</u> Both in the context of the needs assessment and in the course of the implementation of the Istanbul Convention in Schleswig-Holstein, the emergency services will be reviewed and possible gaps in protection will be identified to enable any necessary adjustments to be made.</p>
O.	(1) International cooperation	<p><u>Baden-Württemberg:</u> When addressing the subject of international cooperation, mention should also be made of the fact that the EU Strategy for the Danube Region is a key element in the European policy of the government of Baden-Württemberg. One of the most important aims of this strategy is to improve stability in the region. In this context, the government of Baden-Württemberg gives financial backing to a</p>

		<p>conference about THB for the purpose of sexual exploitation in the Danube Region, which should be held in November 2020, but was postponed because of the COVID-19 pandemic</p> <p><u>Bavaria:</u> In the fight against the phenomenon of human trafficking and exploitation, the BLKA is constantly striving to expand the already existing, well-functioning networks. To this end, it draws inter alia on conferences for case managers at federal and Land level as well as joint further training events.</p> <p><u>Thuringia:</u> In 2019 and 2020, the police continues to have established and institutionalised forms of international cooperation at its disposal (e.g. international police cooperation, international legal assistance, Europol, joint investigative teams, etc.).</p>
O.	(2) Co-operation with civil society	<p><u>Baden-Württemberg:</u> In Baden-Württemberg there is ongoing co-operation between the NGOs that offer counselling services for the different forms of THB. Baden-Württemberg provides financial annual support for four counselling services for victims of THB for the purpose of sexual exploitation amounting to EUR 310,000 in total. Counselling offices for victims of labour exploitation are also given financial backing.</p> <p><u>Bavaria:</u> In the area of labour exploitation, the BLKA established contacts with the trade unions for the first time in August 2020. Exploitative employment relationships are often brought to the notice of the trade unions by victims seeking help. In contrast to the police, the trade union contact persons are in a position to offer better care and support measures as well as legal assistance. The knowledge gained is made available to the police and often contains valuable information that can serve as the basis for launching investigations.</p> <p><u>Mecklenburg-Western Pomerania:</u> In order to establish strategic partnerships with NGOs and trade unions, Mecklenburg-Western Pomerania with the counselling centre CORRECT! pursues the goal of proactively promoting networking and cooperation with institutional stakeholders in addition to direct prevention and counselling work. The funding body of the counselling centre CORRECT! is the Mecklenburg-Western Pomerania Association for Work and Life (Verein Arbeit und Leben Mecklenburg-Vorpommern e.V.), which is in close contact with the trade unions. The project runs from 1 August 2019 to 31 December 2022 and is supported by the Ministry of Economics, Labour and Health with funds from the European Social Fund of the European Union.</p>
	Victim support	<p><u>Baden-Württemberg:</u> Baden-Württemberg has provided financial support for three counselling services for THB for the purpose of sexual exploitation amounting to annually EUR 310,000 in total since 2009. They are tasked with taking care of the victims' specific needs. In their annual reports and at several meetings, the counselling services inform the government about the current situation and current challenges. With a new program, which will be launched in 2021, additional counselling services will be supported financially.</p> <p><u>Bavaria:</u> For 2019 and 2020, the budget allocation for the support of the specialised counselling centres Jadwiga (Stop dem Frauenhandel Ökumenische gGmbH) and Solwodi Bayern e.V. as well as the Scheherazade housing project (Stop dem Frauenhandel Ökumenische gGmbH) - (for victims of forced marriage) was increased by EUR 250,000 to a total of EUR 850,000 a year as part of the Bavarian Land government's three-stage plan for protection from and prevention of violence (see also F.).</p>

		<p><u>Brandenburg:</u> Application of the provisions on victim protection: Within the framework of police victim protection, the victim protection officers of the Brandenburg police force are on hand to provide, among other things, care and mediation for victims. The police provide the victims with appropriate instructions on how to behave and basic information on victims' rights and on the assistance and support services provided by victim support organisations. In addition, victims can be referred to victim support institutions subject to their consent.</p> <p>Police victim protection has been firmly established in the Land Brandenburg since 2003 with the entry into force of the 'Police Victim Protection Concept of the Land Brandenburg'. It has been updated in accordance with the reforms of German and European victim law:</p> <ul style="list-style-type: none"> • Entry into force – 25 November 2003 (Decree of the Ministry of the Interior) • First update - 3 April 2006 (Decree of the Ministry of the Interior) • Second update - 27 December 2012 (order of the Chief of Police) <p>The new 'Victim Protection Compass' of the Brandenburg police force will be published in 2020 in order to draw attention to the legal amendments to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 on minimum standards for the rights, assistance and protection of victims of crime. It provides a detailed description of current phenomena and furnishes staff with a reliable basis for action. The 'Victim Protection Compass' is the third update of this concept.</p> <p><u>Lower Saxony:</u> The above-mentioned cooperation decree provides for the protection of victims <i>regardless</i> of their willingness or ability to testify. During the initial contact with the police, the victim is informed about his or her rights, possibilities and offers of help and given a multilingual factsheet. Also during the reflection period benefits can be claimed as defined in Book Two or Book Twelve of the Social Code.</p> <p><u>Mecklenburg-Western Pomerania:</u> As a complement to the previous report, it should be noted that the person concerned is deemed to be a minor until definitive clarification of the age of the child/adolescent has been obtained.</p> <p><u>Rhineland-Palatinate:</u> In the three years since the legal right to psychosocial accompaniment in criminal proceeding came into force, the number of assignments in Rhineland-Palatinate has risen continuously. Between 2018 (24 assignments) and 2019 (60 assignments) it has more than doubled. This speaks in favour of a progressive establishment of the instrument of psychosocial accompaniment during criminal proceedings in the Rhineland-Palatinate's judicial practice. In the Rhineland-Palatinate, 27 persons are currently recognised as providers of psychosocial accompaniment during criminal proceedings, including several who focus on the care of victims of human trafficking.</p> <p><u>Thuringia:</u> In Thuringia, age determination is undertaken by the youth welfare offices within the framework of an official procedure in accordance with section 42 f Book Eight of the Social Code, whereby the welfare of the child is effectively protected. This protection is guaranteed by compliance with the provisions of data protection law and procedural provisions.</p>

	<p>Residence permits</p>	<p><u>Berlin:</u> In Berlin, generous use is made of the discretionary power set out in section 25 4a) Residence Act (AufenthG), subject to refraining from applying section 5(1)(1-2) and (4) as well as section 5(2) AufenthG. Affected individuals are regularly offered the prospect of remaining in Berlin even after the end of the criminal proceedings. Consequently, the question of (further) risk assessment does not normally arise.</p> <p>The only exception is if there is a particularly serious or grave interest in expelling the foreigner pursuant to section 54(2)(1-6) AufenthG or if he or she was expelled on the basis of such an interest. Reference is made to the comments A.25.4a. of the above-mentioned procedural notes (see recommendation 8).</p> <p><i>Statistical data:</i> Since June 2018, a total of 9 residence permits have been issued (in 7 cases in accordance with section 25(4a) AufenthG, in one case in accordance with section 30 AufenthG, and in one case in accordance with section 33 AufenthG).</p> <p>Since June 2018, a residence permit has been extended in 3 cases in accordance with section 25(4a) AufenthG.</p> <p>Since June 2018, one person has been reported as a victim of exploitative work. However, since the person is entitled to freedom of movement, there was no need to issue a residence permit.</p> <p>Since June 2018 one child has been granted a residence permit (see above, residence permit in accordance with section 33 AufenthG).</p> <p>The persons registered since June 2018 are nationals of Albania, Thailand, Nigeria, Malaysia, Moldova, Tunisia, Brazil, Romania, Sierra Leone and Serbia. One person is of unknown nationality.</p> <p>As can be seen from this list, residence permits were also issued on grounds other than humanitarian ones. One of the registered persons is a person entitled to freedom of movement who does not require a residence permit. It is not possible to establish whether there was nevertheless cooperation with the criminal investigation authorities in these cases.</p>
--	---------------------------------	--